ORDINANCE NO 973

AN ORDINANCE TO AMEND THE TEXT AND MAPS OF THE CITY OF ARCADIA COMPREHENSIVE PLAN BASED ON THE CITY'S EVALUATION AND APPRAISAL REPORT (EAR); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and mandates the City of Arcadia, Florida, to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, Section 163.3191, Florida Statutes, requires local governments to periodically adopt an Evaluation and Appraisal Report (EAR) and subsequently update their comprehensive plan based on the recommendations in the EAR; and,

WHEREAS, pursuant to Section 166.041(1)c2, Florida Statutes, the City Council has held meetings and hearings on the amendment(s) to the Comprehensive Plan and made a part hereof; and, the meetings were advertised and held with due public notice, to obtain public comment; and having considered written and oral comments received during public hearings, find the amendment(s) complete and appropriate to the needs of the City; and,

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the people of the City of Arcadia, Florida:

Section 1. Amendment of Comprehensive Plan.

The **City of Arcadia Comprehensive Plan** is hereby amended as set forth in Exhibit "A", by:

(a.) Amending the Future Land Use Element; Future Land Use Map Series; Traffic Circulation Element; Transportation Map Series; Housing Element; Infrastructure Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; Public School Facilities Element; Definitions; based on the City's Evaluation and Appraisal Report.

Severability: If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Certified Copy: A certified copy of this enacting ordinance and certified copy of the City of Arcadia Comprehensive Plan shall be located in the Office of the City Clerk of Arcadia. The City Clerk shall also make copies available to the public for a reasonable publication charge.

Ordinance Codified: This Ordinance shall be codified in the Code of Ordinances of the City of Arcadia, Florida.

Effective Date: This plan amendment shall be effective in accordance with Section 163.3187(5)(c), Florida Statutes.

INTRODUCED AND PASSED on First Reading the ___ day of _____, 2012.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Council of Arcadia, Florida, this ___ day of _____, 2012.

CITY OF ARCADIA, FLORIDA

_____
Keith Keene, Mayor

ATTEST:

_____
Virginia S. Haas, City Recorder

Approved as to form:

_____
William Galvano, City Attorney

Motion made by_____ seconded by _____.

The vote was ____ for ____ against with ____ abstentions and ____absent

To: City of Arcadia City Council

From: Jennifer Codo-Salisbury, Planning Director

Date: May 1, 2012

Subject: Ordinance 973: Adoption of Arcadia's Comprehensive Plan Update (EAR-Based Amendments)

Background

The Evaluation and Appraisal Report (EAR) process, which is required by Section 163.3191, Florida Statutes, mandates that cities and counties update their Comprehensive Plans to respond to changes that occur over time. The EAR process includes two steps: 1) the Evaluation and Appraisal Report, and 2) the EAR-Based Amendments.

The **first step** of the process is to complete an Evaluation and Appraisal Report. The Evaluation and Appraisal Report helps identify ways that the Comprehensive Plan should be changed to address major issues in the community. The City adopted the EAR in 2009.

The **second step** of the process is to update the Comprehensive Plan based on the recommendations found in the 2009 EAR. This process, which is referred to as the "EAR-Based Amendment Process", is now in the adoption stage.

Past Actions

In 2011, the City of Arcadia City Council held a public hearing and unanimously voted to transmit the EAR-Based Amendments to the Department of Community Affairs for review. The Department of Economic Opportunity (formerly the Department of Community Affairs), reviewed the amendments and provided two objections which are provided below. The amendments are now ready for an adoption hearing which will be held on May 1st following the first reading of Ordinance 973 on April 17th.

First Reading Information

On April 17, 2012, the Arcadia City Council unanimously voted to approve Ordinance 973 on first reading.

Second Reading (Public Hearing) Information

In preparation for the Second Reading (public hearing) of Ordinance 973 regarding the City of Arcadia Comprehensive Plan Update (EAR-Based Amendments), enclosed are the items listed below.

- **Ordinance 973**
- **Ordinance 973 Exhibit A –Text and Map changes**

Representatives from the CFRPC will be at at the May 1, 2012, hearing to provide a presentation and to answer any questions.

City Council Motion Options:
Options for motions by the City Council are listed below.

1. Adopt Ordinance 973 on Second Reading.

2. Adopt Ordinance Ordinance 973 on Second Reading with changes.

Additional Changes to the Elements of the Comprehensive Plan (Objections, Recommendations and Comments Report)

Comprehensive Plan Format and Elements
Based on the comments received from the Department of Economic Opportunity (formerly the Department of Community Affairs) in its Objections, Recommendations and Comments Report, changes to the transmittal package of the EAR Based Amendments are included in the adoption document. The changes are provided in the amendment package and are also shown below.

Below is a list of the changes being made in the Adoption package to address the comments from the Department of Economic Opportunity (DEO). DEO had two objections a regarding the proposed amendments to the Comprehensive Plan.

DEO Objection 1: The terms "Availability or Available" and "Concurrent with the Impacts of Development" in the Definitions Section incorporate by reference specific references to or provisions of Rule 9J-5, Florida Administrative Code (F.A.C.), to establish concurrency availability standards. However, Rule 9J-5, F.A.C., has been repealed and concurrency standards have been superseded by statutory requirements not set forth in Section 163.3180(2), F.S. As proposed, the City's Concurrency Management System policies to not include the appropriate concurrency standards for sanitary sewer and potable water facilities, solid waste, drainage, and for potable water supply, consistent standards established in Section 163.3180(2), F.S.

DEO Recommendation: Revise the provisions of the Plan consistent with Section 163.3180(2), F.S., which requires that "sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent." Regarding potable water supply the statutes require that, "Prior to approval of a building

permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent."

Response:
The definitions for "Availability or Available" and "Concurrent with the Impacts of Development" have been revised to reflect the following:

AVAILABILITY OR AVAILABLE: With regard to the provision of facilities and services concurrent with the impacts of development, means that at a minimum the facilities and services will be provided ~~in accordance with the standards set forth in Rule 9J-5.0055(2), Florida Administrative Code. (*§9J-5.003-F.A.C.*)~~ no later than the issuance by the local government of a certificate of occupancy or its functional equivalent.

CONCURRENT WITH THE IMPACTS OF DEVELOPMENT: ~~Pursuant to §9J-5.0055(2),~~ eConcurrent with the impacts of development shall be satisfied when: the necessary facilities and services are in place ~~at the time~~ no later than the issuance by the local government of a certificate of occupancy or its functional equivalent ~~a development permit is issued; or a development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or that the necessary facilities are under construction at the time a permit is issued; or that the necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of concurrency as defined. For recreation facilities, concurrency may also be met by adherence to §9J-5.0055(2)(b). For roads, concurrency may also be met by adherence to §9J-5.0055(2)(c)~~ Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplier to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent."

DEO Objection 2: Future Land Use Map Amendment No. 5 proposes to apply the Residential, Professional and Business (Mixed Land Use Overlay) future land use map category to 12 acres. The Overlay, as established in the FLUE Policy 1.12, allows for low intensity professional and retail establishments, however, these business uses may not exceed the intensity of the underlying future land use category. The underlying land use categories associated with this map amendment are low and medium density residential. However, neither of these residential categories provides for an intensity standard governing the development of structures of non-residential uses.

Therefore, FLUE Policy 1.12, Residential, Professional and Business (Mixed Land Use Overlay), and proposed Future Land Use Map Amendment No. 5, are inconsistent with the provisions of Section 163.3177(6)(a)1, F.S., which requires that each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities.

DEO Recommendation: Revise FLUE Policy 1.12, Residential, Professional and Business (Mixed Land Use Overlay) to include an intensity standard for low intensity professional and retail development to be applied when an underlying land use category does not establish an intensity standard.

Response:

Policy 1.12 has been revised as provided below.

Policy 1.12: A Residential, Professional and Business (Mixed Land Use) Overlay district shall be included in the Residential land use designations along Hickory and Magnolia Streets. The purpose of this Overlay district is to preserve and protect the historic housing stock and character of this section of Arcadia, while recognizing the commercial value of these properties. Low intensity professional and retail establishments and above-ground-floor apartments are permissible within residential structures in the Residential, Professional and Business Overlay. Schools are permitted in this classification. ~~In this overlay district, at least 50 percent of total uses in the residential areas shall be residential uses.~~ Residential or Business uses in this Overlay district may not exceed the intensity or density of use as established in the underlying future land use category. <u>The floor area ratio in this Overlay District shall not exceed 3.0</u>. [~~*9J-5.006(3)(c)7*~~]

CITY OF ARCADIA
ORDINANCE 973
EAR – BASED COMPREHENSIVE PLAN AMENDMENTS
EXHIBIT "A"
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DEFINITIONS

CITY OF ARCADIA
FUTURE LAND USE ELEMENT

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Gray Highlighted ***Comments*** *are provided to explain each amendment.*

GOAL: **PROVIDE A FUTURE LAND USE PATTERN THAT PROTECTS NATURAL RESOURCES AND ENHANCES THE HEALTH, SAFETY AND GENERAL WELFARE OF THE CITIZENS OF ARCADIA THROUGH THE PROMOTION OF ORDERLY GROWTH AND DEVELOPMENT THAT ENSURES THE CHARACTER, MAGNITUDE, AND LOCATION OF ALL LAND USES FOSTERS A BALANCED NATURAL, PHYSICAL, SOCIAL, AND ECONOMIC ENVIRONMENT AND REDUCES GREEN HOUSE GAS EMMISSIONS.** [*9J-5.006(3)(a)*]

Comment: Text added to the Goal consistent with the EAR Recommendations and the requirements of Florida Statutes regarding green house gas reduction.

Objective 1: ~~***By August 1, 1991, Arcadia shall adopt and enforce land development regulations which discourage urban sprawl, effectively manage growth, establish standards for densities and intensities of development, and otherwise implement the City of Arcadia Comprehensive Plan.***~~ ***The City of Arcadia shall discourage*** ~~***U***~~***urban sprawl, promote economic development, and reduce green house gas emissions while encouraging energy efficiency*** ~~***shall be discouraged***~~ ***by maximizing the use of existing public facilities and services, and by coordinating with DeSoto County to limit the extension of municipal facilities in the unincorporated County to those areas which are consistent with higher intensities of use as set forth in the DeSoto County Comprehensive Plan.*** ~~[*9J-5.006(3)(b)7*]~~

Comment: Objective 1 has been amended to remove the time reference. The City has land development regulations provided through the Code of Ordinances. The City will be updating these regulations following adoption of the Comprehensive Plan update. Text has been added to promote economic development and energy efficiency.

Policy 1.1: Land development regulations~~, to be adopted by August 1, 1991,~~ shall, at a minimum, address: land uses, zoning, the subdivision of land, stormwater drainage, periodic and seasonal flooding and signage. ~~[*9J-5.006(3)(c)1*]~~

Comment: Policy 1.1 has been amended to remove the time reference. The City has land development regulations.

Policy 1.2: The following land use classifications shall be depicted on the Future Land Use Map and shall be utilized to establish densities and intensities of development and to implement the Comprehensive Plan:

a. Low Density Residential;
b. Medium Density Residential;
c. High Density Residential;
d. Business;
e. Mixed Use Business;
f. Industrial;
g. Public Building and Grounds;
h. Recreation and Open Space;
i. Conservation;
j. Residential, Professional and Business Overlay District;
k. Public Schools.

~~[9J-5.006(3)(c)7]~~

Policy 1.3: The Low Density Residential designation shall meet Arcadia's housing demands for this range of density, promote efficient use of infrastructure, protect existing single family neighborhoods and promote compatible land uses. Single family detached housing units are permissible to a maximum density of 6 units per gross acre; and schools are permitted in this classification. Development of areas designated as wetlands are restricted to only residential development at not more than 1 dwelling unit per 5 acres, and provided all requirements of Policy 3.1 of the Conservation Element are met. ~~[9J-5.006(3)(c)7]~~

Policy 1.4: The Medium Density Residential designation shall meet Arcadia's housing demand for this range of density and promote efficient use of existing infrastructure. Maximum density for Medium Density Residential is 14 units per gross acre. Schools are permitted in this classification. Development of areas designated as wetlands are restricted to only residential development at not more than 1 dwelling unit per 5 acres, and provided all requirements of Policy 3.1 of the Conservation Element are met. ~~[9J-5.006(3)(c)7]~~

Policy 1.5: The High Density Residential designation shall meet Arcadia's housing demand for this range of density and promote efficient use of existing infrastructure. Maximum density for High Density Residential is 30 units per gross acre. Schools are permitted in this classification. ~~[9J-5.006(3)(c)7]~~

Policy 1.6: The Business designation shall meet Arcadia's demand for retail goods and services, and shall promote efficient use of infrastructure. Arcadia shall direct commercial development to areas which are well integrated with transportation facilities and surrounding land uses. Residential uses, such as above-ground-floor apartments, are

permissible, provided that they are compatible and appropriately integrated with the surrounding area. Schools are permitted in this classification. The floor area ratio in the Business designation shall not exceed 3.0. ~~[9J-5.006(3)(c)7]~~

Policy 1.7: The Mixed Use Business designation provides for residential and business uses. Development of Mixed Use Business districts shall be subject to the following guidelines:

a. Mixed Use Business districts shall be immediately adjacent to arterials or collectors, or provide a transition from a higher to a lesser density or intensity of use;
b. Land uses shall be appropriately buffered within the Mixed Use Business district, and the district shall be appropriately buffered from adjacent land uses;
c. Mixed Use Business district development shall require a site plan, including a compatibility analysis of adjacent uses;
d. Planned Unit Development and clustering are permissible techniques for the development of Mixed Use Business districts and are encouraged;
e. Subject to compatibility criteria and site plan review, all uses permitted in the Business Future Land Use category are permissible.
f. Business land uses shall not exceed 25 percent of the total site;
g. Residential development may not exceed 14 units per gross acre;
h. A minimum of 10 percent of the total site shall consist of open space and/or passive recreation uses.
i. Schools are permitted in this classification. ~~[9J-5.006(3)(c)7]~~

Policy 1.8: The Industrial designation shall be compatible with adjacent land uses, promote a variety of employment opportunities, facilitate a diversified economic base, and promote efficient use of infrastructure. The Industrial designation includes processing, manufacturing and warehousing activities. Schools are permitted in this classification. Traffic generated by such an establishment shall not over-burden the local or collector roadways. New industry shall be located in areas with existing industrial land uses and amenities. The floor area ratio in the Industrial designation shall not exceed 1.0. ~~[9J-5.006(3)(c)7]~~

Policy 1.9: The Public Buildings and Grounds designation shall be accessible to all citizens, be compatible with adjacent land uses and the environment, and promote the efficient use of infrastructure. Compatible public land uses are permissible within all land use designations. The floor area ratio for public buildings shall not exceed 2.0. Schools are permitted in this classification. ~~[9J-5.006(3)(c)7]~~

Policy 1.10: The Recreation and Open Space designation provides for passive and active recreational and open space land uses. Residential, business or industrial uses are not permissible. Schools are permitted in this classification. Structures to serve recreation uses, including public structures such as information centers or existing meeting centers, are permissible provided that such structures do not detract from the intended designation as recreation or open space, and do not degrade natural resources on the site or in the area. This category also permits recreational vehicles (RVs) at a density up to 10 units per acre. However, RVs are prohibited in wetlands, but are allowed in the 100-year floodplain on a temporary campsite basis. As a result, tie downs and impervious surfaces of any kind are prohibited when associated with RV uses. This designation also recognizes the Peace River as an environmentally sensitive natural resource. [*9J-5.006(3)(c)7*]

Comment: Policy 1.10 has been amended to include text recognizing the Peace River as an environmentally sensitive natural resource. This is consistent with the EAR recommendations. The use of RVs has been removed from Conservation and relocated to the Recreation and Open Space Future Land Use category.

Policy 1.11: The Conservation designation shall protect natural resources. If appropriate, passive recreation uses are permissible in designated Conservation areas and provided that all requirements of Policy 3.1 of the Conservation Element are met. No development shall be permitted in areas designated as Conservation, except structures required to serve that designation. Such structures may include boardwalks, information areas, or other related structures. ~~This category also permits recreational vehicles (RVs) at a density up to 10 units per acre. However, RVs are prohibited in wetlands, but are allowed in the 100-year floodplain on a temporary campsite basis. As a result, tie downs and impervious surfaces of any kind are prohibited when associated with RV uses.~~ This designation also recognizes the Peace River as an environmentally sensitive natural resource. [*9J-5.006(3)(c)7*]

Comment: Policy 1.11 has been amended to include text recognizing the Peace River as an environmentally sensitive natural resource. This is consistent with the EAR recommendations. The use of RVs has been relocated to Recreation and Open Space category to allow for Conservation to be a true "conservation of land use".

Policy 1.12: A Residential, Professional and Business (Mixed Land Use) Overlay district shall be included in the Residential land use designations along Hickory and Magnolia Streets. The purpose of this Overlay district is to preserve and protect the historic housing stock and character of this section of Arcadia, while recognizing the commercial value of these properties. Low intensity professional and retail establishments and above-ground-floor apartments are permissible within residential structures in the Residential, Professional and Business Overlay. Schools are permitted in this classification. ~~In this~~

~~overlay district, at least 50 percent of total uses in the residential areas shall be residential uses.~~ Residential or Business uses in this Overlay district may not exceed the intensity or density of use as established in the underlying future land use category. The floor area ratio in this Overlay District shall not exceed 3.0. [~~*9J-5.006(3)(c)7*~~]

Comment: Policy 1.12 has been amended to remove the percentage of area to be required as residential.

Policy 1.13: Public schools are allowed in all land use classifications except the City of Arcadia's classification of Conservation. This provision applies to lands contiguous to existing schools and is meant to accommodate expansion of existing schools, as well as development of lands for new schools. Further, the City hereby encourages the co-location of public facilities such as parks, libraries and community centers, with schools, when planning and reviewing a proposed site for new or expanded facilities, and shall adopt criteria for co-location in the Unified Land Development Code.

Objective 2: ***~~Beginning August 1, 1991,~~ rResidential, business and industrial development shall be timed and staged in conjunction with available capacity of public facilities and services, and shall be coordinated with appropriate soil conditions and topography.*** [*9J-5.006(3)(b)1*]

Comment: Objective 2 has been amended to remove the time reference. The City requires that infrastructure be in place to serve new development. This policy is an ongoing practice of the City.

Policy 2.1: Approval of development proposals will be conditioned on the availability of public facilities and services necessary to serve the proposed development and that the facilities meet the City's established level of service standards provided within all elements of the City of Arcadia Comprehensive Plan, including the level of service standards listed within the following elements:. [9J-5.006(3)(c)3]

a. Infrastructure Element
b. Transportation Element
c. Capital Improvements Element
d. Public School Facilities Element

Comment: The new Policy 2.1 has been added to provide coordination of level of service standards as development proposals are reviewed and approved in the City.

Policy 2.~~1~~2: Development orders and permits shall be issued only when public facilities and services are available concurrent with the impacts of development at or above the City's adopted level of service standards. Public facilities and services which are necessary to serve a proposed development shall be authorized at the same time that the proposed land use is authorized. [*9J-5.006(3)(c)3*]

Policy 2.~~2~~3: Public facilities shall be located to maximize their efficiency and minimize the cost of their development and environmental impact. [*9J-5.006(3)(c)2*]

Policy 2.~~3~~4: Prior to issuance of a permit for development, the City shall require evidence that the proposed development is suitable for the proposed site relative to existing soil and topographic conditions.

Objective 3: ***Upon Plan adoption, Arcadia shall eliminate land uses that are inconsistent with the Future Land Use Map and the City's character.*** [*9J-5.006(3)(b)3*]

Policy 3.1: Replacement or significant expansion of land uses which are inconsistent with the Future Land Use Map and Future Land Use Element shall be prohibited. [*9J-5.006(3)(c)4*]

Policy 3.2: ~~By August 1, 1993,~~ Arcadia shall continue to coordinate with the Florida Department of Transportation to implement a program that mitigates future traffic congestion on U.S. 17 and S.R. 70. This program should address right-of-way needs, access management, routing schemes, parking requirements, traffic operations alternatives, facility design options, bicycle/pedestrian systems interaction and land use/transportation transitional problems. [*9J-5.006(3)(c)4*]

Comment: Policy 3.2 has been updated to provide for policy continuation of coordination with the FDOT.

Objective 4: ***~~By August 1, 1991, Arcadia shall adopt and enforce~~ implement land development regulations that encourage compatibility between land uses.*** [*9J-5.006(3)(b)3*]

Comment: Objective 4 has been amended to remove the time reference. The City has land development regulations provided through the Code of Ordinances. The City will continue to implement regulations that encourage compatibility.

Policy 4.1: Arcadia will require buffering between adjacent higher and lower intensity land uses. Arcadia's land development regulations shall include criteria and standards for buffering. Buffering includes the use of open space, landscaping and berms to mitigate any adverse impacts resulting from incompatible and unlike land uses. [*9J-5.006(3)(c)2*]

Policy 4.2: Where the application of Policy 4.1 cannot adequately mitigate the incompatibility between proposed and existing land uses, the proposed use shall be disapproved. [*9J-5.006(3)(c)2*]

Objective 5: ***~~Beginning August 1, 1991,~~ Arcadia shall protect the quality of its neighborhoods through code enforcement, site plan reviews, and state or federally-assisted programs for the renewal and redevelopment of blighted areas.*** [*9J-5.006(3)(b)2*]

Comment: Objective 5 has been amended to remove the time reference. The City has been and will continue to implement this policy.

Policy 5.1: Arcadia shall continue to employ available state and federal government programs which are aimed at the rehabilitation or demolition and replacement of substandard housing. [*9J-5.006(3)(c)2*]

Policy 5.2: Arcadia shall continue to carry out site plan reviews, building inspections and code enforcement activities. [*9J-5.006(3)(c)2*]

Objective 6: ~~Beginning August 1, 1991,~~ Arcadia ~~shall adopt and enforce~~ implement standards and programs that protect natural and historic resources. Natural resources shall be protected by the regulation of land use in proximity to public supply potable water wellfields and other environmentally sensitive lands, such as flood plains and wetlands; by the management of stormwater runoff and drainage; and by the regulation of development activities which may be sources of air pollution. [*9J-5.006(3)(b)4*]

Comment: Objective 6 has been amended to remove the time reference. The City has been and will continue to implement this policy.

Policy 6.1: ~~Upon Plan adoption, t~~The City of Arcadia shall cooperate with the Southwest Florida Water Management District to identify cones of influence, water recharge areas and develop a comprehensive wellhead protection program. The program shall include provisions to restrict incompatible uses and substances found on the Florida Substance list known to have adverse effects on water quality and quantity. Arcadia shall request

funding assistance from the SWFWMD to accomplish this. However, as an interim measure between plan adoption and SWFWMD's potable waterwell cone of influence designation, Arcadia shall establish a 400 ft. radius from the base of a potable waterwell as a cone of influence. The first 200 foot radius shall be a zone of exclusion, where no development activities, with the exception of the lowest density residential land uses, will be permitted. Within the remainder of the wellhead protection area, the following will be prohibited: landfills; facilities for bulk storage, handling or processing of materials on the Florida substance list; activities that require the storage, use, handling, production or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, or similar substances; feed lots or other commercial animal facilities; wastewater treatment plants, percolation ponds or similar facilities; mines; and excavation of waterways or drainage facilities which intersect the water table. [*9J-5.006(3)(c)(6)*]

Policy 6.2: The developer or owner of any development site shall manage stormwater run-off on-site. Post-development run-off rates must be consistent with the level of service standard established in the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element. [*9J-5.006(3)(c)4*]

Policy 6.3: New development shall be constructed so that the natural topographic features are not adversely altered so as to harm the drainage patterns of adjacent properties. [*9J-5.006(3)(c)4*]

Policy 6.4: Criteria for local designation of sites or structures of historical or archeological significance will be included in the City's land development regulations, ~~to be adopted by August 1, 1991~~. Local designation shall be by City Council, and shall require affirmative votes of four or more City Council members. Demolition or alteration of locally-designated sites or structures may be approved only by the affirmative vote of four or more City Council members. This procedure does not replace or diminish established procedures for the alteration or demolition of structures or sites in the City, but is an additional safeguard to protect structures and sites designated by City Council as historically or archaeologically significant. [*9J-5.006(3)(c)8*]

Policy 6.5: Arcadia shall negotiate with land owners prior to the development review process to mitigate disturbances of, or to preserve, known historical resources. [*9J-5.006(3)(c)8*]

Policy 6.6: Arcadia will verify the existence of environmentally sensitive lands within the City and will seek the cooperation of the Florida Department of Environmental Regulation, the Southwest Florida Water Management District and the Florida Game and Fresh Water Fish Commission in its verification effort. Lands identified as being environmentally sensitive will be so designated, and will be protected by zoning regulations, conservation easements or other means, in accordance with the goal and objectives of the Conservation Element. [*9J-5.013(2)(c)9*]

Policy 6.7: Arcadia shall conserve, use and protect its wetlands through enforcement of zoning, site plan review, buffer zone, and stormwater treatment regulations. Arcadia shall require that, where alteration of wetlands is necessary to allow for reasonable use of property, the developer will either restore the disturbed wetlands to their original status or create new wetlands to make up for the loss. [*9J-5.006(3)(c)6*]

Policy 6.8: Arcadia's land development regulations shall ensure that, at a minimum, proposed development activities that have the potential to contaminate water, soil and air quality meet all state and federal regulations pertinent to such proposed development, shall meet all local regulations and shall be appropriately buffered from surrounding land uses and natural resources. [*9J-5.006(3)(c)2,6*]

Objective 7: ***~~By August 1, 1991,~~ Arcadia shall permit innovative development techniques such as planned unit developments, cluster developments, density bonuses, on-site traffic control, and limitations of driveway and road access to arterial and collector highways. The City's land development regulations shall set forth the process(es), conditions and criteria for utilizing such development techniques.*** [*9J-5.006(3)(b)7,9*]

Comment: Objective 7 has been amended to remove the time reference. The City has been and will continue to implement this policy.

Policy 7.1: Arcadia shall include incentives, such as density bonuses, in its land development regulations to encourage the provision of affordable housing. [*9J-5.006(3)(c)9*]

Policy 7.2: Arcadia shall require developers and property owners to provide open space and protect natural resources. To assist in the implementation of this policy, Arcadia shall provide for innovative techniques such as "cluster development" in its land development regulations. [*9J-5.006(3)(c)4*]

Policy 7.3: Arcadia shall include in its land development regulations measures that control access to arterial and collector roadways. Shared access and frontage/back lot parallel access roads shall be required where feasible. [*9J-5.007(3)(c)2*]

Policy 7.4: Arcadia shall include in its land development regulations minimum standards and criteria regulating on-site traffic flow and parking needs for motorized and non-motorized traffic. [*9J-5.006(3)(c)4*]

Objective 8: ***~~Beginning August 1, 1991,~~ Arcadia will ensure that suitable land is available for utility facilities to support proposed development.*** [*9J-5.006(3)(b)8*]

Comment: Objective 8 has been amended to remove the time reference. The City has been and will continue to implement this policy.

Policy 8.1: The City's land development regulations shall require the set-aside, by dedication or easement, of land suitable to accommodate public utility facilities needed to service a proposed development. [*9J-5.006(3)(c)3*]

Policy 8.2: Upon adoption of this Comprehensive Plan, public utilities needed to service existing and future land uses shall be permitted in all future land use classifications, provided the performance standards in the Power Plant Siting Act, the Transmission Line Siting Act, the Arcadia Comprehensive Plan, Arcadia's land development regulations, and any other applicable land development regulations are met. [*9J-5.006(3)(c)3*]

Objective 9: ***The City shall protect its downtown core by continuously practicing downtown revitalization.***

Comment: Text added to further promote downtown redevelopment.

Policy 9.1: Arcadia shall protect its investment and continue to invest in its downtown by continuing revitalization of the urban core through enforcement of the sign ordinance, beautification projects and incentive programs for the revitalization of the downtown area.

Policy 9.2: Arcadia shall promote infill development and redevelopment as an important mechanism to revitalize and sustain its urban core by maintaining the existing land use map, which clearly identifies vacant parcels.

Comment: New Objective 9 and Policies 9.1 and 9.2 have been added to further maintain the appearance of the downtown while also promoting infill development.

Objective 10: ***The City of Arcadia will continue to promote an economically viable and sustainable development and redevelopment throughout the City and within the downtown area.***

Policy 10.1: In order to provide a more walkable and patron-friendly downtown district, the City shall continue to work toward construction of a downtown parking garage.

Policy 10.2: The City shall, through new development and redevelopment, promote the design of interconnected systems for vehicular and pedestrian travel and the location and orientation of buildings and vehicular parking areas.

Policy 10.3: The City shall, through new development and redevelopment, promote the design

attractive and useable public open spaces/common area through good architectural and landscape design.

Policy 10.4: The City shall continue coordination with the Arcadia Main Street program.

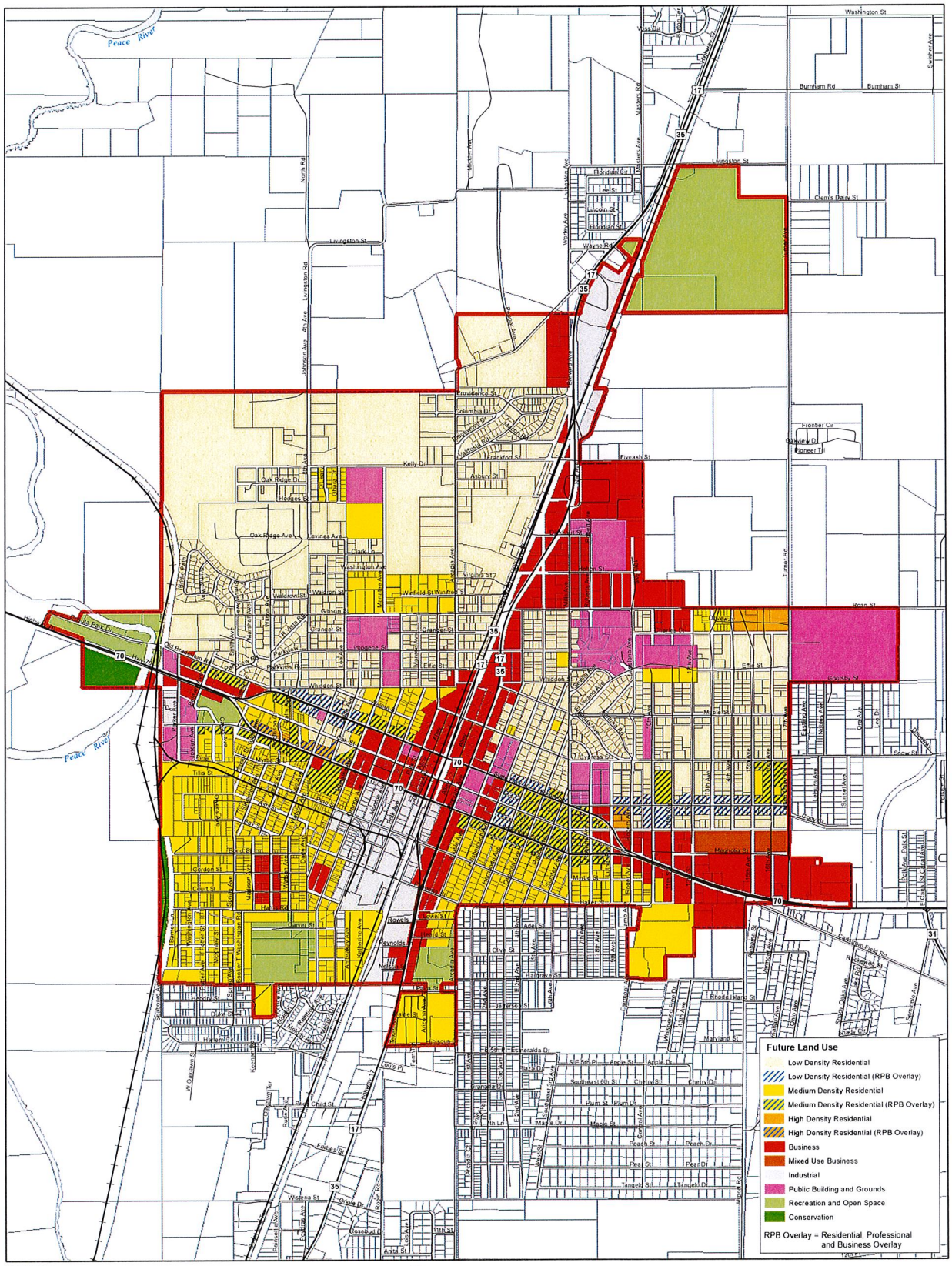
Policy 10.5: The City shall support business and business development expansion through partnerships among State, Regional, and local economic development organizations.

Policy 10.6: The City shall promote infill development and redevelopment through designation of appropriate land uses and densities on the future land use map series, and support of downtown revitalization, historic preservation, and neighborhood revitalization efforts.

Comment: Objective 10 and Policies 10.1 through 10.6 have been added to the Future Land Use Element to further promote downtown development and redevelopment in a manner that promotes walkability and economic viability.

CITY OF ARCADIA - PROPOSED 2030 FUTURE LAND USE

DRAFT



DISCLAIMER:
The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
April 26, 2012

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Feet

1:20,000
1 inch = 0.32 miles

CITY OF ARCADIA
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(863) 534-7130 - SUNCOM 515-2025
Fax (863) 534-7138 - Toll Free (800) 297-8041
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General Legend
- Railway
- Roads
- Parcel
- Arcadia Boundary

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Path: D:\Projects\DesotoArcadia\Maps2012\Arcadia_FLU_index_042612.mxd Date: 4/26/2012

FLU MAP 3 - CITY OF ARCADIA - HISTORIC RESOURCES

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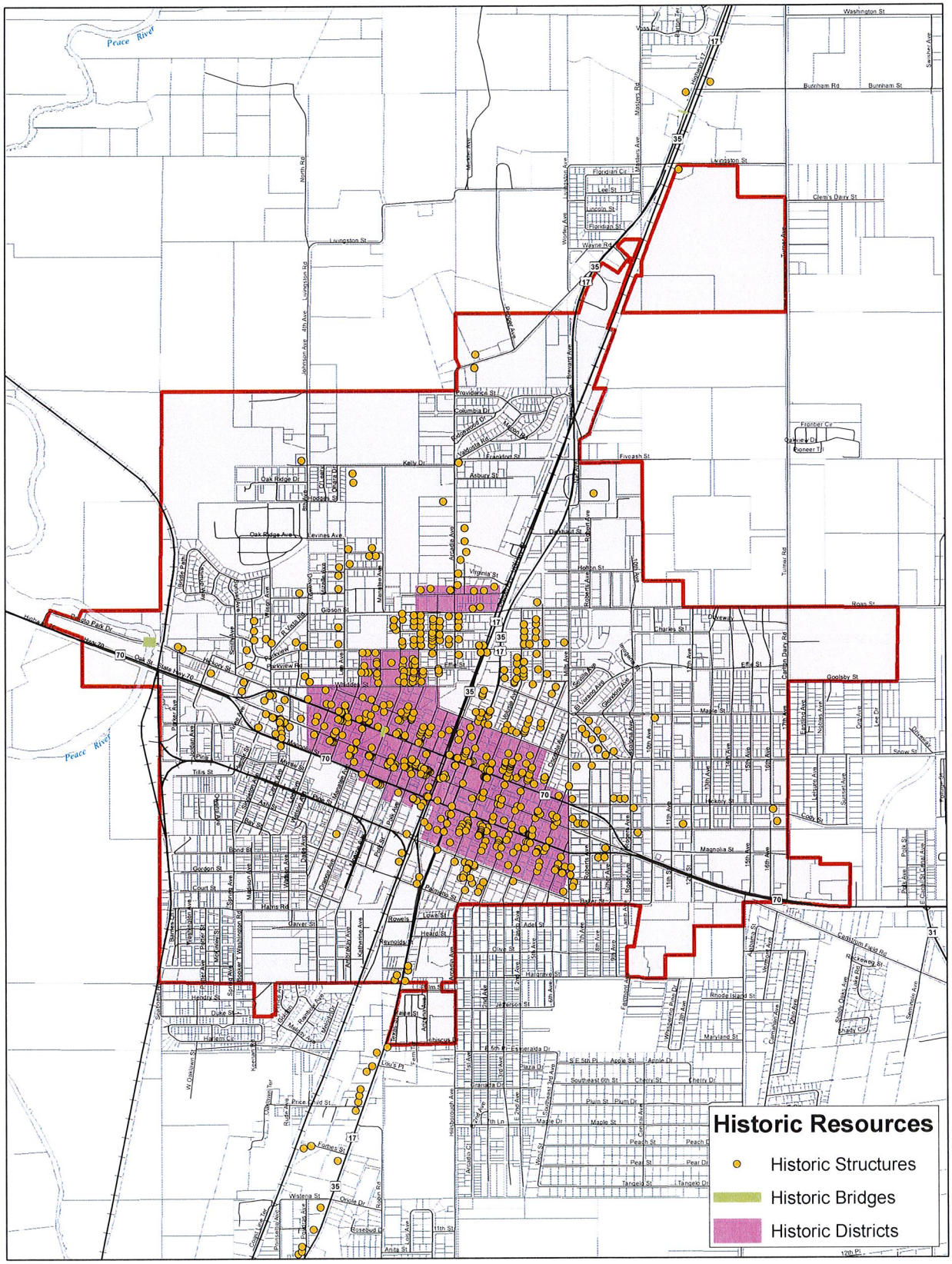

DISCLAIMER:
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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council
Historic Data: Bureau of Archaeological Research

Date Prepared:
June 17, 2010

0 1,500 3,000
Feet

1:20,000
1 inch = 0.32 miles

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General Legend
- Railway
- Roads
- Parcel
- Arcadia Boundary
- Water Bodies

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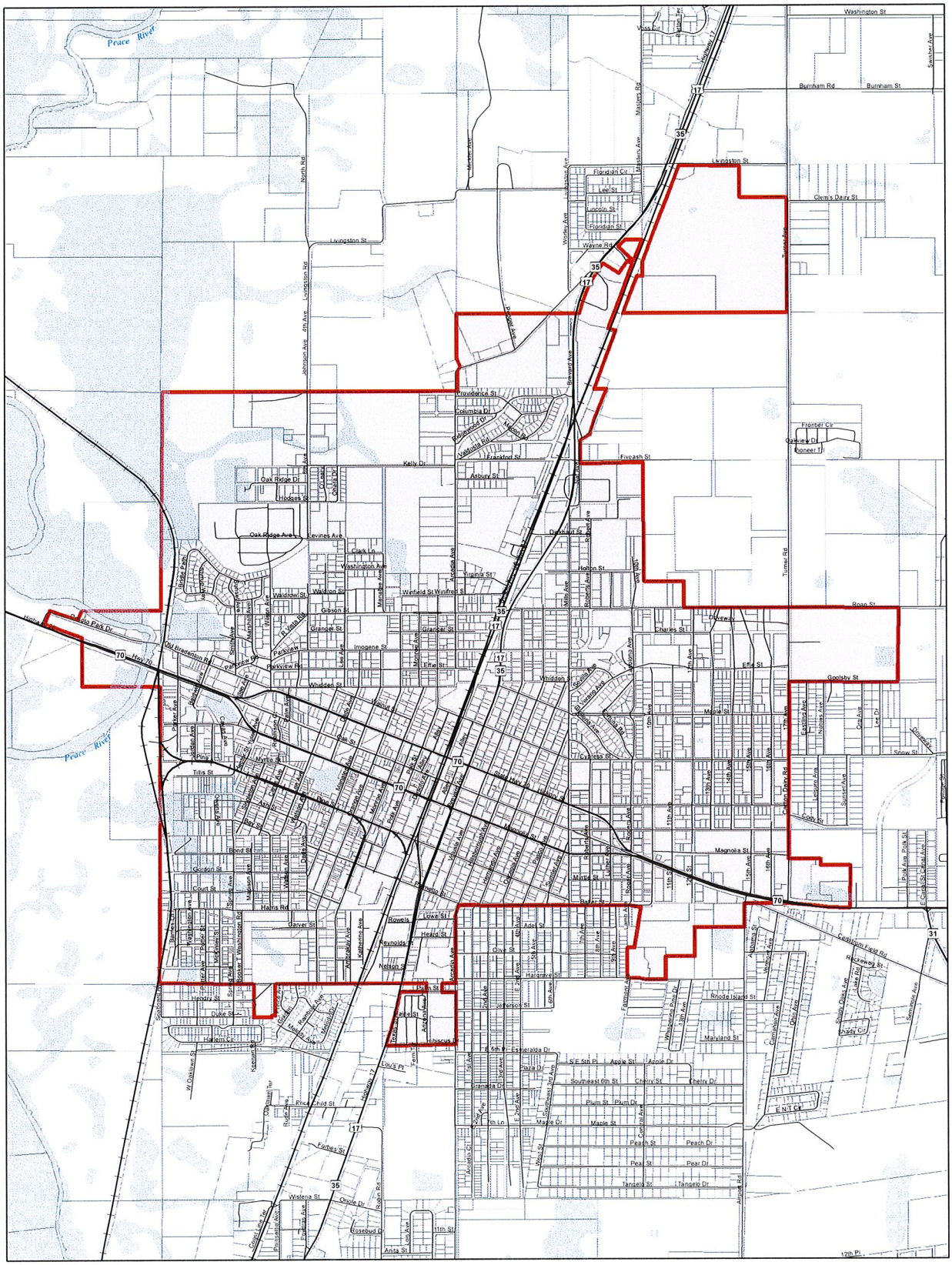
Map Document: (D:\Projects\EARS2008\maps\EAR_based_amendments\Arcadia_Historic.mxd) 12/31/2009 -- 2:52:27 PM

FLU MAP 4 - CITY OF ARCADIA - WETLANDS

DRAFT



DISCLAIMER:
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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council
Wetlands: US Fish & Wildlife Service – National Wetlands Inventory

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Feet

Date Prepared:
June 17, 2010

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1 inch = 0.32 miles

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Legend
- Railway
- Roads
- Parcel
- Arcadia Boundary
- Water Bodies
- Wetlands

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Map Document: (D:\Projects\EARS2008\maps\EAR_based_amendments\Arcadia_Wetlands.mxd) 12/31/2009 – 2:52:27 PM

FLU MAP 5 - CITY OF ARCADIA - FLOODPLAINS

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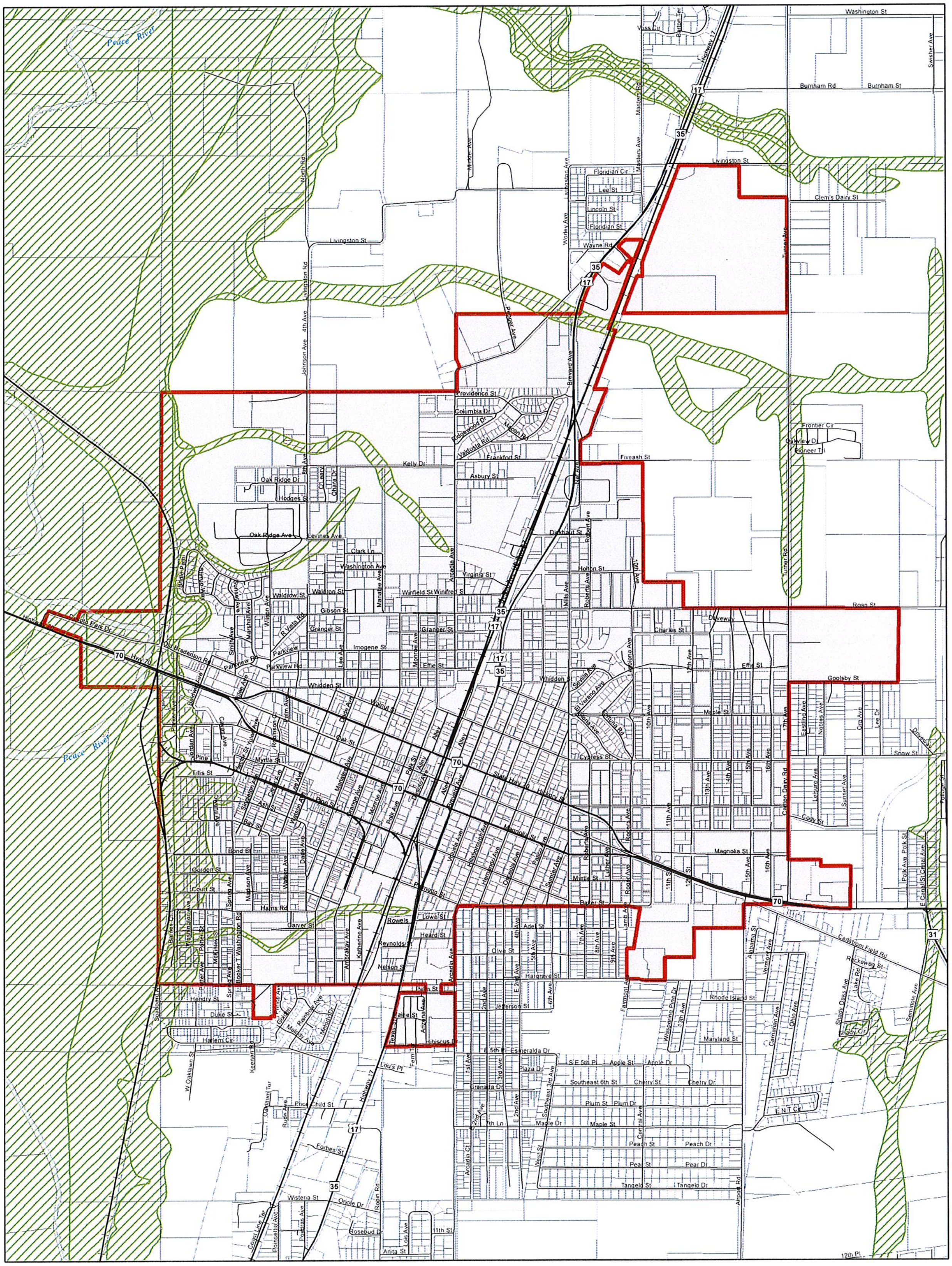

DISCLAIMER:
The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council
Floodplain Data: Federal Emergency Management Agency

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Feet

Date Prepared:
June 17, 2010

1:20,000
1 inch = 0.32 miles

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Legend
Railway
Roads
Parcel
Arcadia Boundary
Water Bodies
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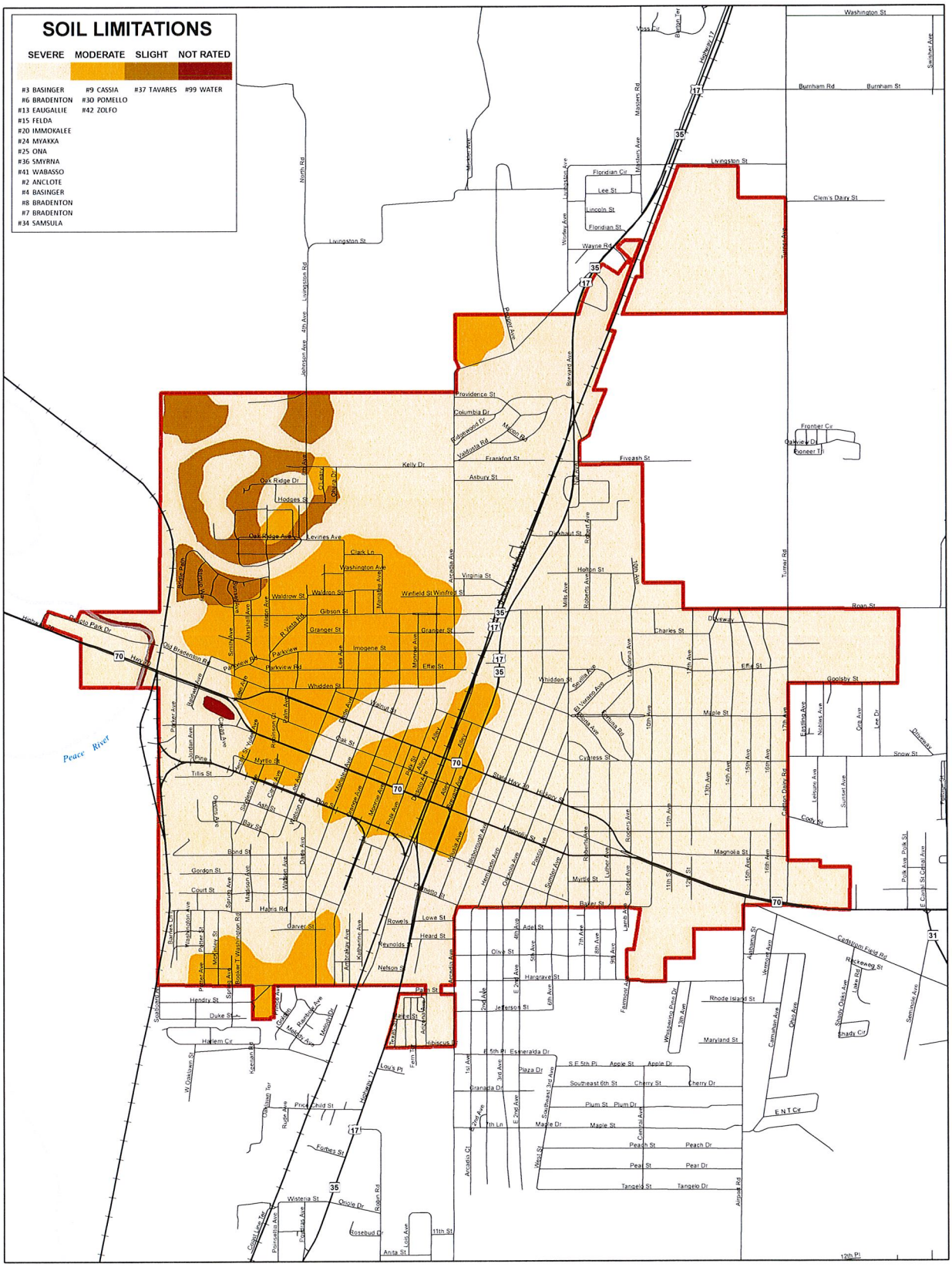
Map Document: (D:\Projects\EARS2008\maps\EAR_based_amendments\Arcadia_floodplains.mxd) 12/31/2009 -- 2:52:27 PM

FLU MAP 6 - CITY OF ARCADIA - GENERALIZED SOILS

DRAFT



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The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council
Soils Data: US Department of Agriculture, Natural Resources Conservation Services, FGDL

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Feet

Date Prepared:
June 17, 2010

1:20,000
1 inch = 0.32 miles

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Legend
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Roads
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Map Document: (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_SOILS.mxd) 12/31/2009 – 2:52:27 PM

FLU MAP 7 - CITY OF ARCADIA - 2030 ENERGY CONSERVATION

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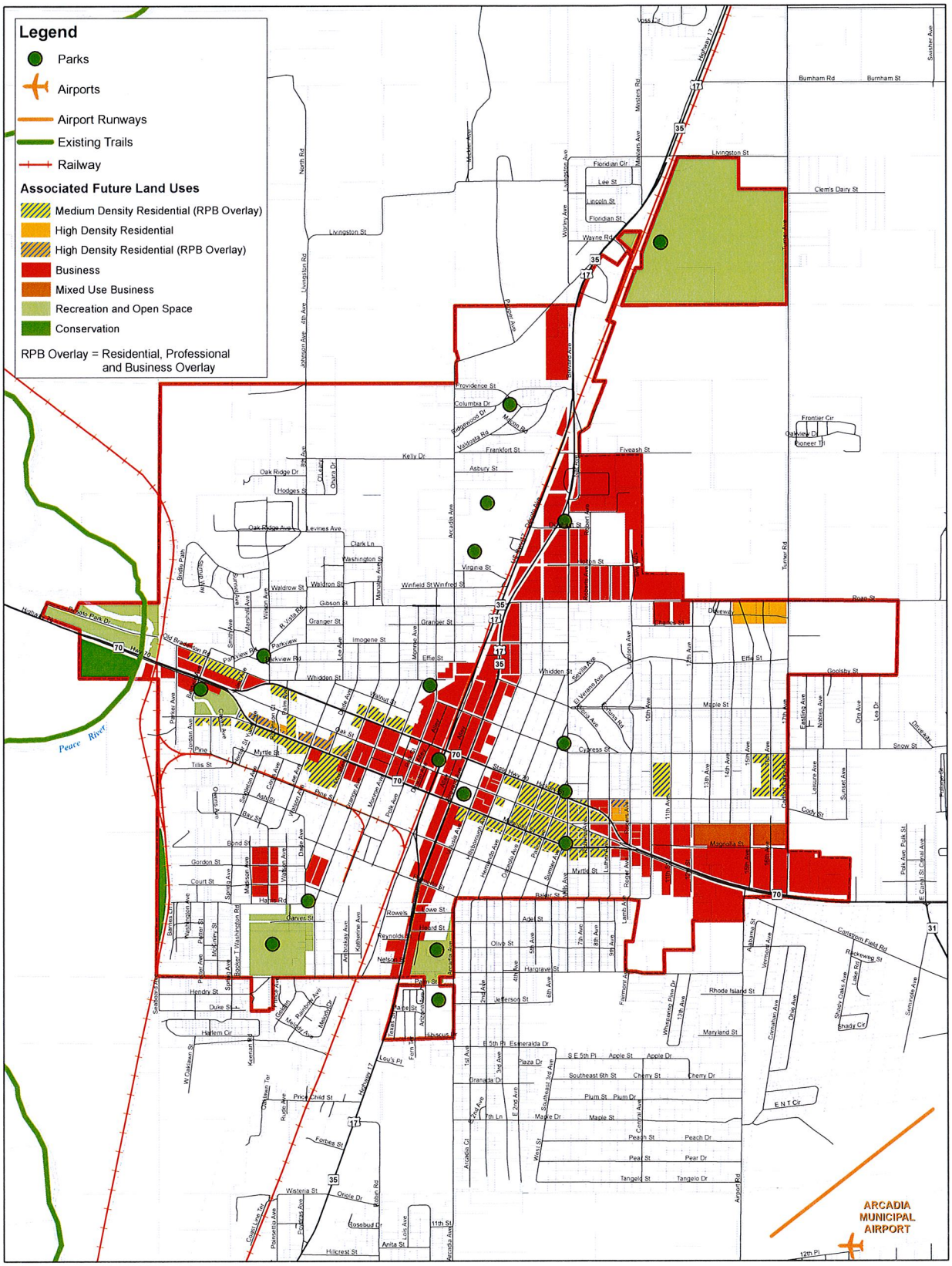

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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
September 24, 2010

0 1,500 3,000
Feet

1:20,000
1 inch = 0.32 miles

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General Legend
Roads
Parcel
Arcadia Boundary
Water Bodies

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The date / time is: 9/24/2010 10:25:00 AM. The document name is: Arcadia Energy Cons

CITY OF ARCADIA
TRAFFIC CIRCULATION ELEMENT

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Gray Highlighted ***Comments*** *are provided to explain each amendment.*

GOAL: PROVIDE A SAFE, EFFICIENT AND COST EFFECTIVE TRAFFIC CIRCULATION PROGRAM THAT IS CONSISTENT WITH THE NEEDS OF THE COMMUNITY AND COMPREHENSIVE PLAN. ~~[9J-5.007(3)(a)]~~

Comment: Text added to the Goal to further consistency with the needs of the community and the comprehensive plan.

Objective 1: Arcadia shall cooperate and coordinate with DeSoto County and the Florida Department of Transportation (FDOT) to reduce the projected capacity impacts along State, County and City owned roadways. Arcadia shall also coordinate with relevant FDOT transportation plans and the Florida Department of Transportation's Five Year Work Program. ~~[9J-5.007(3)(b)3]~~

Policy 1.1: ~~By August 1, 1992,~~ Arcadia shall coordinate with DeSoto County and the Florida Department of Transportation to implement a roadway improvement program that minimizes truck and other traffic related noise and pollution and considers the need for on-site parking on S.R. 70 and U.S. 17. ~~[9J-5.007(3)(c)2,3]~~

Comment: Policy 1.1 has been amended to remove the time reference. The City continues to implement this policy.

Policy 1.2: ~~By August 1, 1992,~~ Arcadia shall continue to implement ~~integrate~~ regulations ~~into~~ its land development code that limit connections and access points along arterial roadways. Where possible, shared access shall be encouraged. ~~[9J-5.007(3)(c)2]~~

Comment: Policy 1.2 has been amended to remove the time reference. The City continues to implement this policy through its land development regulations.

Policy 1.3: Arcadia shall annually review relevant transportation plans and the proposed Five-Year Work Program of the Florida Department of Transportation. Prior to adoption by the FDOT of its Five-Year Work Program, Arcadia shall notify the FDOT of any comments or objections the City may have regarding FDOT plans for road expenditures on state roads in, or impacting, Arcadia. Arcadia shall specifically

coordinate with the Five-Year Work Program to ensure consistency between it and the City of Arcadia Comprehensive Plan.

Objective 2: ***Arcadia shall provide for a safe, convenient and efficient motorized and non-motorized transportation system, including the establishment of level of service standards for peak season/peak hour traffic for all roads within its jurisdiction.*** ~~*[9J-5.007(3)(b)1]*~~

Policy 2.1: Arcadia establishes the following peak season/peak hour level of service standards for roadways within its jurisdiction:

Principal Arterials (State Roads/non SIS)	"C"
Minor Arterials	"D"
Urban Collectors	"D"
Local Streets	"D"
Backlogged Facilities	"Maintain and Improve"
Florida Intrastate Highway Facilities	"B"
SIS Facilities (US 17)	"B" or standards set by the Florida Department of Transportation

[9J-5.007(3)(c)1]

Comment: Strategic Intermodal System (SIS) facilities added to LOS standards and subject to Statewide Minimum Level of Service (LOS) standards for State Roads as published in Rule 14-94, F.A.C.

Policy 2.2: In establishing level of service standards, Arcadia shall utilize the Florida Department of Transportation ~~1985~~ Highway Capacity Manual and accompanying level of service spreadsheet. ~~*[9J-5.007(3)(c)1]*~~

Policy 2.3: For roadway segments determined to be backlogged at the time of adoption of the City of Arcadia Comprehensive Plan, Arcadia shall maintain the current operating level of service on such segments by not permitting development that would result in the significant degradation of a backlogged segment. Significant degradation is defined as an increase in traffic volume of five percent or a decrease in average travel speed of one mile per hour. Arcadia shall coordinate with the Florida Department of Transportation to improve backlogged segments to meet the level of service standard adopted by the Florida Department of Transportation and the City of Arcadia for for that facility type. ~~*[9J-5.007(3)(c)1]*~~

Policy 2.4: ~~By August 1, 1995,~~ Arcadia shall coordinate with DeSoto County and the Florida Department of Transportation to establish a traffic counting program for its collector roadways. ~~*[9J-5.007(3)(c)1]*~~

Comment: Policy 2.4 has been amended to remove the time reference.

Policy 2.5: ~~By August 1, 1991,~~ Arcadia shall review all new development proposals, and require the necessary information to ensure that impacts of proposed development shall not exceed the established level of service standards for its roadways. ~~[9J-5.007(3)(c)1]~~

Comment: Policy 2.5 has been amended to remove the time reference. The City continues to implement this policy.

Policy 2.6: Arcadia shall establish a notification process to inform DeSoto County and the Florida Department of Transportation when a proposed development will generate traffic on State or County owned roadways that will reduce the roadway's level of service. ~~[9J-5.007(3)(c)1]~~

Policy 2.7: To ensure the safe and convenient movement of vehicles and pedestrians, Arcadia shall continue to implement its ~~in~~ land development regulations ~~to be adopted by August 1, 1991, include~~ with regard to provisions regulating on-site traffic flow and establish criteria for motorized and non-motorized vehicle parking. ~~[9J-5.007(3)(c)3]~~

Comment: Policy 2.7 has been amended to remove the time reference. The City continues to implement this policy through its land development regulations.

Objective 3: ***~~By August 1, 1992,~~ Arcadia shall coordinate with the Florida Department of Transportation to implement measures to preserve right-of-way for capacity expansion.*** [~~9J-5.007(3)(b)4~~]

Comment: Objective 3 has been amended to remove the time reference. The City continues to implement this policy.

Policy 3.1: Consistent with the Future Land Use Map and Future Traffic Circulation Map, new development that adjoins a planned roadway will be required to dedicate the right-of-way, where applicable, to maintain the established level of service standards. ~~[9J-5.007(3)(c)4]~~

Policy 3.2: To uphold the preservation of right-of-way for roadway expansion, Arcadia shall include in its land development regulations necessary setback requirements. ~~[9J-5.007(3)(c)4]~~

Policy 3.3: Arcadia shall coordinate with the Florida Department of Transportation regarding the expansion of state roads that pass through the City. Arcadia shall work with the Florida Department of Transportation to protect anticipated right-of-way needs from building encroachment, and shall include appropriate enforcement provisions in local regulations. ~~[9J-5.007(3)(c)4]~~

Objective 4: ***On adoption of the Comprehensive Plan, decisions made by the City that impact traffic circulation will be consistent with the future land uses depicted on the Future Land Use Map.*** ~~[9J-5.007(3)(b)2]~~

Policy 4.1: When changes are proposed to Arcadia's traffic circulation system, the appropriateness of the change will be viewed in the context of the Future Land Use Map and the established level of service standards. Supporting analysis of proposed amendments to the Arcadia Comprehensive Plan shall demonstrate consistency between the Traffic Circulation Element and the Future Land Use Map when such a proposed amendment impacts the transportation system or future land uses. ~~[9J-5.007(3)(c)1]~~

Objective 5: ***Arcadia shall provide for safe and convenient non-motorized traffic circulation.*** ~~[9J-5.007(3)(b)1]~~

Policy 5.1: To encourage energy efficiency and savings, alternative modes of transportation shall be accommodated to create a community that is not solely reliant on the automobile for all transportation trips. At a minimum, this will address conceptual designs to accommodate: transit, pedestrians, bicycles, and alternative vehicles.

Policy 5.2: Arcadia shall coordinate with the FDOT to provide continuous routes for bicycling and other non-motorized modes of travel.

Comment: Policies 5.1 and 5.2 are added to promote energy efficiency and greenhouse gas reduction strategies.

Policy 5.3~~1~~: ~~By August 1, 1992,~~ Arcadia shall incorporate bicycle and pedestrian ways in the planning of its transportation facilities. [~~9J-5.007(3)(c)5~~]

Comment: Policy 5.3 has been amended to remove the time reference. The City continues to implement this policy.

Policy 5.4~~2~~: Arcadia shall coordinate with the DeSoto County School Board to ensure pedestrian access to new schools. [~~9J-5.007(3)(c)1~~]

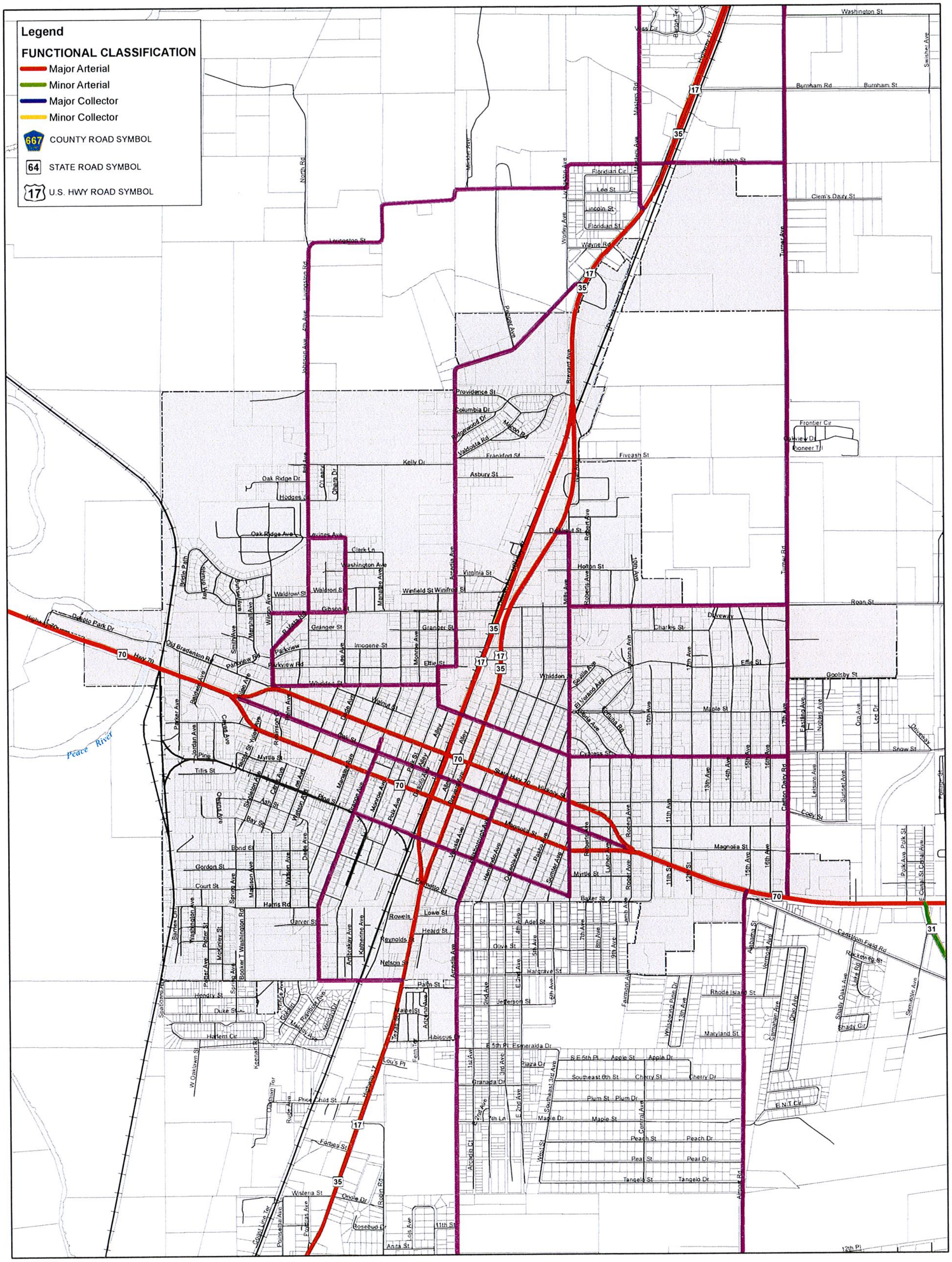
Policy 5.5~~3~~: Arcadia shall include in its land development regulations the requirement that new commercial and residential development dedicate sidewalks. ~~[9J-5.007(3)(c)5]~~

Policy 5.6~~4~~: ~~By August 1, 1992,~~ Arcadia shall implement a program that inventories and prioritizes sidewalk construction and repair. ~~[9J-5.007(3)(c)5]~~

Comment: Policy 5.6 has been amended to remove the time reference. The City continues to implement this policy.

CITY OF ARCADIA - EXISTING FUNCTIONAL CLASSIFICATION

DRAFT



DISCLAIMER:
The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
June 17, 2010

0 1,500 3,000
Feet

1:20,000
1 inch = 0.32 miles

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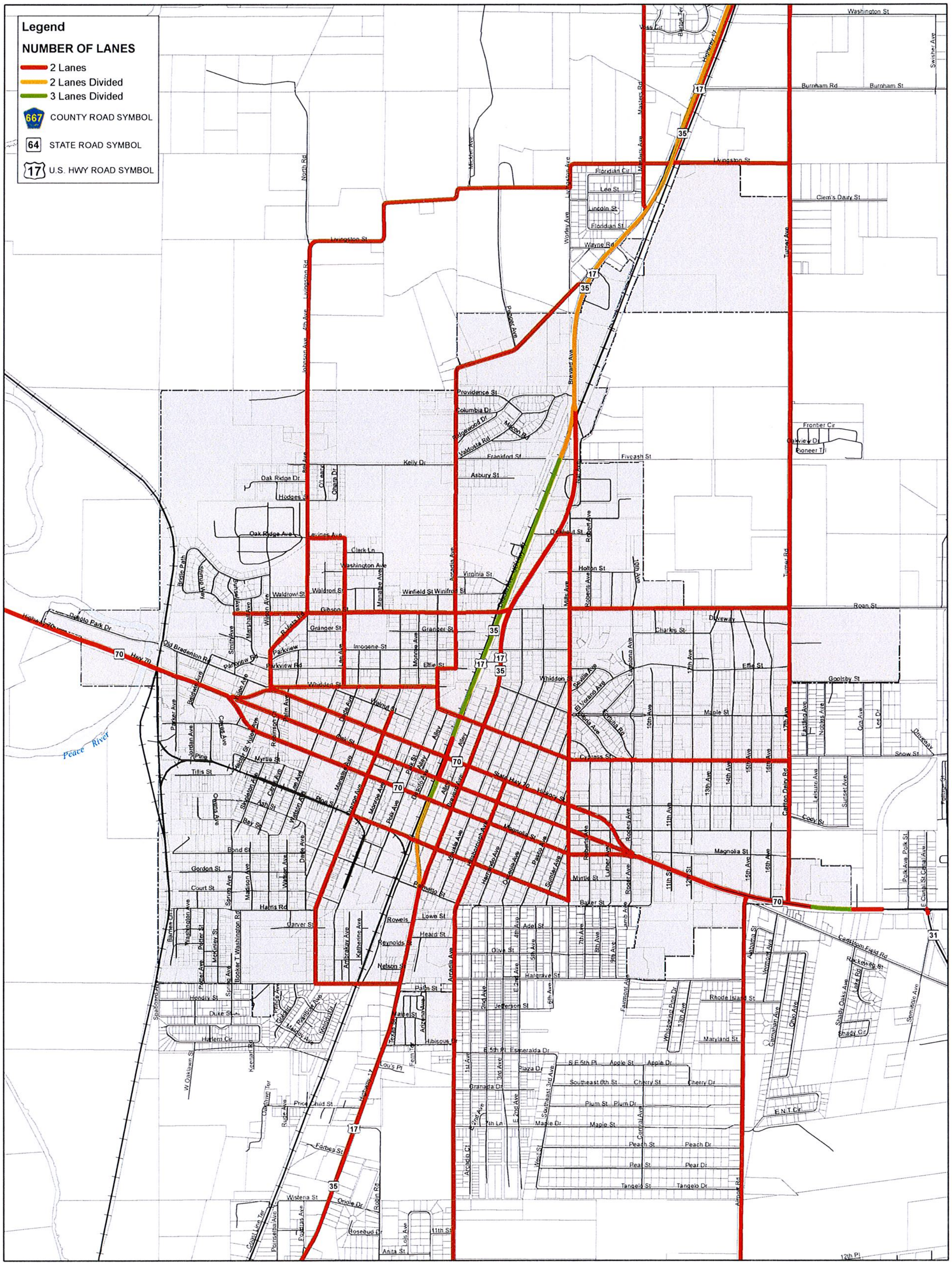
Legend
Railway
Roads
Parcels
Arcadia Boundary
Water Bodies

Map Document: (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_func_class.mxd) 12/31/2009 -- 2:52:27 PM

CITY OF ARCADIA - EXISTING NUMBER OF LANES

DRAFT



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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

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Feet

Date Prepared:
June 17, 2010

1:20,000
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Legend
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Parcels
Arcadia Boundary
Water Bodies

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Map Document (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_num_of_lanes.mxd) 12/31/2009 -- 2:52:27 PM

CITY OF ARCADIA - EXISTING TRAFFIC CIRCULATION

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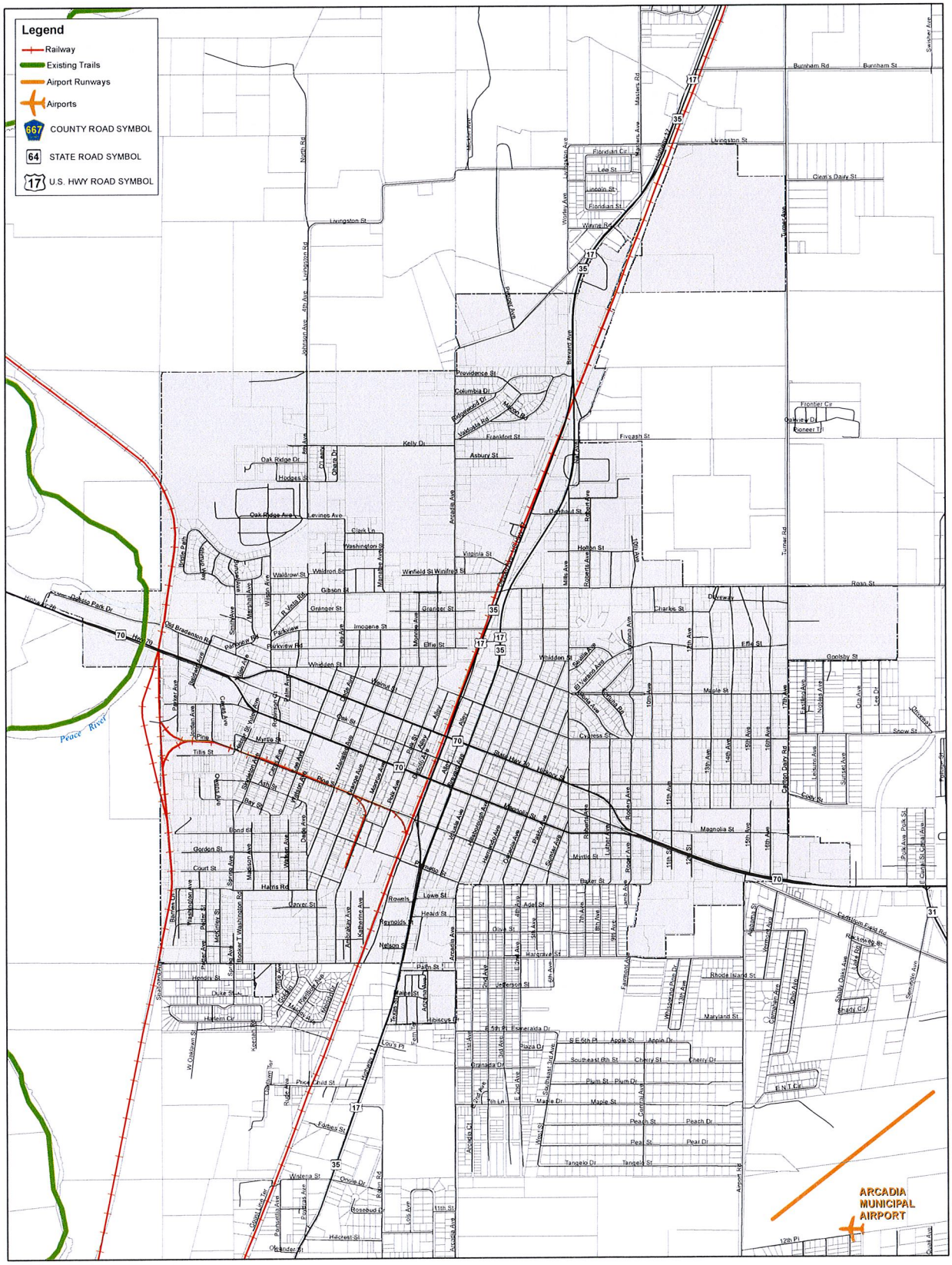

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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
June 17, 2010

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Feet

1:20,000
1 inch = 0.32 miles

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General Legend
Roads
Parcels
Arcadia Boundary
Water Bodies

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Map Document: (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_traffic_circulation.mxd) 12/31/2009 – 2:52:27 PM

CITY OF ARCADIA - 2030 FUTURE FUNCTIONAL CLASSIFICATION

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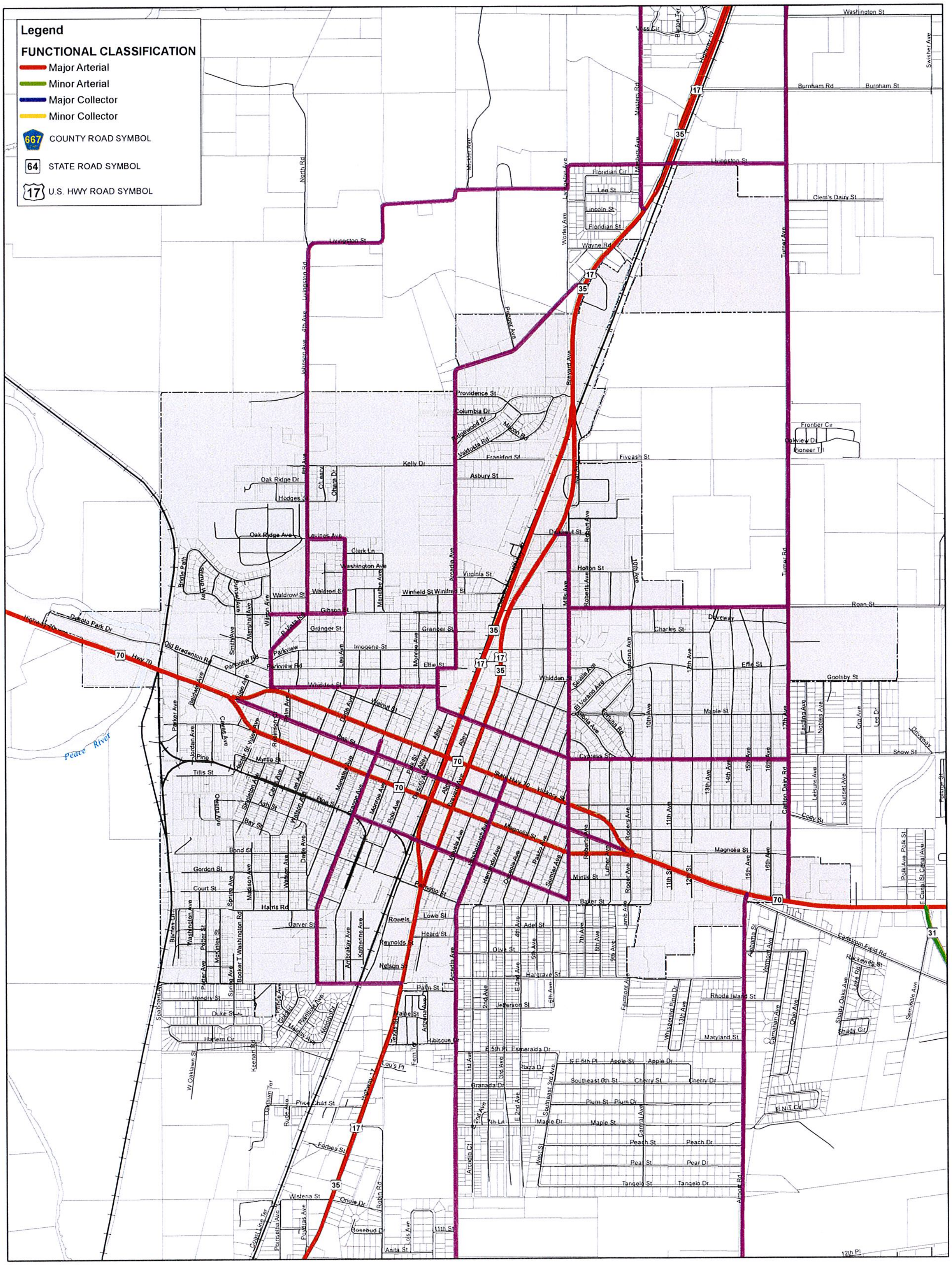

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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
June 17, 2010

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Legend
Railway
Roads
Parcels
Arcadia Boundary
Water Bodies

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1 inch = 0.32 miles

Map Document: (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_func_class.mxd) 12/31/2009 -- 2:52:27 PM

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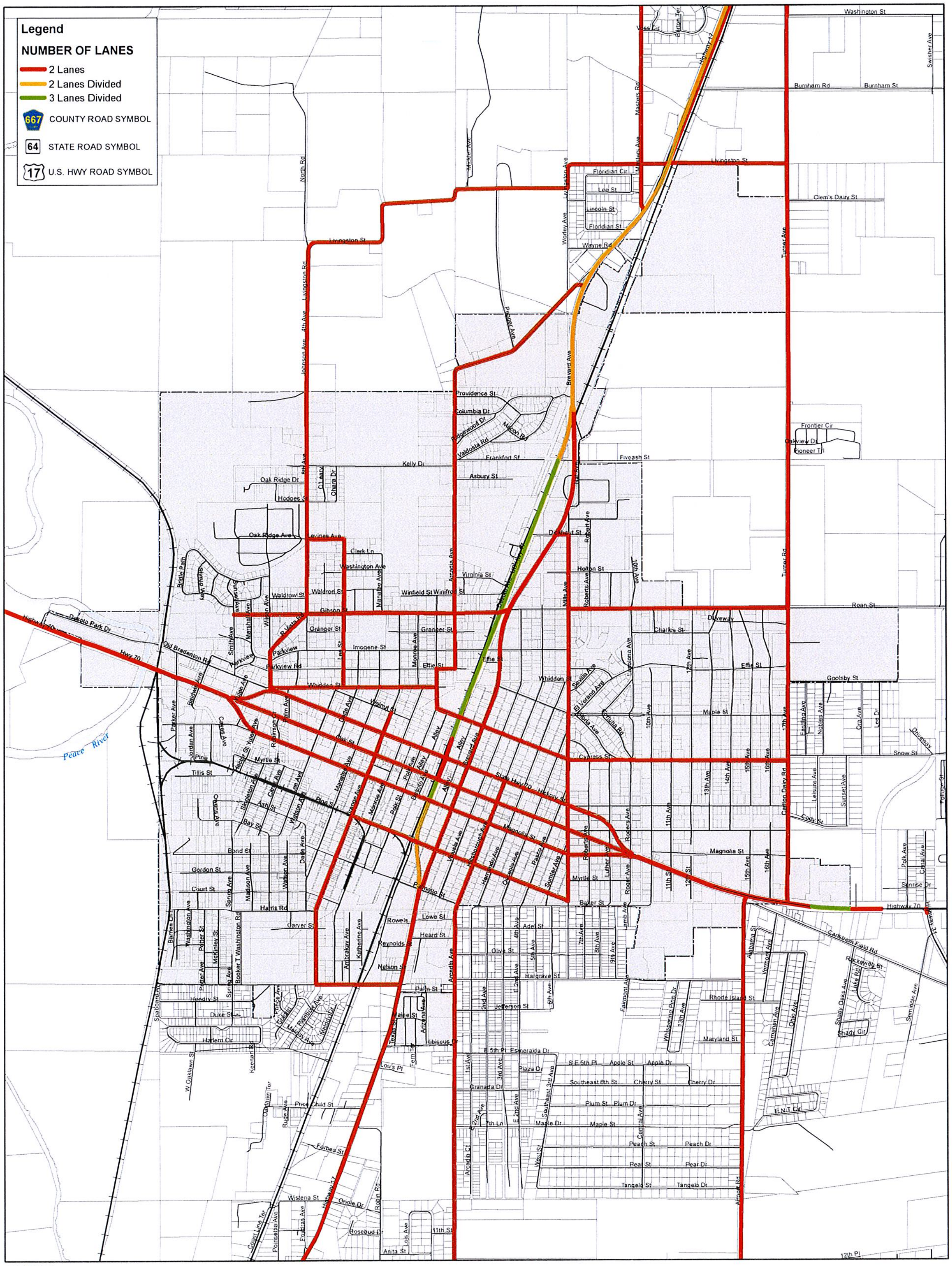
CITY OF ARCADIA - 2030 FUTURE NUMBER OF LANES



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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
June 17, 2010

0 1,500 3,000
Feet

1:20,000
1 inch = 0.32 miles

CITY OF ARCADIA FLORIDA 1886

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Legend
Railway
Roads
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Arcadia Boundary
Water Bodies

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Map Document: (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_num_of_lanes.mxd) 12/31/2009 -- 2:52:27 PM

CITY OF ARCADIA - 2030 FUTURE ROAD MAINTENANCE RESPONSIBILITY

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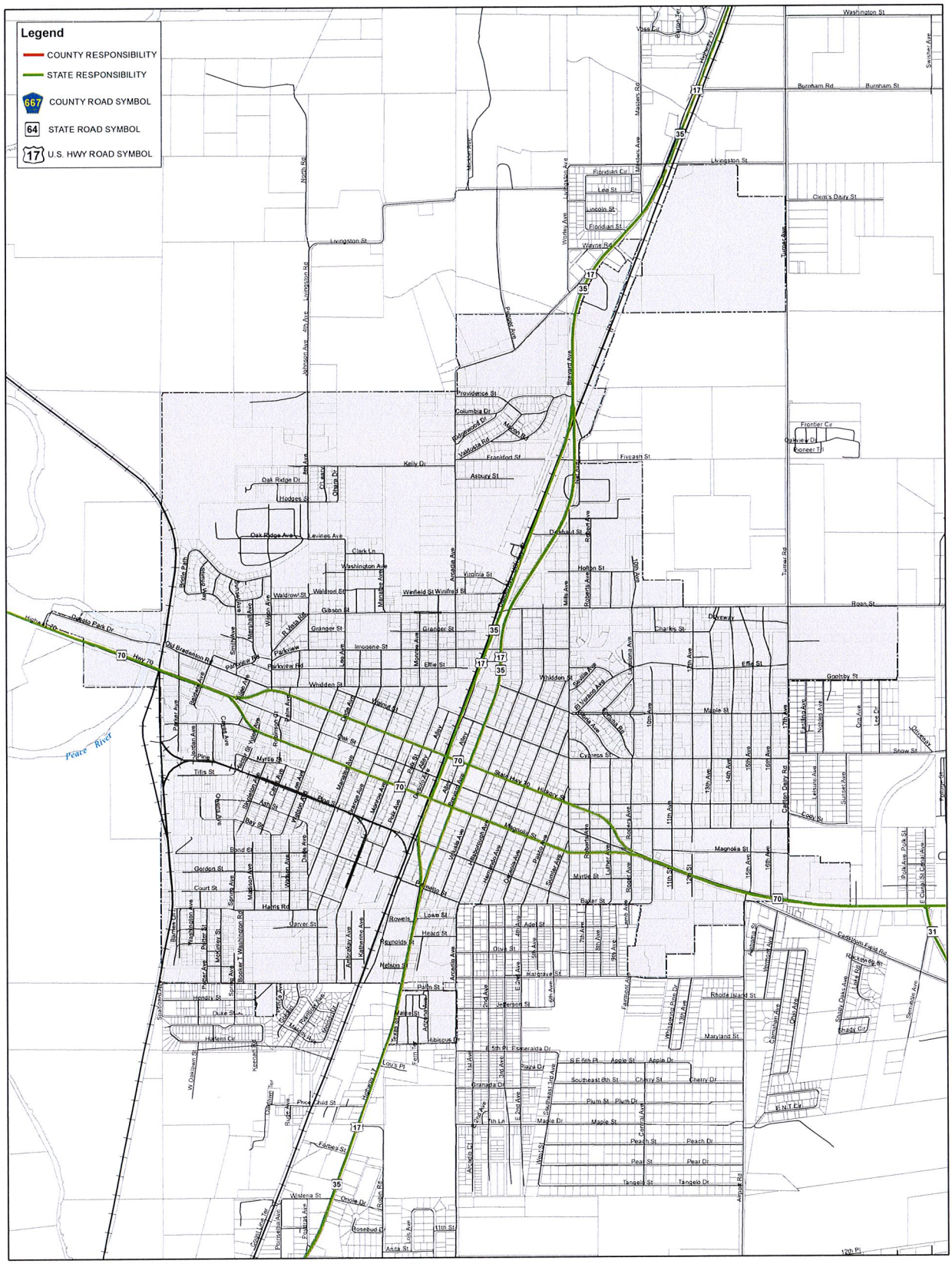

DISCLAIMER:
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Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
June 17, 2010

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1 inch = 0.32 miles

CITY OF ARCADIA
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General Legend
- Railway
- Roads
- Parcels
- Arcadia Boundary
- Water Bodies

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Map Document (D:\Projects\EARS2008\maps\EAR_based_amendments\Arcadia_Road_Maint.mxd) 12/31/2009 – 2:52:27 PM

CITY OF ARCADIA - 2030 FUTURE TRAFFIC CIRCULATION

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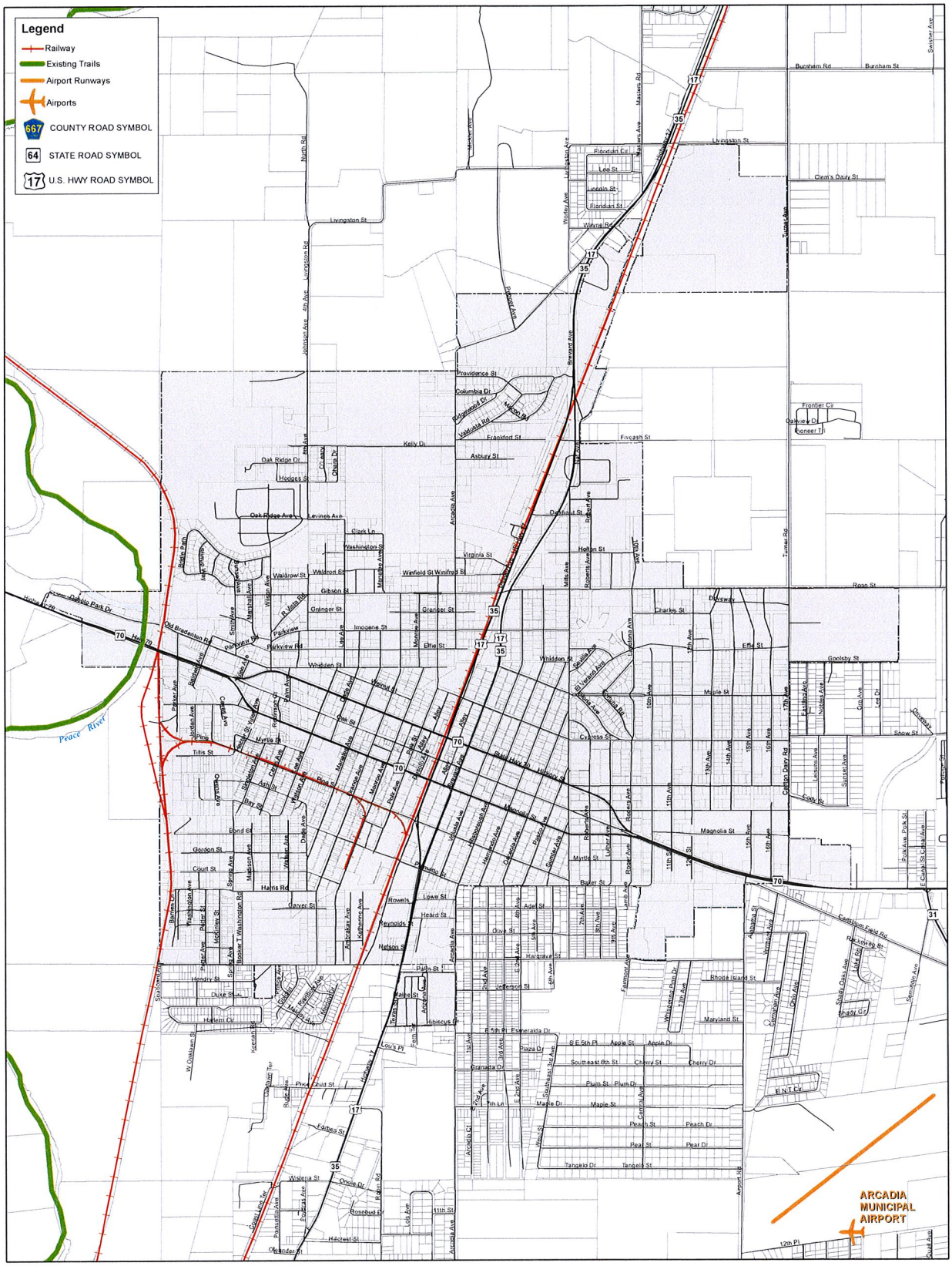

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CITY OF ARCADIA
HOUSING ELEMENT

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Gray Highlighted ***Comments*** *are provided to explain each amendment.*

GOAL: PROMOTE DECENT, SAFE AND SANITARY HOUSING IN SUITABLE NEIGHBORHOODS AT AFFORDABLE COSTS TO MEET THE NEEDS OF THE PRESENT AND FUTURE RESIDENTS OF THE CITY. ~~[9J-5.005(3)(a)]~~

Objective 1: ~~***Beginning August 1, 1991, t***~~***The City will assist the private sector to provide sufficient and affordable housing for the diversified needs of the present and future population.*** ~~[9J-5.005(3)(b)1]~~

Comment: Objective 1 continues to be implemented.

Policy 1.1: Arcadia shall provide information and technical assistance to the private sector to maintain a housing production capacity sufficient to meet the required production. "Technical assistance" will include, at a minimum: a) the assembly and distribution to local contractors and builders of findings of regional and state-wide housing task forces which address private sector involvement in the affordable housing issue; b) discussions with, and referrals to the Florida Low Income Housing Coalition or other non-profit housing organizations; and c) solicitation and marketing of new low interest housing loans from banks. [~~9J-5.005(3)(c)1~~]

Policy 1.2: ~~Beginning August 1, 1991,~~ Arcadia will develop local government partnerships with the private sector to improve the efficiency and expand the capacity of the housing delivery system. Such partnerships will focus on the development and marketing of low interest home ownership and rental housing loans for residents of Arcadia. ~~[9J-5.005(3)(c)1]~~

Policy 1.3: ~~By August 1, 1991,~~ Arcadia will review its ordinances, codes, regulations and permitting process to increase private sector participation in meeting housing needs, while maintaining the health, welfare and safety of the population. Conflicting or excessive City regulations shall be eliminated or modified. As part of its review and amendment of ordinances and regulations, the City will consider: a) the establishment of a maximum time limit for the review of development proposals; b) consolidation of multiple public hearings; and c) waiving of processing fees for affordable housing projects. ~~[9J-5.005(3)(c)2]~~

Objective 2: ~~***Beginning August 1, 1991, and c***~~***Contingent on Community Development Block Grant or other state or federal funding, a program will be implemented by the City to annually rehabilitate or demolish and replace 10 substandard housing units. Rehabilitated or replacement housing shall be targeted to low or moderate income households. Existing housing will be renovated, rehabilitated and/or maintained to prevent its becoming substandard.*** ~~*[9J-5.005(3)(b)2]*~~

Policy 2.1: The City of Arcadia shall maintain code enforcement activities where warranted. ~~*[9J-5.005(3)(c)2]*~~

Policy 2.2: Arcadia shall seek federal and state funding on an annual or other appropriate basis for the demolition or rehabilitation of substandard housing, and its replacement where necessary. Arcadia shall continue to apply for Small Cities Community Development Block Grant funds and participate in activities funded by block grants and the Farmers Home Administration. The City shall consider the development of other federal or state-assisted programs that rehabilitate and/or replace housing for low and moderate income families, and households with special housing needs. ~~*[9J-5.005(3)(c)7]*~~

Objective 3: ~~***By July 1, 1991,***~~ ***Arcadia shall ensure that its zoning and site plan regulations provide for adequate sites for housing for low and moderate income families, mobile homes and households with special housing needs, such as rural and farmworker households and the elderly. Local regulations shall be amended, as necessary, to implement this objective.*** ~~*[9J-5.005(3)(b)3]*~~

Policy 3.1: The principles and criteria for siting low and moderate income housing shall be:

a. To ensure that low/moderate income families have adequate public facilities and services based on a fair-share distribution of costs;
b. To provide for adequate sites for low/moderate income housing based on projections and demand for such housing and;
c. To ensure that zoning and other local regulations provide a variety of lot sizes, minimum housing sizes, densities, and alternatives such as mobile home subdivisions, mobile home parks, multi-unit developments or zero-lot lines.
~~*[9J-5.010(3)(c)5]*~~

Policy 3.2: The Housing Authority shall continue to assist low and moderate income persons in finding adequate housing. ~~*[9J-5.005(3)(c)4]*~~

Policy 3.3: The principles and criteria for the location of housing for households with special housing needs, including elderly, rural and farmworker households shall be:

a. To provide for adequate sites for housing for households with special housing needs based on projections and demand for such units;
b. To ensure that households with special housing needs have adequate public facilities and services based on a fair-share distribution of costs; and
c. To provide for sites for households with special housing needs in close proximity to grocery stores, educational facilities and/or public health facilities, as appropriate.
~~[9J-5.010(3)(c)5]~~

Policy 3.4: The City of Arcadia establishes the following principles and criteria for the siting of mobile homes: coordinate with DeSoto County to provide for sites for mobile homes in Arcadia and the surrounding area based on identified demand for such housing and in keeping with the character of the community; ensure non-discrimination in housing opportunities; ensure that all housing in the City of Arcadia is adequately serviced by public facilities based on a fair-share distribution of costs; and allow mobile homes within Arcadia's residential land uses categories, provided that they are anchored or attached to permanent foundations, meet safety codes and all other requirements of the Arcadia's Land Development Regulations. ~~[9J-5.010(3)(c)5.]~~

Objective 4: ~~***By August 1, 1991,***~~ ***Arcadia's land development regulations will be reviewed and amended to ensure that sufficient sites will be made available in suitable areas, including residential areas, for group homes and foster care facilities licensed or funded by the Florida Department of Health*** ~~***and Rehabilitative Services.***~~ ~~[9J-5.005(3)(b)3]~~

Policy 4.1: The principles and criteria for the location of group homes and foster care facilities shall be:

a. To provide clients of such facilities adequate public facilities and services on the basis of a fair-share distribution of costs.
b. To permit such group homes and foster care facilities in areas of a residential character provided that the group home or foster care facility is consistent with the surrounding area.
~~[9J-5.005(3)(c)6]~~

Policy 4.2: The City of Arcadia shall review and amend, if warranted, the zoning code so that different classes of residential-scale group homes and foster care facilities can be permitted in appropriate residential neighborhoods. ~~[9J-5.005(3)(c)6]~~

Objective 5: ***~~Beginning August 1, 1991, c~~Conservation, rehabilitation or demolition of housing will be ensured through state or federally-assisted housing and community development programs, technical assistance, and interagency coordination to provide decent, safe and sanitary housing.*** [~~*9J-5.005(3)(b)5*~~]

Policy 5.1: ~~By August 1, 1991,~~ The City shall continue to review and amend where necessary City housing codes and standards relating to the care and maintenance of residential and neighborhood environments and facilities. The City will adopt housing quality standards no less stringent than those of the U.S. Department of Housing and Urban Development Section 8 Existing Housing Program. [~~*9J-5.005(3)(c)2,3*~~]

Policy 5.2: The City of Arcadia shall continue programs and activities funded by Community Development Block Grants in a timely and efficient manner. [~~*9J-5.005(3)(c)7*~~]

Policy 5.3: Arcadia shall encourage individual homeowners to increase private reinvestment in housing by providing information and technical assistance programs. A comprehensive program determining and implementing these activities shall be prepared by a housing task force or similar advisory body, approved by City Council, and administered through the City Manager's Office. [~~*9J-5.005(3)(c)1*~~]

Objective 6: ***~~By August 1, 1993, a~~ A housing implementation program will be developed and carried out by the City of Arcadia to ensure the execution of the stated Goal and objectives of this element.*** [~~*9J-5.005(3)(b)1*~~]

Policy 6.1: A Housing Task Force, or similar advisory body, will assist the City in ensuring the timely initiation and execution of the programs/activities set forth in the Housing Element by monitoring, and reporting annually to City Council, the progress towards the implementation of such programs. [~~*9J-5.005(3)(c)1*~~]

Objective 7: ***~~Beginning August 1, 1991, a~~As part of its federally-assisted efforts to revitalize and stabilize the City's housing stock, Arcadia will assure the availability of relocation housing to persons displaced by such federally-assisted housing rehabilitation or demolition activities.*** [~~*9J-5.005(3)(b)6*~~]

Policy 7.1: Arcadia will abide by the mandate of the federal Uniform Relocation Act, ensuring that anyone who will be temporarily or permanently displaced, as a result of federally assisted actions, will be provided adequate relocation assistance. [~~*9J-5.005(3)(c)8*~~]

Objective 8: ***~~By August 1, 1991,~~ Arcadia shall establish procedures to locally designate and protect historically significant housing.*** [~~*9J-5.010(3)(b)5*~~]

Policy 8.1: ~~By August 1, 1991, c~~Criteria shall be established in the City's land development regulations to provide for the local designation of historically significant housing, structures and sites. [~~*9J-5.010(3)(c)3*~~]

Policy 8.2: ~~By August 1, 1991,~~ Arcadia shall establish procedures for the protection of locally designated historically significant housing, structures or sites, and shall develop criteria under which a locally designated structure or site may be altered or demolished. At a minimum, an extraordinary vote by City Council (four or more affirmative votes) shall be required to authorize significant alteration or demolition, subject to established procedures regulating the alteration or demolition of any site or structure. [~~*9J-5.010(3)(c)3*~~]

~~**Policy 8.3:** The process of consideration of historically significant housing for local designation by the City of Arcadia shall begin by August 1, 1992. [*9J-5.010(3)(c)3*]~~

Comment: Policy 8.3 has been removed.

Policy 8.4~~-3~~: The conservation, rehabilitation, or demolition of locally designated historic housing units shall be carried out in cooperation with recognized historic preservation organizations. [~~*9J-5.010(3)(c)3*~~]

OBJECTIVE 9: ***THE CITY SHALL SUPPORT ENERGY EFFICIENCY AND THE USE OF RENEWABLE ENERGY RESOURCES IN EXISTING HOUSING AND IN DESIGN AND CONSTRUCTION OF NEW HOUSING.***

Policy 9.1: The City shall encourage residential and non-residential construction that adheres to commonly accepted Green Building principles.

Policy 9.2: The City shall consider review criteria to establish standards for the appropriate placement of solar panels.

Policy 9.3: The City will encourage the strategic placement of landscape materials to reduce energy consumption.

Comment: Objective 9 and Policies 9.1 through 9.3 are provided for consistency with the requirements of Florida Statutes to provide policies for Greenhouse Gas Reduction and Energy Efficiency Strategies.

CITY OF ARCADIA
SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT

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Gray Highlighted ***Comments*** *are provided to explain each amendment.*

GOAL: **PROVIDE ADEQUATE SANITARY SEWER, POTABLE WATER, SOLID WASTE AND DRAINAGE FACILITIES IN A TIMELY, ORDERLY AND EFFICIENT MANNER.** ~~[9J-5.011(2)(a)]~~

LEVEL OF SERVICE

Objective 1: ***Arcadia shall provide sanitary sewer, potable water and drainage facilities that comply with the level of service and capacity standards established in the Sanitary Sewer, Potable Water, Solid Waste, Drainage and Natural Groundwater Aquifer Recharge Element.*** ~~[9J-5.011(2)(b)2]~~

Policy 1.1: Arcadia shall establish a level of service of 171 gallons per capita per day for its sanitary sewer facility. ~~[9J-5.011(2)(c)(2)a]~~

Policy 1.2: ~~By August 1, 1991,~~ Arcadia shall provide sanitary sewer treatment facilities that provide a hydraulic peak flow design capacity of four million gallons. ~~[9J-5.011(2)(c)(2)a]~~

Policy 1.3: Arcadia shall establish a peak season level of service of 160 gallons per capita per day, and an average daily level of service of 102 gallons per capita for potable water connections. ~~[9J-5.011(2)(c)(2)d]~~

Policy 1.4: ~~By August 1, 1995,~~ Arcadia shall ensure a minimum level of service for potable water storage of 50 percent of average daily flow. ~~[9J-5.011(2)(c)(2)d]~~

Policy 1.5: Arcadia shall adopt a current and future level of service for water pressure of 20 pounds per square inch. ~~[9J-5.011(2)(c)(2)d]~~

Policy 1.6: Arcadia establishes a drainage level of service for new development equal to a 25-year 24-hour storm event. Stormwater treatment and disposal facilities shall meet the design and performance standards established in Section 17-25.025, F.A.C. The first inch of stormwater run-off shall be treated on-site, pursuant to Section 17-3.051, F.A.C. Stormwater discharge facilities shall be designed such that the receiving water body shall not be degraded below minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-3, F.A.C. These standards shall apply to all new development and redevelopment. For existing development, the City establishes an interim level of service to manage the 10-year 60 minute storm event. ~~[9J-5.011(2)(c)(2)c]~~

Policy 1.7: All structures shall have a floor elevation at or above the 100-year flood elevation. ~~[9J-5.011(2)(c)4]~~

Policy 1.8: Arcadia shall include within its regulations the requirement that prior to permitting a proposed project, the City must have 4.8 pounds per person per day of solid waste capacity at the DeSoto County Solid Waste Disposal Facility. ~~[9J-5.011(2)(c)(2)b]~~

Policy 1.9: ~~Beginning August 1, 1991,~~ Arcadia shall establish and implement a concurrency management system that ensures that the necessary sanitary sewer, solid waste, potable water and drainage facilities needed to support development are available concurrent with the impacts of such development. ~~[9J-5.011(2)(c)1]~~

SANITARY SEWER AND POTABLE WATER

Objective 2: ***Arcadia shall maintain its sanitary sewer and potable water facilities in a manner that promotes compact urban growth and is a benefit to the health, safety and welfare of the community. The use of existing sanitary sewer and potable water facilities shall be maximized, to include the maintenance and improvement of the existing system and the correction of identified deficiencies.*** ~~[9J-5.011(2)(b)3]~~

Policy 2.1: ~~By August 1, 1991,~~ Arcadia shall ensure that all improvements for the replacement, expansion or increase in the capacity of sanitary sewer and potable water facilities will be compatible with the established levels of service. ~~[9J-5.011(2)(c)1]~~

Policy 2.2: ~~Beginning August 1, 1991, t~~The City of Arcadia shall consider the following criteria, as recommended by the Department of Environmental Protection ~~Regulation~~, for the extension of its sanitary sewer and potable water facilities:

a. 65% of permitted capacity - retain an engineer to evaluate the system;
b. 70% of permitted capacity - submission of construction application;
c. 80% of permitted capacity - commence expansion construction;
d. 95% of permitted capacity - completion of facility construction. ~~[9J-5.011(2)(c)1]~~

Policy 2.3: ~~Beginning August 1, 1991, e~~Extensions of municipal sanitary sewer and potable water facilities beyond the City limits shall be coordinated with DeSoto County and shall be consistent with the DeSoto County Comprehensive Plan regarding designated locations for higher density development. ~~[9J-5.011(2)(c)1]~~

Policy 2.4: ~~Beginning July 1, 1991, a~~All improvements, including repair, maintenance and expansion, of municipal sanitary sewer and potable water facilities shall be prioritized annually. Those improvements required to be included in the Five-Year Schedule of Capital Improvements shall be incorporated into the appropriate semi-annual Comprehensive Plan amendment. Priority for the expansion of municipal facilities shall be given to: legal obligations; existing development that is in or adjacent to the City of Arcadia; new development in or adjacent to the City of Arcadia; new development that will contribute to the tax base through higher densities or intensities of land use. ~~[9J-5.011(2)(c)1]~~

Policy: 2.5: ~~By August 1, 1991, n~~New development shall bear a fair share of sanitary sewer and potable water facility expansion costs. ~~[9J-5.011(2)(c)1]~~

Policy 2.6: ~~Beginning August 1, 1991, s~~Septic tanks shall be permissible only when municipal sanitary sewer facilities are unavailable, when facility capacity is deficient, and when conditions are favorable to their use, including soils, drainage, and proximity to water bodies or conservation lands. Septic tanks shall be considered temporary, and their use shall be discontinued upon availability of municipal sanitary sewer facilities. Septic tanks shall be considered only for residential uses. ~~[9J-5.011(2)(c)1]~~

Policy 2.7: ~~Beginning August 1, 1991, p~~Privately maintained and/or operated stand-alone package treatment plants shall not be permissible within the City of Arcadia. On-site pre-treatment sanitary sewer facilities that are incorporated into the municipal sanitary sewer system shall be permissible. ~~[9J-5.011(2)(c)1]~~

Policy 2.8: ~~Beginning August 1, 1991, t~~The City of Arcadia shall coordinate with DeSoto County to ensure that package treatment plants outside of but near to the City shall be compatible with the municipal sanitary sewer system. Such package treatment plants shall be incorporated into the municipal sanitary sewer system if and when possible. ~~[9J-5.011(2)(c)1]~~

Policy 2.9: ~~By August 1, 1993,~~ Arcadia shall develop a comprehensive maintenance program for its sanitary sewer and potable water facilities. ~~[9J-5.011(2)(c)1]~~

Objective 3: ***~~By August 1, 1992, Arcadia shall establish procedures for the conservation of potable water resources.~~*** *~~[9J-5.011(2)(b)4]~~*

Policy 3.1: Arcadia shall provide ongoing training for operational and field personnel. *~~[9J-5.011(2)(c)3]~~*

Policy 3.2: ~~By August 1, 1991,~~ Arcadia shall ~~request funding from~~ coordinate with the Southwest Florida Water Management District to implement a wastewater reuse program. With funding assistance, the City will design and construct portions of a reuse system ~~as described in the City of Arcadia Reuse System Study, completed in August 1990~~. *~~[9J-5.011(2)(c)3]~~*

Policy 3.3: Arcadia shall comply with and enforce water use restrictions during Southwest Florida Water Management District declared-water shortages. [*373.609, F.S.*]

Policy 3.4: Arcadia shall require low volume plumbing fixtures for new construction, which shall be enforced as part of the City building code and other permitting regulations. [*553.14, F.S.*]

Policy 3.5: Xeriscape landscaping techniques shall be encouraged for new development. *~~[9J-5.011(2)(c)3]~~*

SOLID WASTE

Objective 4: ***~~By August 1, 1991, Arcadia shall work with DeSoto County to ensure adequate landfill capacity, and to maximize the use of existing solid waste facilities. The City shall also develop a comprehensive maintenance program for its solid waste disposal equipment and facilities.~~*** *~~[9J-5.011(2)(b)1,2,3]~~*

Policy 4.1: ~~As mandated by the Solid Waste Reduction Act of 1988, Arcadia, in coordination with DeSoto County, shall ensure that 30 percent of total solid waste volume is recycled by 1994.~~ Arcadia shall participate in county-wide public education efforts, including inserts in municipal mailings and public notices or workshops indicating recyclable materials, locations of facilities for the disposal of oil, tires and other recyclables, and other means to increase public participation in recycling efforts. *~~[9J-5.011(2)(c)1]~~*

Policy 4.2: Arcadia shall continue to correct any solid waste facility deficiencies, and provide the necessary equipment and personnel to dispose of solid waste. Major new equipment needs, such as garbage trucks, shall be considered capital improvements and shall be included in the Five-Year Schedule of Capital Improvements. ~~[9J-5.011(2)(c)1]~~

Policy 4.3: Arcadia shall participate in any County-sponsored "Amnesty Days" program, and shall cooperate with DeSoto County in other efforts, including public education, to ensure proper management of hazardous wastes generated in the City.

Policy 4.4: Arcadia shall annually verify capacity at the County landfill, and shall annually inform the County of the projected annual capacity demand attributable to the City. ~~[9J-5.011(2)(c)(2)b]~~

DRAINAGE AND NATURAL GROUNDWATER AQUIFER RECHARGE

Objective 5: ~~***By August 1, 1991,***~~ ***Arcadia shall establish regulations that will ensure adequate protection of groundwater aquifer recharge.*** ~~[9J-5.011(2)(b)5]~~

Policy 5.1: Arcadia shall work with the Southwest Florida Water Management District in designating areas of prime recharge to the Floridan aquifer by providing any information the City may have which will assist the SWFWMD in making this designation. [~~9J-5.011(2)(c)4~~]

Policy 5.2: ~~By August 1, 1991,~~ The City's land development regulations shall include restrictions on land use activities known to adversely affect groundwater, particularly in areas of known high aquifer recharge. ~~[9J-5.011(2)(c)4]~~

Policy 5.3: The City shall establish regulations which set forth criteria regarding the location and extent of impervious surfaces, based on pollution potential to surface and ground waters.

Objective 6: ~~***Beginning August 1, 1991,***~~ ***Arcadia shall manage the quality and quantity of stormwater runoff. Existing deficiencies in man-made drainage facilities shall be corrected. Natural drainage features shall be protected through enforcement of the City's land development regulations. New development shall be required to adequately manage stormwater runoff.*** ~~[9J-5.011(2)(b)5]~~

Policy 6.1: ~~By August 1, 1992,~~ Arcadia shall undertake a stormwater management study to identify water quality and drainage deficiencies for its drainage facilities. The City shall request financial assistance for the study from the Peace River Basin Board of the Southwest Florida Water Management District. [~~9J-5.011(2)(c)1~~]

Policy 6.2: Identified drainage deficiencies shall be corrected. Deficiencies for existing development shall be defined as inability to manage a 25-year 24-hour storm event and/or contributing to the degradation of the receiving body below minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-3, F.A.C. Drainage improvements shall be prioritized as follows: to fulfill legal obligations; to prevent further degradation of surface or water bodies; to provide adequate drainage for existing development in the City; to provide adequate drainage for new development in the City; and to extend municipal drainage facilities to areas outside of the City. ~~[9J-5.011(2)(c)1]~~

Policy 6.3: Arcadia shall consider the formation of a stormwater utility district to fund the correction of existing drainage deficiencies. The City shall request funding assistance from the Southwest Florida Water Management District or other appropriate state agencies to undertake a study of this issue. The City shall coordinate with DeSoto County to participate in a County-wide stormwater utility study if warranted. ~~[9J-5.011(2)(c)1]~~

Policy 6.4: Arcadia shall, as is required by the ~~1982~~ Stormwater Rule, Chapter 17-25, FAC, establish performance standards that reduce the annual pollutant load of stormwater runoff by 80 percent, and that best management practices be used to achieve this goal. ~~[9J-5.011(2)(c)4]~~

Policy 6.5: Best management practices for stormwater runoff shall be implemented in a new development's open space and landscaped areas to reduce maintenance and improve aesthetics. ~~[9J-5.011(2)(c)4]~~

Policy 6.6: Arcadia shall include in its land development regulations requirements for controlling soil erosion and runoff from construction sites. [*187.201(8)(b)12, F.S.*]

Policy 6.7: The City shall protect natural drainage features through enforcement of its zoning and site plan review ordinances. ~~[9J-5.011(2)(c)4]~~

Policy 6.8: The following interim stormwater management measures shall be implemented by the City of Arcadia. These interim measures shall be revised and amended upon completion of the stormwater drainage study as referenced in Policy 6.1.

a. No more than 40 percent of residential lots and no more than 70 percent of commercial lots shall be covered with paving or other types of impervious surfaces;

b. The City shall regularly maintain retention swales adjacent to City roadways; and

c. Where necessary, the City shall consider construction of drainage retention areas in the public right-of-way and the use of eminent domain condemnation to acquire property for drainage retention purposes.

~~[9J-5.011(2)(c)4]~~

INF MAP 1 - CITY OF ARCADIA - GENERALIZED TOPOGRAPHY

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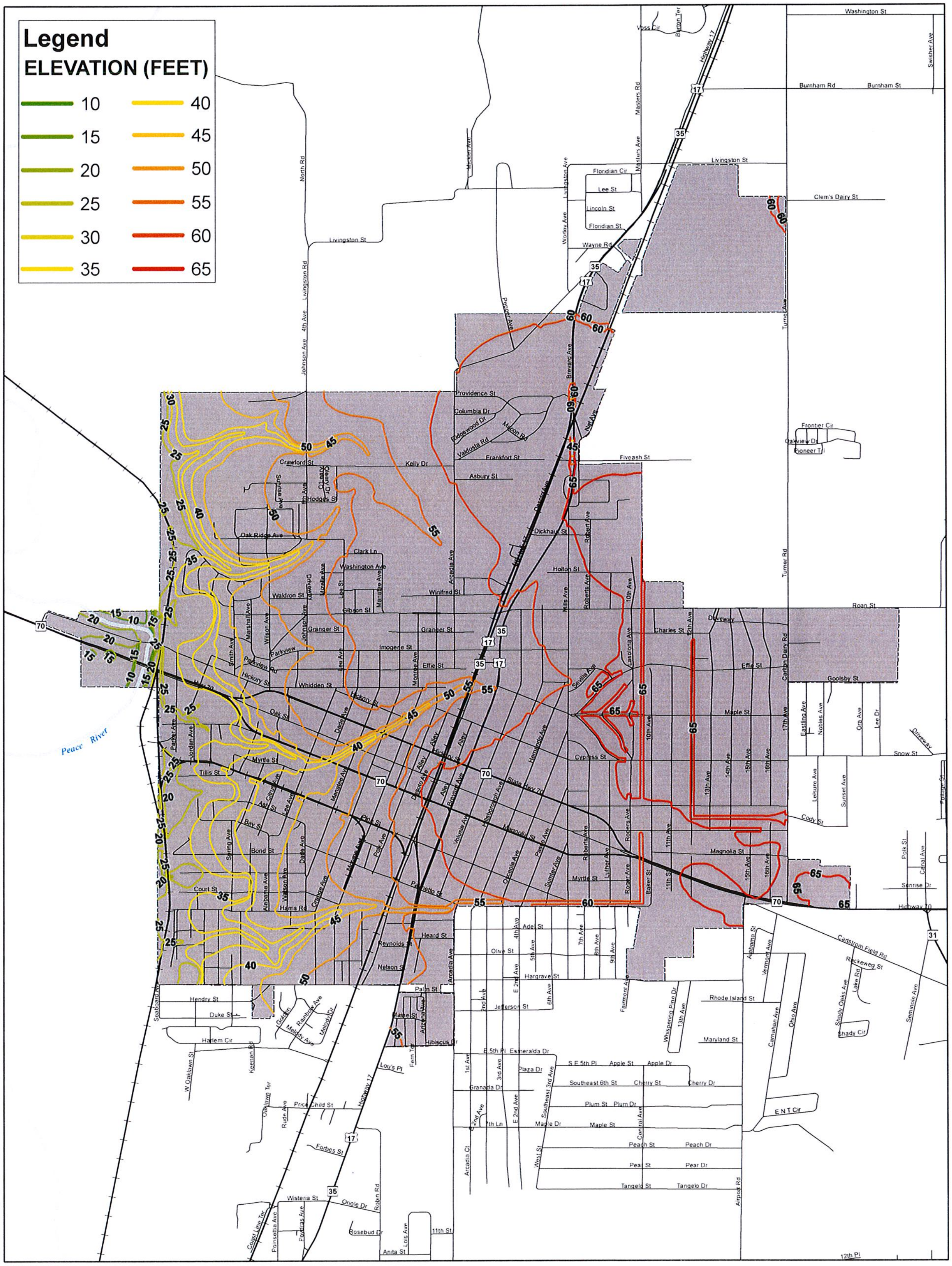

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Topography Data: Florida Water Management Districts & USGS, FGDL

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INF MAP 2 - CITY OF ARCADIA - FLORIDAN AQUIFER RECHARGE AREAS

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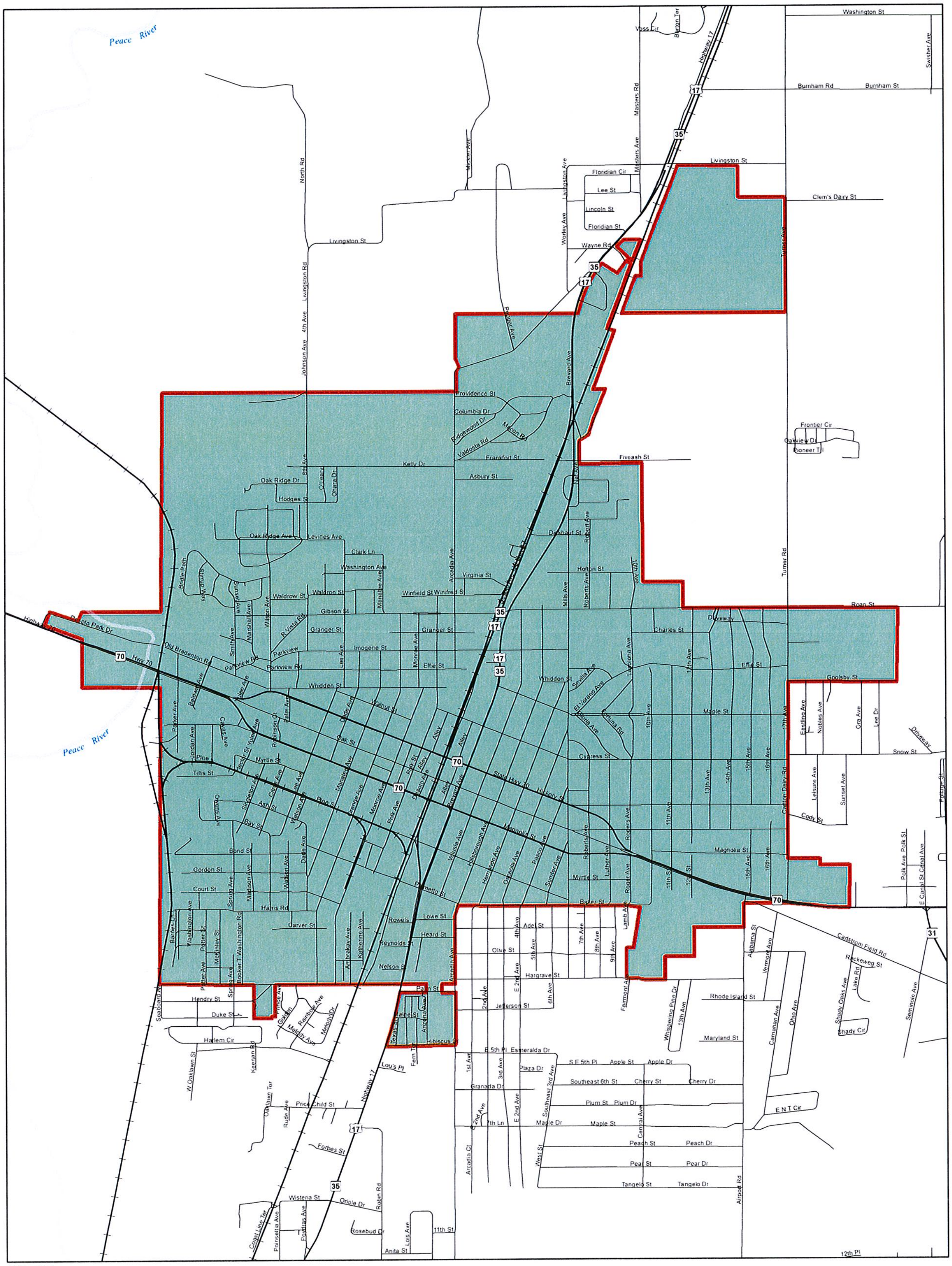

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Legend
Railway
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Arcadia Boundary
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CITY OF ARCADIA
CONSERVATION ELEMENT

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

*Gray Highlighted **Comments** are provided to explain each amendment.*

GOAL: CONSERVE, PROTECT AND MANAGE THE NATURAL RESOURCES OF THE CITY OF ARCADIA.

Objective 1: ***Arcadia shall continue to meet acceptable ambient air quality standards set by the Florida Department of Environmental Regulation throughout the planning period.*** *[~~9J-5.013(2)(b)1~~]*

Policy 1.1: Arcadia will require future industrial activity to meet minimum air pollution performance standards. *[~~9J-5.013(2)(c)10~~]*

Policy 1.2: Arcadia will encourage alternative transportation modes such as car-pooling or bicycling to minimize the potential for automobile emission pollution. *[~~9J-5.013(2)(c)10~~]*

Objective 2: ***Arcadia will conserve, appropriately use and protect the quality and quantity of surface and ground water throughout the planning period.*** *[~~9J-5.013(2)(b)2~~]*

Policy 2.1: ~~Upon Plan adoption, t~~The City of Arcadia shall cooperate with the Southwest Florida Water Management District to identify cones of influence, water recharge areas and develop a comprehensive wellhead protection program. The program shall include provisions to restrict incompatible uses and substances found on the Florida Substance list known to have adverse effects on water quality and quantity. Arcadia shall request funding assistance from the SWFWMD to accomplish this. However, as an interim measure between plan adoption and SWFWMD's potable waterwell cone of influence designation, Arcadia shall establish a 400 ft. radius from the base of a potable waterwell as a cone of influence. The first 200 foot radius shall be a zone of exclusion, where no development activities, with the exception of the lowest density residential land uses, will be permitted. Within the remainder of the wellhead protection area, the following will be prohibited: landfills; facilities for bulk storage, handling or processing of materials on the Florida substance list; activities that require the storage, use, handling, production or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, or similar substances; feed lots or other commercial animal facilities; wastewater treatment plants, percolation ponds or similar facilities; mines; and excavation of waterways or drainage facilities which

intersect the water table. ~~[9J-5.013(2)(c)1]~~

Policy 2.2: Arcadia shall cooperate with property owners and the Southwest Florida Water Management District to coordinate land use permits with SWFWMD's consumptive use permits. ~~[9J-5.013(2)(c)1]~~

Policy 2.3: Arcadia shall cooperate with and support, an emergency water shortage plan developed by the Southwest Florida Water Management District. Arcadia shall notify local newspapers of the content of the plan, and, during times of water shortage emergency, shall inform the public of key points of the plan through inserts in billing statements issued by the Water Department. ~~[9J-5.013(2)(c)4]~~

Policy 2.4: Arcadia will monitor effluent discharge from the municipal wastewater plant to determine compliance/non-compliance with standards of the Florida Department of Environmental Regulation. The City shall follow up on its monitoring program, as its fiscal resources permit, to eliminate point and non-point sources of pollution to the Peace River. ~~[9J-5.013(2)(c)6]~~

Policy 2.5: Arcadia shall conserve, use and protect the Peace River through enforcement of land development regulations, including zoning, site plan review, buffer zone, and stormwater treatment regulations. ~~[9J-5.013(2)(c)6]~~

Policy 2.6: Arcadia shall ~~adopt~~ continue to implement a land development regulation which requires that where alteration of wetlands is necessary to allow for reasonable use of property, the developer will either restore the disturbed wetlands to their original status or create new wetlands to make up for the loss. ~~[9J-5.013(2)(c)6]~~

Objective 3: ***Arcadia will conserve, appropriately use and protect mineral resources, soils and native vegetative communities throughout the planning period.*** ~~[9J-5.013(2)(b)3]~~

Policy 3.1: ~~Upon Plan adoption, t~~The City shall require that all development proposals be accompanied by evidence that an inventory of wetlands; soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; and areas prone to periodic flooding has been conducted. The City shall further require that the extent to which any development or redevelopment is proposed to be placed in/on, to disturb, or to alter the natural functions of any of these resources be identified. Such identification shall occur at a phase in the development review process that provides the opportunity for the City to review the proposed project to ensure that direct and irreversible impacts on the identified resources are minimized, or in the extreme, mitigated. Where mitigation is approved, wetlands shall be replaced with the same type and form that perform the same function as the wetland lost to development. Where development is determined to encroach upon a resource, the City shall require a

specific management plan to be prepared by the developer, which results in no net loss of wetlands and which includes necessary modifications to the proposed development, specific setback and buffers, and clustering of development away from site resources, to ensure the protection, preservation or natural functions of the resource. Wetlands are restricted to only residential development at not more than 1 dwelling unit per 5 acres. The minimum setback shall be 25 feet and the average of all setbacks from the resource shall be 40 feet. Areas designated as buffers shall preserve all natural vegetative cover, except where drainage-ways and access paths are approved to cross the buffer. Buffers may be supplemented only with native trees, shrubs and ground covers. Final development orders shall be contingent upon implementation of every specific management plan, which plans shall be consistent with all natural resource protection policies of the Conservation Element of this Plan. [~~*9J-5.013(2)(c)3,5,6*~~]

Policy 3.2: Should any natural reservations be identified in amendments or revisions to the Recreation and Open Space element of this plan, this Conservation Element shall likewise be amended or revised to provide protection to such designated areas. [~~*9J-5.013(2)(c)7*~~]

Policy 3.3: Arcadia shall consider topographic, hydrologic, soil characteristics and vegetative cover factors in the site plan review process of proposed developments. Arcadia shall work with the Florida Game and Freshwater Fish Commission and the Soil and Water Conservation District to use Best Management Practices for the protection of topographic, hydrologic, soil characteristics and vegetative cover factors in the site plan review process of proposed developments. Best Management Practices will be used during all phases of development. Best Management Practices are intended to provide for: proper ground cover on construction sites; nonpoint source control; and proper land use and buffering standards. [~~*9J-5.013(2)(c)3*~~]

Policy 3.4: Arcadia shall establish, with DeSoto County, consistently worded and enforced regulations designed to conserve, appropriately use and protect unique vegetative communities located jointly within the boundaries of the City and the County. [~~*9J-5.013(2)(c)(8)*~~]

Policy 3.5: Extraction of mineral resources within the City limits of Arcadia shall be prohibited.

Objective 4: ***Arcadia will conserve, appropriately use and protect wildlife, wildlife habitat, fisheries, floodplains and marine habitat throughout the planning period.*** [~~*9J-5.013(2)(b)4*~~]

Policy 4.1: Arcadia shall conserve, appropriately use and protect wildlife and wildlife habitat occurring within the City's jurisdiction through enforcement of Policy 3.1 of the Conservation Element. [~~*9J-5.013(2)(c)6*~~]

Policy 4.2: Zoning, conservation easements, or other methods will be employed to protect habitats occupied by endangered or threatened species. Cooperation with the Department of Environmental Regulation and the Florida Fish and Wildlife Conservation Commission ~~Game and Fresh Water Fish Commission~~ will assist in the determination of any such habitats in the City. [~~*9J-5.013(2)(c)5*~~]

Policy 4.3: Arcadia shall conserve, use and protect its floodplains and the Peace River fishery through enforcement of land development regulations, including zoning, site plan review, buffer zone, and stormwater treatment regulations. [~~*9J-5.013(2)(c)6*~~]

Objective 5: ***Throughout the planning period, Arcadia shall meet its obligations under federal and state laws and regulations regarding the management of hazardous wastes produced in the City.***

Policy 5.1: Arcadia shall cooperate with DeSoto County's Amnesty Days program as an incentive to collect hazardous wastes generated in the City. [~~*9J-5.013(2)(c)10*~~]

Policy 5.2: Arcadia shall cooperate with DeSoto County to ensure the proper disposal of household hazardous wastes generated in the City at the County's designated household hazardous waste collection center. [~~*9J-5.013(2)(c)10*~~]

OBJECTIVE 6: The City of Arcadia shall encourage the integration of public and private investments in green infrastructure (interconnected network of open spaces, and natural areas).

Policy 6.1: The City shall seek all opportunities for public and private investment in acquiring and conserving an interconnected network of open spaces, natural areas, and agricultural lands. The network will provide for:

a. Protection of natural resources and wildlife habitat;

b. Habitat corridors through linked open spaces;

c. Protection of historic and cultural resources;

d. Recreational opportunities;

e. Community health benefits;

f. Economic development opportunities; and

g. Multi-use trails connecting population centers to natural areas.

Policy6.2: The City of Arcadia shall coordinate with DeSoto County to assure connectivity and public enjoyment of a green network by all City residents.

Policy 6.2: Neighborhoods and subdivisions shall incorporate measures to connect to or enhance the City's green infrastructure network.

Comment: Objective 6 and Policies 6.1 and 6.2 have been added to satisfy the requirements to reduce greenhouse gas emissions and promote energy efficiency.

CITY OF ARCADIA
RECREATION AND OPEN SPACE ELEMENT

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Gray Highlighted ***Comments*** *are provided to explain each amendment.*

GOAL: **ENSURE THE PROVISION OF SUFFICIENT PARKS, RECREATION FACILITIES AND OPEN SPACE TO MEET THE LEISURE AND AESTHETIC NEEDS AND DESIRES OF CURRENT AND FUTURE RESIDENTS OF ~~FOR~~ THE CITY OF ARCADIA.** ~~*[9J-5.014(3)(a)]*~~

Comment: The Goals has been revised to provide further definition.

Objective 1: ***On an ongoing basis, Arcadia shall maintain public access to municipally owned public recreation sites.*** ~~*[9J-5.014(3)(b)1]*~~

Policy 1.1: Municipally owned public recreation sites will be maintained and improved where necessary to ensure public access. This shall be accomplished through the continuation of municipal funding for the maintenance and improvement of recreation sites and facilities. ~~*[9J-5.014(3)(c)5]*~~

Policy 1.2: Bicycle and pedestrian access will be provided and maintained to municipally owned public recreation sites as is reasonable and appropriate. ~~*[9J-5.014(3)(c)5]*~~

Policy 1.3: Sufficient parking places and bicycle racks shall be provided at municipally owned public recreation sites. Sufficiency shall be determined by estimating demand, incorporating common standards, and other evidence such as citizen/user comments. ~~*[9J-5.014(3)(c)5]*~~

Policy 1.4: Future municipally owned public recreation sites shall be designed to accommodate access by the elderly and handicapped as is reasonable with respect to site-specific constraints.

Objective 2: ***Public and private resources shall be coordinated to meet the recreation demands of the residents of Arcadia.*** ~~*[9J-5.014(3)(b)2]*~~

Policy 2.1: Arcadia will require future development to contribute to the recreational facility and site inventory of the City. This may be through facility building, land donation, fees, or other methods. ~~By August 1, 1991,~~ The land development regulations will be reviewed and amended as necessary to ensure the implementation of this objective.

~~[9J-5.014(3)(c)5]~~

Comment: Policy 2.1 has been updated to remove the time frame.

Policy 2.2: Arcadia shall coordinate with local, state or federal entities to identify possible funding sources for improving, maintaining or expanding the City's recreational facility and site inventory. [~~9J-5.014(3)(c)5~~]

Policy 2.3: Arcadia shall work with private and public entities to maintain and improve the recreational facility and site inventory. Activities may include requests for land or facility donations, requirements for the provision of recreation facilities or sites for new developments, or coordination with public agencies for the provision of land or other resources to provide recreational opportunities. ~~[9J-5.014(3)(c)5]~~

Objective 3: ***Arcadia shall ensure that parks and recreation facilities are adequately and efficiently provided throughout the planning period.*** ~~[9J-5.014(3)(b)3]~~

Policy 3.1: Arcadia establishes a Recreation Level of Service Standard of 4 acres of recreation land per 1,000 residents upon adoption of this Comprehensive Plan. This level of service may be met by municipally or other publicly owned public recreation land, or privately owned recreation land available for use by the general public and/or residents of an identifiable development, subdivision or neighborhood. ~~[9J-5.014(3)(c)4]~~

Policy 3.2: ~~By August 1, 1991,~~ The land development regulations will be reviewed, revised or amended as necessary to meet all obligations of this Recreation Element. Specific provisions shall be included to ensure that public or private entities provide adequate recreation land concurrent with the impacts of new development. [~~9J-5.014(3)(c)4~~]

Comment: Policy 3.2 has been updated to remove the time frame.

Policy 3.3: Lands designated as recreation shall be protected from incompatible land uses. Land development regulations shall be amended, as necessary and enforced to ensure this provision. This policy shall be consistent with the Future Land Use Element and other relevant policies of this Comprehensive Plan. ~~[9J-5.014(3)(c)4]~~

Objective 4: ***Arcadia shall ensure the provision of adequate open space. Lands designated as open space or natural conservation areas will be protected from incompatible land uses.*** [~~9J-5.014(3)(b)4~~]

Policy 4.1: ~~By August 1, 1991,~~ Arcadia shall ~~adopt~~ continue to implement land development regulations which: include specific open space definitions and standards; address protection of open space and natural vegetation; address landscaping and signage requirements; and address the provision of open space and permit the use of open space for buffering. Open Space standards shall address the amount of open space required for various land uses, and shall address the provision of open space through public acquisition, legislative designation, or private dedication or establishment. ~~[9J-5.014(3)(c)1]~~

Comment: Policy 4.1 has been updated to remove the time frame.

Policy 4.2: ~~By August 1, 1991,~~ Arcadia shall adopt incentives to encourage the provision of open space within future developed areas, or the City may require private developments to provide a fair and adequate share of open space through the use of fees, land donations or other methods. ~~[9J-5.014(3)(c)2]~~

Comment: Policy 4.2 has been updated to remove the time frame.

Policy 4.3: The City will coordinate with the County to plan for future trails connecting Arcadia to other parts of the county.

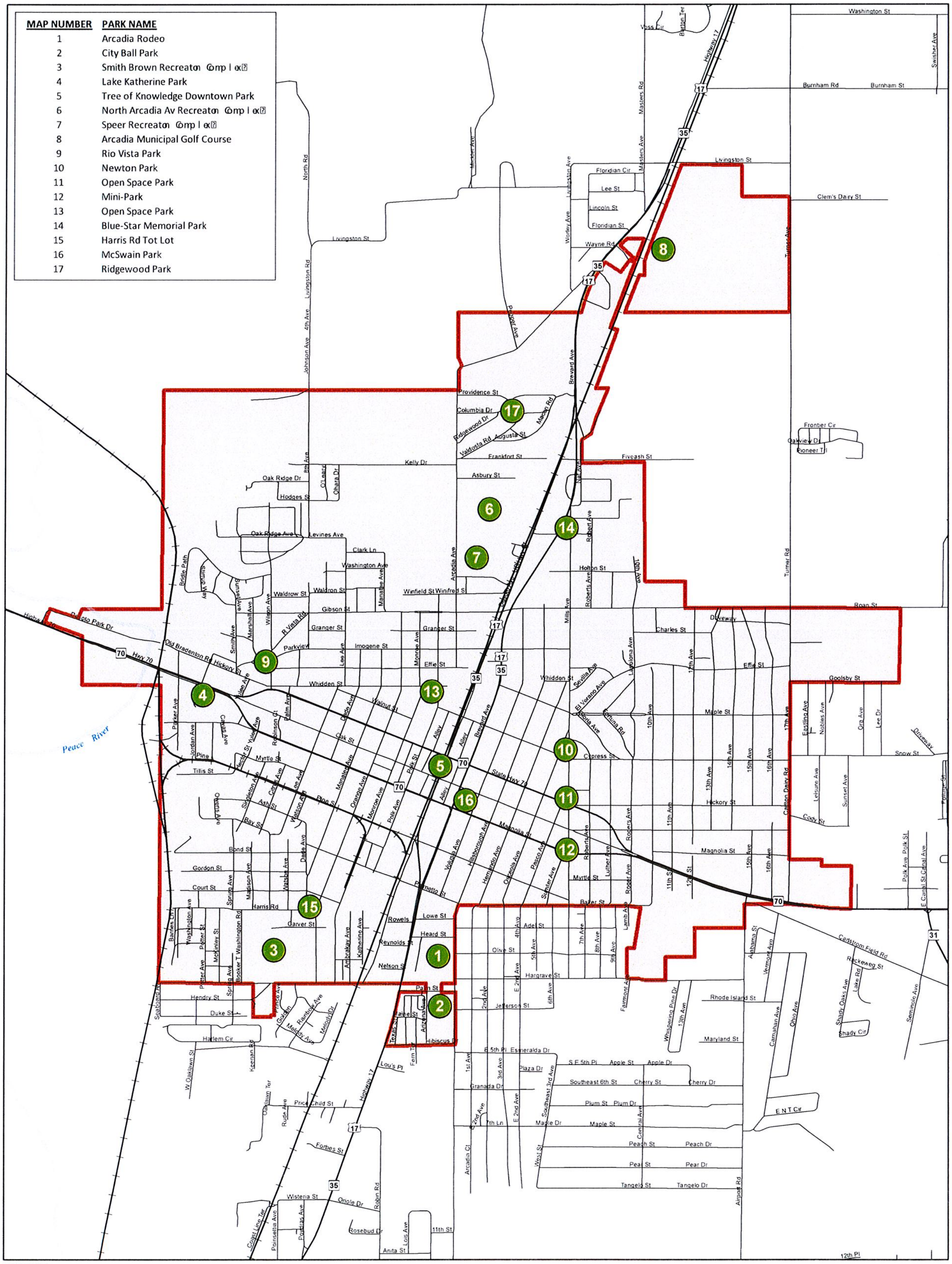
Comment: The addition of this policy promotes the connection of the City to future trails within the County.

Policy 4.4: The City may work to identify and establish incentives, guidelines, and potential funding for the development of community gardens.

Comment: The addition of this policy promotes the future potential for community gardens with the City.

ROS MAP 1 - CITY OF ARCADIA - PARK AND RECREATION FACILITIES

DRAFT



MAP NUMBER	PARK NAME
1	Arcadia Rodeo
2	City Ball Park
3	Smith Brown Recreation Complex
4	Lake Katherine Park
5	Tree of Knowledge Downtown Park
6	North Arcadia Av Recreation Complex
7	Speer Recreation Complex
8	Arcadia Municipal Golf Course
9	Rio Vista Park
10	Newton Park
11	Open Space Park
12	Mini-Park
13	Open Space Park
14	Blue-Star Memorial Park
15	Harris Rd Tot Lot
16	McSwain Park
17	Ridgewood Park

DISCLAIMER:
The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council

Date Prepared:
June 17, 2010

0 1,500 3,000
Feet

1:20,000
1 inch = 0.32 miles

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Legend
- Railway
- Roads
- Arcadia Boundary
- Water Bodies
- Parks

N E S W

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CITY OF ARCADIA
INTERGOVERNMENTAL COORDINATION ELEMENT

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

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GOAL: **PROVIDE FOR THE COORDINATION AND COOPERATION AMONG ALL PERTINENT PUBLIC AND PRIVATE ENTITIES TO ENSURE EFFICIENT AND EFFECTIVE USE OF AVAILABLE RESOURCES.** ~~[9J-5.015(3)(a)]~~

Objective 1: ***Arcadia shall ensure that its comprehensive plan is coordinated with the comprehensive plans of the DeSoto County School Board, DeSoto County, and the Central Florida Regional Planning Council in order to ensure consistency between the plans, and in order to plan and provide for adequate public facilities.*** ~~***This process will be in place by August 1, 1992.***~~ ~~[9J-5.015(3)(b)1]~~

Comment: Objective 1 has been updated as this objective continues to be implemented.

Policy 1.1: To ensure compatibility, Arcadia shall coordinate with DeSoto County in the mutual review of plans. Proposed plan amendments will be requested upon knowledge of their transmittal to the Department of Community Affairs for review, and shall be reviewed within 90 days of their receipt by the City. DeSoto County shall be informed by the City, in writing, of any apparent inconsistencies. ~~[9J-5.015(3)(c)7]~~

Policy 1.2: Arcadia shall work with the DeSoto County School Board in the location of new schools and related facilities. Respective comprehensive and facility plans shall be reviewed to assist in the determination of suitable locations for new schools and related facilities. ~~[9J-5.015(3)(c)1]~~

Policy 1.3: Arcadia shall coordinate with the Central Florida Regional Planning Council in the implementation of those policies included in the Comprehensive Regional Policy Plan that require intergovernmental coordination. ~~[9J-5.015(3)(c)2]~~

Objective 2: ***Arcadia shall ensure that the impacts of land use planning are coordinated with DeSoto County, the Central Florida Regional Planning Council and appropriate State agencies.*** ~~***This process shall be in place by August 1, 1992.***~~ ~~*[9J-5.015(3)(b)2]*~~

Comment: Objective 2 has been updated as this objective continues to be implemented.

Policy 2.1: Arcadia shall utilize the assistance of the Central Florida Regional Planning Council for informal mediation when annexation issues between DeSoto County and the City cannot be resolved. ~~*[9J-5.015(3)(c)4]*~~

Policy 2.2: Arcadia shall provide for a means of reciprocal notification, review and input regarding proposed developments which, because of their character or location, are determined to have multi-jurisdictional impacts. This process shall involve, as appropriate, DeSoto County, the Central Florida Regional Planning Council and State agencies. Arcadia shall provide for a similar reciprocal notification, review and input process regarding zoning changes between itself and DeSoto County. ~~*[9J-5.015(3)(c)5]*~~

Policy 2.3: Arcadia shall develop a system to provide and receive information regarding development activities from entities outside the City. ~~*[9J-5.015(3)(c)3]*~~

Policy 2.4: Arcadia shall seek technical assistance from the Florida Department of State, Bureau of Historic Preservation regarding the identification, evaluation, preservation and mitigation of damage to historical resources. ~~*[9J-5.015(3)(c)1]*~~

Policy 2.5: Arcadia shall coordinate the following activities with the Florida Department of Transportation: access management; the intrastate highway system; rights-of-way preservation; and FDOT Work Program funding priorities. *[9J-5.015(3)(c)1]*

Objective 3: ***Arcadia shall coordinate all applicable level of service standards with the entity having operational or maintenance responsibility for the facility.*** ~~***The review of level of service standards will begin by August 1, 1991.***~~ *[9J-5.015(3)(b)3]*

Comment: Objective 1 has been updated as this objective continues to be implemented.

Policy 3.1: Arcadia shall utilize the assistance of the Central Florida Regional Planning Council for informal mediation when or if level of service issues cannot be resolved between DeSoto County and the City. ~~*[9J-5.015(3)(c)2]*~~

Policy 3.2: Arcadia shall coordinate, where applicable, the timing, location and capacity of municipal services with DeSoto County to provide such services in a cost-efficient manner. ~~*[9J-5.015(3)(c)3]*~~

Policy 3.3: Arcadia shall maintain and strengthen the City-County Liaison Committee by enabling it to offer recommendations concerning service provision issues. ~~[9J-5.015(3)(c)3]~~

Objective 4: ***The City will continue to work with the DeSoto County School Board and the County regarding population projections, school siting criteria, collocation of facilities and planning, consistent with the mutually approved Interlocal Agreement and policies of the Public School Facilities Element.***

Policy 4.1: The City shall continue to coordinate with the DeSoto County School Board and the County to provide planning for adequate sites and infrastructure for future public education facilities within the City.

Policy 4.2: During pre-development program planning and school site selection activities, the City shall coordinate with the DeSoto County School Board to collocate schools with other public facilities, such as parks, libraries, and community centers to the maximum extent possible.

Policy4.3: The City shall coordinate with the County and the School Board to develop county-wide demographics including population projections and expected growth for incorporated and unincorporated areas.

Policy 4.4: The City shall coordinate the adopted County Comprehensive Plan with the School Board's annually updated 5-year facility work program.

Comment: Objective 4 and its supporting policies have been added consistent with the requirements of Section 163.31777 of Florida Statutes.

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CITY OF ARCADIA
CAPITAL IMPROVEMENTS ELEMENT

GOAL: **THE GOAL OF THIS ELEMENT IS THE PROVISION OF PUBLIC FACILITIES AND SERVICES IN A TIMELY, EFFICIENT, AND FISCALLY SOUND MANNER IN ORDER TO MEET CURRENT AND FUTURE NEEDS OF THE COMMUNITY.**

Objective 1: ***The Capital Improvements Element shall direct the provision of public facilities for the purpose of accommodating existing development and desired future growth and replacing obsolete or worn out facilities.*** ~~[9J-5.005(3)(b)1]~~

Policy 1.1: The City shall evaluate and rank proposed capital improvements projects for inclusion in and amendment to the Five-Year Schedule of Capital Improvements.

Policy 1.2: Capital improvements projects shall be ranked and evaluated based on the following criteria:

a. The project protects public health and safety, achieves maximum usage of existing facilities or fulfills the City's legal obligation to provide facilities and services;
b. The project increases the efficiency of existing facilities or promotes infill development;
c. The project represents the logical extension of facilities and services consistent with the Future Land Use Element, or is compatible with the plans of State agencies and the Southwest Florida Water Management District;
d. Other priority criteria, as established in other elements of this comprehensive plan, shall be incorporated into the annual capital improvements prioritization; and
e. Capital improvement projects shall be consistent with this Comprehensive Plan, including the Future Land Use Map Series and Future Traffic Circulation Map Series, shall be demonstrated to be financially feasible, and shall be consistent with debt management practices as established in Policy 2.5 of this Element. ~~[9J-5.005(3)(c)1a-g]~~

Policy 1.3: City Council or its designee shall be responsible for ensuring that the City's fiscal policies are consistent with this Comprehensive Plan. [~~9J-5.005(3)(c)9~~]

Objective 2: ***Upon adoption of the City of Arcadia Comprehensive Plan, Arcadia will coordinate land use decisions with the Five-Year Schedule of Capital Improvements and other projected resources. Arcadia shall ensure that established levels of service standards are maintained, and that needed capital improvements are provided for future development and redevelopment.*** [~~9J-5.005(3)(b)3~~]

Policy 2.1: Arcadia establishes the following level of service standards for new development and redevelopment: [~~9J-5.005(3)(c)4~~]

FACILITY	LEVEL OF SERVICE
Sanitary Sewer	171 gallons per capita per day Four million gallon hydraulic peak flow design capacity
Potable Water	102 gallons per capita per day average daily flow 160 gallons per capita per day peak daily flow 50% of average daily flow for water storage capacity (1995) 20 psi water pressure
Solid Waste	4.8 pounds per capita per day
Principal Arterials	C
Minor Arterials	D
Collectors	D
Backlogged Facilities	Maintain and Improve
Recreation and Open Space	4 acres per 1,000 people
Drainage	Arcadia establishes a drainage level of service for new development equal to a 25-year 24-hour storm event. Stormwater treatment and disposal facilities shall meet the design and performance standards established in Section 17-25.025, F.A.C. The first inch of stormwater run-off shall be treated on-site, pursuant to Section 17-3.051, F.A.C. Stormwater discharge facilities shall be designed such that the receiving water body shall not be degraded below minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-3, F.A.C. These standards shall apply to all new development and redevelopment. For existing development, the City establishes an interim level of service to manage the 10-year 60 minute storm event.

Public School Facilities	100% of permanent FISH capacity

Comment: Policy 2.1 was amended to include Public Schools in the Level of Service standards consistent with the requirements of Florida Statutes.

Policy 2.2: The City of Arcadia hereby adopts, by reference, the Southwest Florida Water Management District Regional Water Supply Plan and District Water Management Plan, and the Florida Department of Transportation Five-Year Work Program 2010-2014, for the currently adopted year and subsequent updates thereafter, into the City's Five-Year Schedule of Capital Improvements.

Policy 2.3: Development orders and permits will be granted only when public facilities are operating at the established level of service, or will be available concurrent with the impacts of the development. [~~*9J-5.005(3)(b)6*~~]

Policy 2.4: Proposed amendments to the Future Land Use Element and/or the Future Land Use Map of the City of Arcadia Comprehensive Plan shall consider the need for capital improvements to support the proposed amendment, and shall coordinate with the Capital Improvements Element and Five-Year Schedule of Capital Improvements to identify sources of revenue and demonstrate financial feasibility.

Policy 2.5: The City of Arcadia shall annually adopt a capital budget. This budget shall prioritize all capital projects in the City, indicate the funding source for each capital project, and shall form the basis for determining what shall be included in the annual amendment to the Five-Year Schedule of Capital Improvements.

Policy 2.6: The City of Arcadia shall manage debt such that annual debt service of all long-term obligations shall not exceed 20 percent of annually budgeted revenues.

Policy 2.7: The City of Arcadia shall annually review the status of all public facilities. This review shall consider available and projected capacity for purposes of concurrency management, and shall assess the need for the replacement or renewal of capital facilities. Identified needs shall be prioritized, and included in the City's capital budget and/or Five-Year Schedule of Capital Improvements as appropriate. Funding sources for identified capital improvements shall also be identified. This annual review shall consider adopted policies and amendments of all other elements of this comprehensive plan.

Policy 2.8: The City shall not allow exceptions for developments of de minimus impact.

Policy 2.9: The City hereby adopts by reference, the Desoto County School District 5-year Facilities Work Program, as approved by the Desoto County School Board for the years 2009/10 through 2013/14 and subsequent annual updates thereto, as part of

its Schedule of Capital Improvements.

Objective 3: ***In order to maintain established level of service standards, future development shall bear a proportionate cost of facility improvements necessitated by the impacts of the development.*** ~~[9J-5.005(3)(b)4]~~

Policy 3.1: Arcadia shall analyze the suitability of impact fees or other user fees for the provision of sewer and water services. Collected impact fees shall be equitably allocated to the specific group(s) which will directly benefit from the capital improvement, and the assessment levied must fairly reflect the true costs of these improvements. [*9J-5.005(3)(b)3*]

Policy 3.2: As a requirement of land subdivision or land development, Arcadia shall require land dedication, or payment in lieu of dedication, or some other form of exaction, as appropriate, to retain easements for utilities and roadways. This is required to maintain the established level of service standards and to pay for public facility improvements necessitated by new development. ~~[9J-5.005(3)(c)8]~~

Policy 3.3: Arcadia shall continue to apply for and secure grants or private funds when available to finance the provision of capital improvements.

Objective 4: ***Arcadia will ensure that the needed capital improvements are provided for previously issued development orders.*** ~~[9J-5.005(3)(b)5]~~

Policy 4.1: Immediately after adoption of the City of Arcadia Comprehensive Plan, Arcadia shall inventory all development orders issued prior to the plan's adoption and that have not yet requested or been granted a certificate of occupancy. An assessment shall be made of public facility needs. Public facility capacity shall be allocated to these developments for a period of one year, after which time they must adhere to level of service, concurrency and fair share standards established in this plan. Unless terms of the development order state otherwise, it shall be the responsibility of the City of Arcadia to ensure that adequate public facilities are available for such development. ~~[9J-5.005(3)(c)5]~~

CITY OF ARCADIA
NEW PUBLIC SCHOOL FACILITIES ELEMENT

This Element is a completely new Element to be added to the Comprehensive Plan consistent with Section 163.31777 of Florida Statutes.

GOAL: THE CITY OF ARCADIA SHALL WORK CLOSELY WITH THE SCHOOL DISTRICT OF DESOTO COUNTY TO ENSURE A HIGH QUALITY, FISCALLY SOUND PUBLIC SCHOOL SYSTEM WHICH MEETS THE NEEDS OF THE CITY OF ARCADIA POPULATION BY PROVIDING AND MAINTAINING ADEQUATE SCHOOL FACILITIES FOR BOTH EXISTING AND FUTURE POPULATIONS.

Objective 1.1: ***Coordination and Consistency.***

The City of Arcadia shall cooperate with the School District and DeSoto County to share information and address multi-jurisdictional public school issues in order to assure the coordination of planning and decision-making.

Policy 1.1.1: The City will implement the Interlocal Agreement for Public School Facility Planning between the County, the City of Arcadia, and the School District as required by Section 1013.33, Florida Statutes, including procedures for:

a. Joint meetings;

b. Student enrollment and population projections;

c. Coordinating and sharing of information;

d. School site analysis;

e. Supporting infrastructure;

f. Comprehensive plan amendments, rezonings, and development approvals;

g. Education Plant Survey and Five-Year District Facilities Work Plan;

h. Co-location and shared use;

i. Implementation of school concurrency, including all levels of service standards, concurrency service areas, and proportionate-share mitigation;

j. Oversight process; and,

k. Resolution of disputes.

Policy 1.1.2: The City shall maintain a representative of the School District appointed by the School District, as a member of the local planning agency (Planning Commission), as required by Section 163.3174, Florida Statutes.

Policy 1.1.3: The City shall coordinate with the School District and the County regarding annual review of school enrollment projections, and procedures for annual update and review of School District and local government plans consistent with policies of this Element.

Policy 1.1.4: The City shall support School District efforts to ensure satisfactory capacity for current and future school enrollment by providing data on growth trends in order to establish a financially feasible capital improvements program for schools.

Policy 1.1.5: In order to coordinate the effective and efficient provision and siting of educational facilities with associated infrastructure and services within the City, the City Commissioners and the School District shall coordinate educational and facilities planning with residential growth trends in the City, and discuss issues of mutual concern.

Policy 1.1.6: The City shall notify the School District of all comprehensive plan amendments that increase residential density or affect existing or future school sites, residential development review requests and development proposals, pursuant to the adopted Inter-local Agreement on Public School Facility Planning. A notice of review will be mailed to the Superintendent of Schools and to the Director of Facilities. The School District will be given the opportunity to respond with written comments and to appear before the Planning Commission and City Commissioners to discuss any comments. The City will consider the comments made by the School District prior to acting on the request.

Objective 1.2: ***Co-Location and Shared Use.***

Coordinate with the School District to jointly plan new City facilities and new school facilities for shared uses such as community meeting sites, hurricane evacuation shelters and community-based recreational activities.

Policy 1.2.1: The City shall establish or renew agreements with the School District to facilitate shared use of School District properties, including but not limited to schools, libraries, recreational facilities/stadiums, and parks.

Policy 1.2.2: The City shall collaborate with the School District to maximize opportunities to coordinate in the location, phasing, and design of future City sites and school sites for joint uses, including recreation areas.

Policy 1.2.3: The City shall require the location of parks, recreation and community facilities in new, planned neighborhoods in proximity to existing or future school sites.

Policy 1.2.4: The City shall, where feasible, require the location of parks, recreation and community facilities in existing neighborhoods in conjunction with school sites.

Policy 1.2.5: The City will coordinate efforts to design new school facilities, facility rehabilitation and expansions, to serve as emergency shelters as may be required by Section 1013.372, Florida Statutes. The City shall coordinate with the County and the School District regarding emergency preparedness issues and plans as required by Section 163.3177(12), Florida Statutes, including returning schools used as emergency shelters to regular school operations as expeditiously as possible after an emergency event.

Policy 1.2.6: The City, County, and School District shall notify each other before any jurisdiction contracts to purchase or accepts a site or facility suitable for shared usage, including, but not limited to, parks and recreational facilities, pursuant to the notification provisions of the approved Interlocal Agreement for Public School Facility Planning.

Objective 1.3: ***Public School Facility Siting.***

The City shall coordinate with the School District on the planning and siting of educational facilities to ensure that school facilities are coordinated with necessary services and infrastructure and are located to be compatible and consistent with the comprehensive plan.

Policy 1.3.1: The City will ensure sufficient land is available for public school facilities proximate to residential development in order to meet the projected needs for such facilities.

Policy 1.3.2: The City and School District will determine the location of new school sites consistent with the approved Interlocal Agreement for Public School Facility Planning and State Requirements for Educational Facilities. Consistent with Section 1013.33(13), Florida Statutes, the location of new school sites shall be consistent with the City's Land Development Regulations and Comprehensive Plan.

Policy 1.3.3: The City shall coordinate with the School District on the planning and siting of new public schools to ensure that school facilities are provided with the necessary services and infrastructure and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization. The City shall coordinate its capital improvements schedule to meet the needs identified in the School District educational facilities plan.

Policy 1.3.4: The City shall coordinate with the School District and the County in the school site selection process as provided in the Interlocal Agreement to require the location of new schools consistent with the Future Land Use Element in which schools shall be a permitted use in the Low-Density Residential, Medium-Density Residential, Neighborhood (Live/Work) Mixed Use, Urban Center Mixed Use, and Public Lands and Institutions Future Land Use categories.

Policy 1.3.5: The City and School District will jointly determine on-site and off-site improvements necessary to support construction of a new school or the renovation, expansion or closure of an existing school. The City and School District will enter into a written agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements in accordance with Sections 1013.51 and 1013.371, Florida Statutes and the Interlocal Agreement for Public School Facility Planning.

Policy 1.3.6: The City shall coordinate with the School District to ensure that future school facilities are located outside areas susceptible to hurricane and/or storm damage and/or areas prone to flooding, consistent with Section 1013.36, Florida Statutes and Rule 6A-2, Florida Administrative Code.

Policy 1.3.7: The City shall coordinate the location of public schools with the Future Land Use Map to ensure that existing and proposed school facilities are located consistent with the existing and proposed residential areas they serve, are proximate to compatible Future Land Uses, and will serve as community focal points. The City shall work with the School District to coordinate the long range public school facility map with the Comprehensive Plan, including the Future Land Use Map.

Objective 1.4: ***Enhance Community Design.***

The City shall enhance community design through effective school facility construction and siting standards. Encourage the siting of school facilities so they serve as community focal points and so that they are compatible with surrounding land uses.

Policy 1.4.1: Encourage and support planning activities that make school siting the foundation for the planning and design of neighborhoods.

Policy 1.4.2: The City shall, to the fullest extent possible, cooperate with the School District to identify new school sites that provide logical focal points for neighborhoods, and serve as the foundation for innovative land design standards.

Policy 1.4.3: The City shall coordinate with the School District to ensure the mutual compatibility of land uses in the construction of new schools and planned development.

Policy 1.4.4: The City shall encourage the location of public schools proximate to residential neighborhoods in the Low-Density Residential, Medium-Density Residential, Neighborhood (Live/Work) Mixed Use, Urban Center Mixed Use, and Public Lands and Institutions Future Land Use categories.

Policy 1.4.5: The City shall support and encourage the location of new elementary and middle schools, unless otherwise required, internal to residential neighborhoods.

Policy 1.4.6: The City, in coordination with the School District, shall require the traffic circulation plans in new developments to provide for interconnected vehicle and pedestrian access between neighborhoods, school sites and bus drop-off locations.

Policy 1.4.7: The City, in coordination with the School District, shall require developers to provide off-site road improvements, signalization, signage, access improvements, sidewalks and bicycle paths to serve all schools, where needed.

Objective 1.5: ***Capital Facilities Planning.***

The City shall work with the School District to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service (LOS) standards for public schools.

Policy 1.5.1: Amendments to the Future Land Use Map and Zoning Atlas will be coordinated with the School District based upon existing capacity and the long-range public school facilities planning map.

Policy 1.5.2: The City shall ensure that future development pays a proportionate share of the capital costs of increasing the capacity of public school facilities needed to accommodate new development and to maintain adopted LOS standards.

Policy 1.5.3: The City hereby incorporates by reference the School District's Five-Year Facilities Work Program for fiscal years 2009-10 through 2013-14, adopted in September 2009, that includes school capacity sufficient to meet anticipated student demands projected by the City and County, in consultation with the School District's projections of student enrollment, based on the adopted level of service standards for public schools.

Policy 1.5.4: The City, in coordination with the School District, shall annually update the Capital Improvements Element to adopt by reference the School Board's Five-Year District Facilities Work Program, including the addition of a new fifth year. The Work Program shall be financially feasible and shall ensure level of service standards for public school facilities will be achieved and maintained during the five-year planning period and through the long term planning period. The annual update shall include updates to the map series as needed.

Objective 1.6: ***Level of Service Standards.***

The City, in coordination with the School District and the County, shall implement a concurrency management system to ensure that the capacity of schools is sufficient to support new residential development at the adopted LOS standards within the period covered by the School District's Five-Year Facilities Work Program.

Policy 1.6.1: Consistent with the Interlocal Agreement, the uniform, district-wide level of service standards shall be based upon the Florida Inventory of School Houses (FISH) maintained by the Department of Education (DOE). They are initially set and are hereby adopted as shown in Table 1.

Table 1

DISTRICT-WIDE PLANNING AREA	
TYPE OF SCHOOL	**LEVEL OF SERVICE**
Elementary	100 % of Permanent FISH capacity as maximized by school district
Middle	100 % of Permanent FISH capacity as maximized by school district
High	100 % of Permanent FISH capacity as maximized by school district

These standards shall be consistent with the Interlocal Agreement agreed upon by the School District, and the local governments within DeSoto County.

Policy 1.6.2: **Modification of the adopted LOS** standards shall only be accomplished through an amendment in each local government comprehensive plan. The procedure for proposing a change to the adopted LOS standards shall follow the process outlined in the Interlocal Agreement. The amended LOS standard shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed. No LOS standard shall be amended without a showing that the amended LOS standard is financially feasible, supported by adequate data and analysis, and can be achieved and maintained within the timeframe of the Five-Year Facilities Work Program.

Policy 1.6.3 The concurrency service area shall be the County planning area. Concurrency service areas shall maximize capacity utilization, taking into account school locations, residential population centers, transportation costs, court-approved desegregation plans and other relevant factors. By no later than December 1, 2013, the County, the City, and the School District will amend the Interlocal Agreement for Public School Facility Planning and the City will amend its comprehensive plans to establish less-than-districtwide school concurrency service areas, as required by Section 163.3180(13)(c), Florida Statutes.

Objective 1.7: ***School Concurrency Implementation.***

In coordination with the School District and the County, the City shall establish a process for implementation of school concurrency which includes applicability and capacity determination and availability standards, and school capacity methods. The City shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted LOS standards for public school concurrency.

Policy 1.7.1: School concurrency applies only to residential development or a phase of residential development requiring a subdivision plat approval, site plan, or its functional equivalent, proposed or established after the effective date of this Element.

Policy 1.7.2: The City may approve a concurrency application earlier in the approval process, such as the time of preliminary subdivision or site plan approval. The School District must be a signatory to any residential certificate of concurrency involving allocations of school capacity or proportionate share mitigation commitments, as provided herein.

Policy 1.7.3: The student generation rates used to determine the impact of a particular development application on public schools, and the cost per student station are to be established by the School District consistent with the Interlocal Agreement for Public School Facility Planning. The student generation rates shall be reviewed and updated on a regular basis by the School District in accordance with professionally accepted methodologies.

Policy 1.7.4: The following residential development is subject to payment of applicable educational impact fees, but shall be considered exempt from the school concurrency requirements:

a. Residential lots included on a plat approved by the City Commissioners and recorded prior to the effective date of the adoption of the Public School Facilities Element.

b. Residential developments that have received final site plan approval provided that:

1. The approval is still valid; and

2. Final construction plans have been approved by the City Engineering Services Department.

c. Amendments to residential development approvals, which have received final subdivision plat approval prior to the effective date of this element, and which do not increase the number of residential units or change the type of residential units proposed.

e. Age restricted development subject to Development Order Conditions prohibiting the permanent occupancy of residents under the age of eighteen (18).

f. Group quarters including residential types of facilities such as local jails, prisons, hospitals, nursing homes, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, and religious non-youth facilities.

Policy 1.7.5: The City shall only issue a concurrency approval for a subdivision plat or site plan for residential development where:

a. The School District's findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site plan for each level of school; or

b. Adequate school facilities are available or under actual construction within three (3) years and the impacts of development can be shifted to that area; or

c. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan, as provided in the policies under Objective 1.8.

Objective 1.8: Proportionate Share Mitigation.

If it is established that sufficient capacity is unavailable in the affected concurrency service area or in an adjacent concurrency service area, proportionate share mitigation may then be proposed to address the impacts of the proposed development.

Policy 1.8.1: The City will allow mitigation alternatives that are financially feasible and will achieve and maintain the adopted LOS standard consistent with the School District's adopted Five-Year Facilities Work Program.

Policy 1.8.2: Mitigation shall be negotiated and agreed to by the School District and shall be proportionate to the projected demand for public school facilities created by the proposed development. Mitigation must be sufficient to offset the projected demand, and provide permanent capacity to the District's inventory of student stations in accordance with the State Requirements for Educational Facilities (SREF) and the Florida Building Code.

Policy 1.8.3: Acceptable forms of mitigation may include:

a. School construction.

b. Contribution of land and/or infrastructure.

c. Expansion of existing permanent school facilities.

d. Paying developer's proportionate share mitigation cost in accordance with the formula provided in the Interlocal Agreement for Public School Facility Planning.

e. Payment for construction and/or land acquisition.

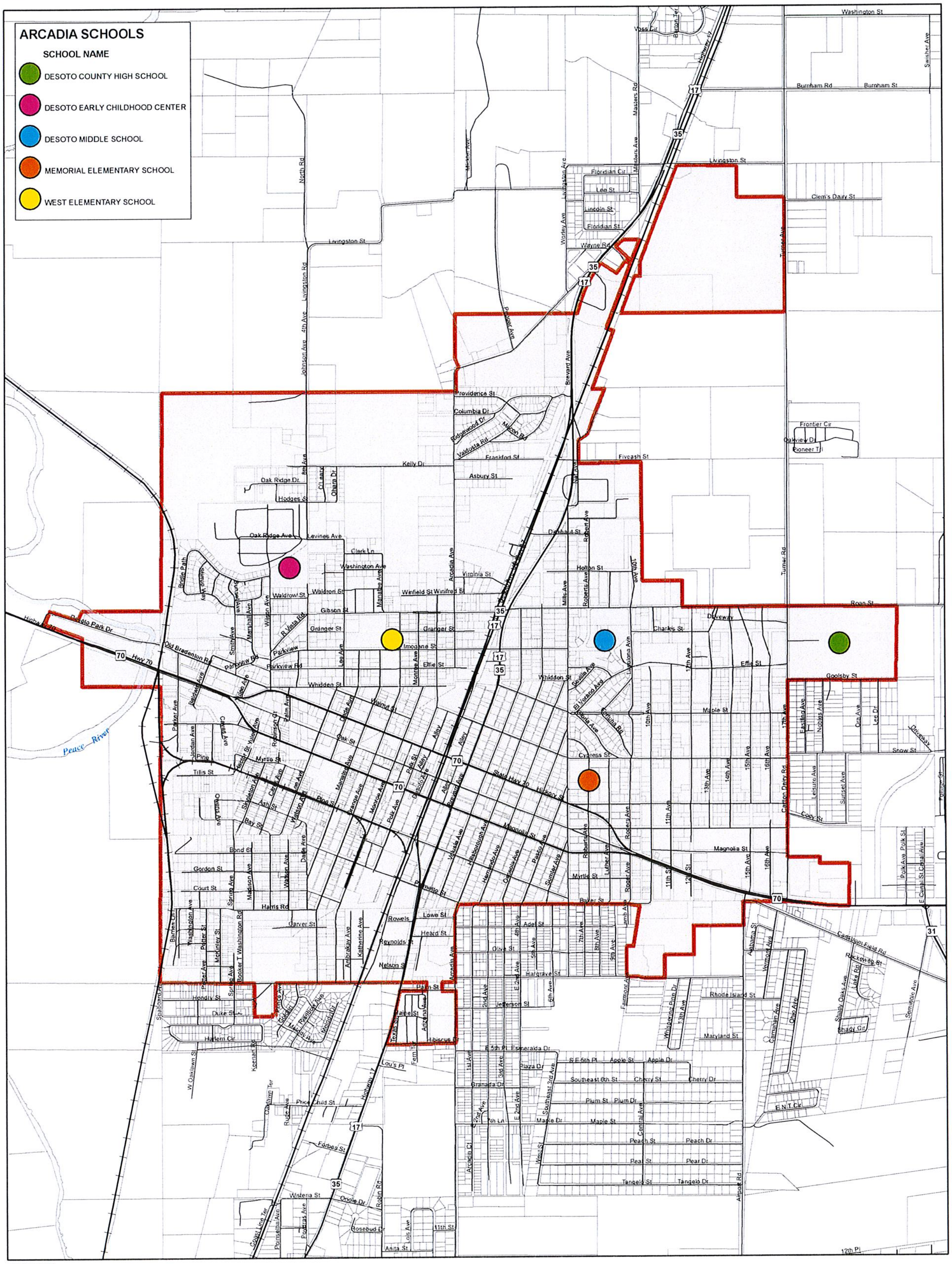
Policy 1.8.4: Relocatable classroom buildings shall not be accepted as a means of proportionate share mitigation.

Policy 1.8.5: Mitigation shall be allocated toward a permanent school capacity improvement identified in the School District's financially feasible Five-Year Facilities Work Program which satisfies the demands created by the proposed development. Any amendments to the Five-Year Facilities Work Program shall be included in the program's next update and adoption cycle of the schedule of capital improvements.

Policy 1.8.6: The amount of mitigation required shall be determined by calculating the number of student stations for each type of school for which there is insufficient capacity using the applicable student generation rates, and multiplying by the cost per student station for each school type, as determined by Section 1013.64(6)(b)(1), Florida Statutes. Additional costs for land, infrastructure, design and permitting requirements required for new or expanded school sites may also be applicable.

PSFE MAP 1 - CITY OF ARCADIA - PUBLIC SCHOOLS

DRAFT



DISCLAIMER:
The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
City of Arcadia
Desoto County Property Appraiser
Florida Department of Transportation
Central Florida Regional Planning Council
DeSoto County School Board

0 1,500 3,000
Feet

Date Prepared:
June 17, 2010

1:20,000
1 inch = 0.32 miles

CITY OF ARCADIA FLORIDA 1886

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Legend
- Railway
- Roads
- Parcels
- Arcadia Boundary
- Water Bodies

N S W E

Map Document (D:\Projects\EARS2008maps\EAR_based_amendments\Arcadia_schools.mxd) 12/31/2009 – 2:52:27 PM

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Gray Highlighted ***Comments*** *are provided to explain each amendment.*

CITY OFARCADIA
DEFINITIONS

Comment: Added "Acronyms" to the title of this section since acronyms are included in this section.

~A~

AFFORDABLE HOUSING: Housing costs that, on a monthly basis, requires rent or mortgage payments of no more than 30 percent of a household's monthly gross income.

AGRICULTURAL USES: Activities within land areas which are predominantly used for the cultivation of crops and livestock including: crop land; pasture land; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas. (*§9J-5.003 F.A.C.*)

AMBIENT AIR QUALITY STANDARDS: Standards which establish acceptable concentration levels for major classes of pollutants in the "*ambient air*" (that portion of the atmosphere which is external to buildings and accessible to the general public).

AMNESTY DAYS: A period time authorized by the state for the purpose of purging small quantities of hazardous waste, free of charge, from the possession of homeowners, farmers, schools, state agencies, and small businesses. (*§403.7264 F.S.*)

ANNEXATION: The adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality. (*§171-031 F.S.*)

AQUIFER: A water-bearing stratum of permeable rock, sand, or gravel.

ARTERIAL ROAD: A roadway providing service which 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. (*§9J-5.003 F.A.C.*)

AVAILABILITY OR AVAILABLE: With regard to the provision of facilities and services concurrent with the impacts of development, means that at a minimum the facilities and services will be provided ~~in accordance with the standards set forth in Rule 9J-5.0055(2), Florida Administrative Code. (*§9J-5.003 F.A.C.*)~~ no later than the issuance by the local government of a certificate of occupancy or its functional equivalent.

~B~

BEST MANAGEMENT PRACTICE (BMP): A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

BICYCLE AND PEDESTRIAN WAYS: Any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded. (*§9J-5.003 F.A.C.*)

BLIGHTED AREAS: Developed areas which have deteriorated through neglect or abandonment and which could benefit the community if redeveloped.

BUFFER: An area or strip of land established to separate and protect one type of land use from another with which it is incompatible. A buffer area typically is landscaped and contains vegetative plantings, berms, and/or walls or fences to create a visual and/or sound barrier between the two incompatible uses.

BUILDING: A structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, packing house, or similar structure. Buildings may refer to a historically or architecturally-related complex, such as a house or jail, or a barn.

~C~

CAPITAL BUDGET: The portion of each local government's budget which reflects capital improvements scheduled for a fiscal year. (*§9J-5.003 F.A.C.*)

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 nonrecurring and may require multi-year financing. For the purposes of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements. (*§9J-5.003 F.A.C.*)

CLUSTER DEVELOPMENT: Generally refers to a development pattern - for residential, commercial, industrial, institutional, or combinations of such uses - in which the uses are grouped or "clustered" through a density transfer, rather than spread evenly throughout a parcel as a conventional lot-by-lot development. A zoning ordinance may authorize such development by permitting smaller lot sizes if a specified portion of the land is kept in permanent open space either through public dedication or through creation of a homeowners association.

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. (*§9J-5.003 F.A.C.*)

COMMERCIAL USES: Activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services. (*§9J-5.003 F.A.C.*)

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG): The Federal Small Cities Community Development Block Grant program, as administered by the Florida Department of Community Affairs; a competitive grant program which can fund a range of activities directed toward neighborhood revitalization, economic development, and provision of improved community facilities and services.

CONCURRENCY: The necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur. (*§9J-5.003 F.A.C.*)

CONCURRENCY MANAGEMENT SYSTEM: The procedures and/or process that the local government will utilize to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development. (*§9J-5.003 F.A.C.*)

CONCURRENT WITH THE IMPACTS OF DEVELOPMENT: ~~Pursuant to §9J-5.0055(2),~~ eConcurrent with the impacts of development shall be satisfied when: the necessary facilities and services are in place ~~at the time~~ no later than the issuance by the local government of a certificate of occupancy or its functional equivalent ~~a development permit is issued; or a development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or that the necessary facilities are under construction at the time a permit is issued; or that the necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of concurrency as defined. For recreation facilities, concurrency may also be met by adherence to §9J-5.0055(2)(b). For roads, concurrency may also be met by adherence to §9J-5.0055(2)(c)~~ Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplier to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent."

CONE OF INFLUENCE: An area around one or more major water wells the boundary of which is determined by the government agency having specific statutory authority to make such a determination

based on groundwater travel or drawdown depth. ~~(§9J-5.003 F.A.C.)~~

CONSERVATION EASEMENT: See Easement.

CONSERVATION USES: Activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats. ~~(§9J-5.003 F.A.C.)~~

CONSISTENCY: Comprehensive plans are considered to be consistent with each other when land uses, proposed land uses, and impacts from proposed development are compatible with, or not in conflict with, land uses, proposed land uses or impacts from proposed development in an adjacent city or county.

CURRENTLY AVAILABLE REVENUE SOURCES: An existing source and amount of revenue presently available to the local government. It does not include a local government's present intent to increase the future level or amount of a revenue source which is contingent on ratification by public referendum. (*§9J-5.003 F.A.C.*)

~D~

DEMOLITION: The complete or constructive removal of any or part or whole of a building or structure upon any site when same will not be relocated intact to a new site.

DENSITY: The average number of families, persons or dwelling units per unit of land, usually expressed "per acre." "Density Control" is a limitation on the occupancy of land, and is generally implemented through zoning. Specific methods include use restrictions, such as single or multiple family dwellings, minimum lot-size requirements, floor area ratio, setback or yard requirements, minimum house size requirements, lot area requirements, or other means. "Density Transfer" permits unused allowable densities in one area to be used in another area. The average density over an area or parcel remains constant, but internal variations are allowed.

DENSITY BONUS: An additional number of dwelling units above what would otherwise be permissible within a particular zoning classification or future land use classification. When applied to a future land use classification, a density bonus may only be granted when, at a minimum, all housing units that exceed the maximum density permissible within that classification meet the definition of affordable for those of low and moderate income.

DEVELOPER: Any person, including a governmental agency, undertaking any development. (*§380.031 F.S.*)

DEVELOPMENT: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.

The following activities or uses shall be taken to involve "*development*":

> A reconstruction, alteration of the size, or material change in the external appearance of a structure on land; a change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction"; commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land; demolition of a structure; clearing of land as an adjunct of construction; deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken to involve "*development*":

> Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way; work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like; work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure; the use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling; the use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products, raising livestock, or for other agricultural purposes; a change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class; a change in the ownership or form of ownership of any parcel or structure; the creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

"*Development*" as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. (*§380.04 F.S.*)

DEVELOPMENT CAPACITY: An element of the concurrency management system, addressing the ability of public facilities to absorb development that has not been built, or that has not been

completely built out, and that therefore has not impacted, or fully impacted, existing public facilities. The availability of public facilities to accommodate future development, in order to maintain an established level of service, will take into account this vested but currently unused or underutilized capacity.

DEVELOPMENT OF REGIONAL IMPACT (DRI): The term "development of regional impact," means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

DEVELOPMENT ORDER: Any order granting, denying, or granting with conditions an application for a development permit. (*§380.031 F.S.*)

DEVELOPMENT PERMIT: Includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development. (*§380.031 F.S.*)

DNR (FDNR): Florida Department of Natural Resources.

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. (*§9J-5.003 F.A.C.*)

DWELLING UNIT: A structure in which occupants live and eat separately from anyone else, and have direct access to the outside (e.g. to a hallway or street) of the unit.

~E~

Easement: A right given by the owner of land to another party for specific limited use of that land. For example, a property owner may give or sell an easement on his property to allow utility facilities like power lines or pipelines, or to allow access to another property. A property owner may also sell or dedicate to the government the development rights for all or part of a parcel, thereby keeping the land open for conservation, recreation, scenic or open space purposes.

Educational Uses: Activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking. (*§9J-5.003 F.A.C.*)

Environmentally Sensitive Land: Wetlands, floodplains or critical habitat for plant or animal species listed by the Florida Department of Agriculture and Consumer Services (FDAC), the Florida Game and

Fresh Water Fish Commission (FGFWFC), or the United States Fish and Wildlife Service (USFWS) as endangered, threatened, or species of special concern. A Critical Habitat means the specific area within a geographic area occupied by plant or animal species listed by FDAC, FGFWFC or USFWS as endangered, threatened, or species of special concern on which are found those physical or biological features essential to the conservation of the species and which may require management considerations or protection.

Environmentally Sensitive Wetlands, Waterways and Floodplains: Wetlands, waterways or floodplains which exhibit a low tolerance for fluctuations of water quality or quantity, or which support plant or animal species listed by FDAC, FGFWFC or USFWS as endangered, threatened, or species of special concern.

EPA: United States Environmental Protection Agency

Extremely-low-income persons: One or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.

Comment: Addressed in EAR and defined in 420.0004, F.S.

~F~

F.A.C.: Florida Administrative Code.

FDER (DER): Florida Department of Environmental Regulation.

FDOT: Florida Department of Transportation.

FEMA: Federal Emergency Management Agency.

Financial feasibility: Sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5, of a 5-year capital improvement schedule for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and developer contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the period covered by the 5-year schedule of

capital improvements. A comprehensive plan shall be deemed financially feasible for transportation and school facilities throughout the planning period addressed by the capital improvements schedule if it can be demonstrated that the level-of-service standards will be achieved and maintained by the end of the planning period even if in a particular year such improvements are not concurrent as required by s. 163.3180, F.S.

*Comment: **Definition added consistent with EAR Recommendation and the requirements of Section 163.3164(32), Florida Statutes.***

Floodplains (100-Year Floodplain): 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. (*§9J-5.003 F.A.C.*)

Floodways: The channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment in order that the 100-year flood may be carried without substantial increases in flood heights.

Floor Area Ratio: The ratio of total floor area in a structure to the total size of the parcel or lot on which the structure is located. Although not a true measure of "intensity of land use" floor area ratios are sometimes used in an attempt to quantify intensity.

Florida Master Site File: The state's clearinghouse for information on archaeological sites, historical structures, and field surveys for such sites. A combination of both paper and computer files, it is administered by the Bureau of Archaeological Research, Division of Historical Resources, Florida Department of State.

Foster Care Facility: A facility which 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. (*§9J-5.003 F.A.C.*)

Frontage Road: A road designed to parallel a major roadway, thereby allowing the major roadway to function as a limited-access facility while providing access to lands adjacent to the roadway. (Sometimes designated a "*service road*".)

F.S.: Florida Statutes.

Fugitive Air Emissions: Unconfined particulate matter entering the ambient air, usually from construction sites or agricultural cultivation activities.

~G~

General Lanes: Intrastate roadway lanes not exclusively designated by the Florida Department of Transportation for long distance, high speed travel. In urbanized areas, general lanes include high occupancy vehicle lanes not physically separated from other travel lanes. (9J-5.003 F.A.C.)

Comment: Definition added per requirement of 9J-5.003 of the Florida Administrative Code.

Goal: The long-term end toward which programs or activities are ultimately directed. (*§9J-5.003 F.A.C.*)

Group Home: A facility which 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 shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters. (*§9J-5.003 F.A.C.*)

Growth Management Act: Chapter 163, Part II, Florida Statutes, known and cited as the "*Local Government Comprehensive Planning and Land Development Regulation Act*".

~H~

HAZARDOUS MATERIAL: A hazardous chemical, toxic chemical, or extremely hazardous substance, as defined in s. 329 of Title III. (*§252.82 F.S.*)

Hazardous Waste: Solid waste, or a combination of solid wastes, 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. (*§9J-5.003 F.A.C.*)

High Accident Areas: Areas of a high number of automobile accidents, either in absolute numbers, or in relation to the number of vehicles that travel the facility or pass a particular location on the facility.

High Recharge Area: Geographic areas designated by a Florida Water Management District where, generally, water enters the aquifer system at a rate of greater than ten inches per year.

Historic Resources: Historically significant structures or archeological sites.

Historic Site: A single lot or portion of a lot containing an improvement, landscape feature, or archaeological site, or a historically related complex of improvements, landscape features or archaeological sites that may yield information on history or prehistory.

Historically Significant Housing: See Historically significant structures.

Historically Significant Structures: Structures listed on the National Register of Historic Places, the Florida Master Site File, or otherwise designated by official action, as historic and worthy of recognition or protection.

HRS: Florida Department of Health and Rehabilitative Services.

HUD: United State Department of Housing and Urban Development.

~I~

Inclusionary Zoning: A positive and active policy and program of a community to attract racial minorities or low- and moderate-income residents. Such policies, analogous to affirmative action in job recruitment, go beyond the avoidance of techniques which discourage certain classes of people from moving into an area; they actively seek to invite such groups. Inclusionary zoning devices usually include offering *incentives* or bonuses to developers for building low- or moderate-cost housing or exceptions to traditional controls. Inclusionary policies are a response to the challenges being levied at exclusionary zoning.

Incompatible Land Uses: Land uses which, if occurring adjacent to one another, have a detrimental effect on one or both of the uses.

Industrial Uses: The activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products. (*§9J-5.003 F.A.C.*)

Infrastructure: Those man-made structures which 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. (*§9J-5.003 F.A.C.*)

Intensity: The degree to which land is used. While frequently used synonymously with density, intensity has a somewhat broader, though less clear meaning, referring to levels of concentration or activity in uses such as residential, commercial, industrial, recreation, or parking. Land-use-intensity ratings have been proposed as an improved approach to regulating residential intensity, but may be difficult to apply to other fields. For example, in the commercial classification a well-located convenience store is a far more intensive use than is a shopping center. [PAS 314] Floor area ratio is sometimes used as a quantifiable measure of intensity.

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Land Development Regulations: Includes local zoning, subdivision, building, and other regulations controlling the development of land. (*§380.031 F.S.*)

Level of Service (LOS): 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. Level of service shall indicate the capacity per unit of demand for each public facility. (*§9J-5.003 F.A.C.*)

Limited Access Facility: A roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access. (*§9J-5.003 F.A.C.*)

Local Comprehensive Plan: Any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, as amended. (*§380.031 F.S.*)

Local Housing Trust Fund: A fund to be used in conjunction with local housing rehabilitation or new construction programs such as a revolving loan program for rehabilitation of substandard dwellings.

To this fund shall be credited all loan repayments, penalties, and other fees and charges collected from applicable local programs.

Local Road: A roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property. (*§9J-5.003 F.A.C.*)

Low and Moderate Income Families: "Lower income families" as defined under the Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term "families" includes "households." (*§9J-5.003 F.A.C.*)

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Minerals: All solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state. (*§9J-5.003 F.A.C.*)

Mitigation: A process designed to prevent adverse impact of an activity on natural resources. Mitigation may include the recreation on-site or off-site of natural resources that have been altered or destroyed by development or agricultural activity.

Mobile Home: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards. (*§9J-5.003 F.A.C.*)

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National Register of Historic Places: Established by Congress in 1935, the National Register of Historic Places is a listing of culturally significant buildings, structures, objects, sites, and districts in the United States. The listing is maintained by the U.S. Department of Interior.

Natural Drainage Features: The naturally occurring features of an area which accommodate the flow of stormwater, such as streams, rivers, lakes and wetlands. (*§9J-5.003 F.A.C.*)

Natural Reservations: Areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters. (*§9J-5.003 F.A.C.*)

Natural Resources: Land, air, surface water, ground water, drinking water supplies, fish and their habitats, wildlife and their habitats, biota, and other such resources.

Natural Vegetation: Vegetative communities that are native to, and therefore tolerant of, a particular geographic location.

Non-Attainment Area: A geographical area in which ambient air quality falls below Federal standards, per the Clean Air Act, as amended, and implementing regulations.

Nonconforming Use: Uses of land and structures, and characteristics of uses, which are prohibited under the terms of the zoning ordinance but were lawful at the date of the ordinance's enactment. They are permitted to continue, or they are given time to become conforming. The continuation of such nonconformities is based on the principal that laws cannot be applied retroactively unless there is a compelling reason - such as imminent danger to health - to do so. While ordinances permit legal nonconformities to continue, they prohibit the substitution of a new or different nonconformity, nor do they permit the extension or enlargement of nonconforming uses. Many ordinances permit the rebuilding of a nonconforming use when destroyed by fire but, if a use is abandoned for a specified period of time, it cannot be restored, and the future use of the premises must conform to the zoning. Some ordinances provide for the abatement (amortization) of all or some nonconformities at the end of a prescribed period. Increasingly, ordinances are distinguishing among classes of nonconformities to include: nonconforming lots; nonconforming buildings or structures; nonconforming uses of land with minor structures only; nonconforming uses of major buildings and premises; and nonconforming characteristics of use; and are providing for their individualized treatment. [PAS 281.248]

Nonpoint Source Pollution: Any source of water pollution that is not a point source. (*§9J-5.003 F.A.C.*)

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Objective: A specific, measurable, intermediate end that is achievable and marks progress toward a

goal. (*§9J-5.003 F.A.C.*)

Off-Site Pollution: Pollution which originates in one geographic location or parcel and affects other geographic locations or parcels

Open Spaces: Undeveloped lands suitable for passive recreation or conservation uses. (*§9J-5.003 F.A.C.*) Pursuant to Chapter 9J-5, F.A.C., open spaces will be further defined in a local governments land development regulations, including establishing minimum standards for the quantity or location of open spaces.

~P~

Parcel of Land: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit. (*§380.031 F.S.*)

Permanent Population: See Resident Population

Planned Unit Development (PUD)/Planned Development Project (PDP): A form of development usually characterized by a unified site design for a number of housing units, clustering buildings, and providing common open space, density increases, and a mix of building types and land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. It also refers to a process, mainly revolving around site-plan review, in which public officials have considerable involvement in determining the nature of the development. It includes aspects of both subdivision and zoning regulation and usually is administered either through a special permit or a rezoning process.

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. (*§9J-5.003 F.A.C.*)

Policy: The way in which programs and activities are conducted to achieve an identified goal. (*§9J-5.003 F.A.C.*)

Pollution: The presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment

of life or property. (*§9J-5.003 F.A.C.*)

Potable Water: Water suitable for human consumption and which meets water quality standards determined by the Department of Health and Rehabilitative Services, provided through a public system or by private well.

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. (*§9J-5.003 F.A.C.*)

Prime Aquifer Recharge Areas: Geographic areas of recharge to the aquifer system, to be designated by the appropriate Water Management District, as critical for the continuation of potable ground water supplies. Those areas so designated will require stricter land use regulations to ensure their viability as a source of aquifer recharge.

P.S.I. (p.s.i): Pounds per square inch, used to measure water pressure.

Public Access: The ability of the public to physically reach, enter or use recreation sites including beaches and shores. (*§9J-5.003 F.A.C.*)

Public Buildings and Grounds: Structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings. (*§9J-5.003 F.A.C.*)

Public Facilities: 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, parks and recreation systems or facilities and public health systems or facilities. Individual private potable water wells or septic systems are not public facilities.

~~Public Facilities and Services which must be available concurrent with the impacts of development means those covered by comprehensive plan elements required by Section 163.3177, Florida Statutes, and for which level of service standards must be adopted under Chapter 9J-5, Florida Administrative Code. The public facilities and services are: roads, Rule 9J-5.007(3)(c)1.; sanitary sewer, Rule 9J5.O11(2)(c)2.a.; solid waste, Rule 9J-5.011(2)(c)2.b.; drainage, Rule 9J-5.011(2)(c)2.c.; potable water, Rule 9J-S.011(2)(c)2.d.; parks and recreation, Rule 9J-5.014(3)(c)4.; and mass transit, Rule 9J-5.008(3)(c)1., if applicable. (*§9J-5.003 F.A.C.*)~~

*Comment: **The definition of Public Facilities and Services has been repealed in 9J-5.003 of the Florida Administrative Code. Consistent with the EAR Recommendation and the requirements of the Florida Administrative Code, this definition is being removed.***

Public Sanitary Sewer Facilities: Sanitary sewer facilities which serve at least 15 service connections,

or regularly serves at least 25 residents. Generally, a multi-user septic tank is not a public sanitary sewer facility.

Public Shelter Spaces: The number of temporary refugees a public shelter can accommodate during a storm or hurricane. Generally, a shelter space is a minimum of 20 square feet per person.

Public Supply Potable Water Wellfield: A potable water wellfield that serves a public supply water system.

Public Supply (Potable) Water System: A potable water facility which serves at least 15 service connections, or regularly serves at least 25 residents.

Public 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 guideway transit, express bus, and local fixed route bus.(9J05.003 F.A.C.)

Comment: Definition of Public Transit required by 9J-5.003, Florida Administrative Code.

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Recharge Areas: Geographic areas where the aquifer system is replenished through rainfall. Areas of high aquifer recharge are important for the continuation of potable ground water supplies.

Reclamation: The alteration and/or restoration of land, after a mining activity, establishing land suitable for agriculture, development, recreation, lakes, wetlands, or other natural environments.

Reclamation Plan: Plan for the rehabilitation, per Chapter 378, F.S., of land from which a mineral resource has been extracted.

Recreation: The pursuit of leisure time activities occurring in an indoor or outdoor setting. (*§9J-5.003 F.A.C.*)

Recreation Facility: A component of a recreation site used by the public such as a trail, court, athletic field or swimming pool. (*§9J-5.003 F.A.C.*)

Recreational Uses: Activities within areas where recreation occurs. (*§9J-5.003 F.A.C.*)

Redevelopment: Undertakings, activities, or projects of a county, municipality, or community redevelopment agency for the elimination and prevention of the development or spread of slums and blight or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment, or rehabilitation or conservation, or any combination or part thereof. (from *§163.340 F.S.*)

Rehabilitation: The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient use.

Relocation Housing: Those dwellings which are made available to families displaced by public programs, provided that such dwellings are decent, safe and sanitary and within the financial means of the families or individuals displaced. (*§9J-5.003 F.A.C.*)

Resident Population: Inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population. (*§9J-5.003 F.A.C.*)

Residential Uses: Activities within land areas used predominantly for housing. (*§9J-5.003 F.A.C.*)

Resource Recovery: The process of recovering materials or energy from solid waste, excluding those materials or solid waste under control of the Nuclear Regulatory Commission. (*§171.031 F.S.*)

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. (*§9J-5.003 F.A.C.*)

Roadway: A road, which includes streets, sidewalks, alleys, highways, and other ways open to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts necessary for the maintenance of travel and all ferries used in connection therewith. (*§334.03(18) F.S.*)

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. (*§9J-5.003 F.A.C.*)

~S~

Sanitary Landfill: a) "Class I solid waste disposal area" means a disposal facility which receives an average of 20 tons or more per day, if scales are available, or 50 cubic yards or more per day of solid waste, as measured in place after covering, and which receives an initial cover daily; b) "Class II solid waste disposal area" means a disposal facility which receives an average of less than 50 cubic yards per day of solid waste, as measured in place after covering, and which receives an initial cover at least once every 4 days. (*§171.031 F.S.*)

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. (*§9J-5.003 F.A.C.*)

Seasonal Population: Part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors. (*§9J-5.003 F.A.C.*)

Septic Tank: A watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system. (*Chapter 10D-6 F.A.C.*)

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 the local plan or required by local, state, or federal law. (*§9J-5.003 F.A.C.*)

Site: The location of a significant event, activity, building, structure, or archaeological resource.

Site Plan: A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building sites, reserved open spaces, buildings, major landscape features - both natural and man-made - and, depending on requirements, the locations of proposed utility lines.

Site Plan Review: The process whereby local officials, usually the planning commission and staff, review the site plans and maps of a developer to assure that they meet the stated purposes and standards of the zone, provide for the necessary public facilities such as roads and schools, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping. It usually is required in connection with many flexible techniques. The process often allows considerable discretion to be exercised by local officials since it may deal with hard-to-define aesthetic and design considerations. [PAS 297; 291]

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. (*§9J-5.003 F.A.C.*)

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. (*§9J-5.003 F.A.C.*)

Solid Waste Processing Plant: A facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal. (*§9J-5.003 F.A.C.*)

Solid Waste Transfer Station: A facility for temporary collection of solid waste prior to transport to a processing plant or to final disposal. (*§9J-5.003 F.A.C.*)

Special Transportation Services: A means of transportation provided on a subsidized basis to transportation disadvantaged individuals by a public, private or non-profit sector organization, such as a taxicab company, a bus company, or a social service organization.

Sprawl: See Urban Sprawl

Standard Housing: Dwelling units that meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

Substandard *(as defined in State Statutes, 420.0005)*:

(a) Any unit lacking complete plumbing or sanitary facilities for the exclusive use of the occupants;

(b) A unit which is in violation of one or more major sections of an applicable housing code and where such violation poses a serious threat to the health of the occupant; or

(c) A unit that has been declared unfit for human habitation but that could be rehabilitated for less than 50 percent of the property value.

Stormwater: The flow of water which results from a rainfall event. (*§9J-5.003 F.A.C.*)

Structure: Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. Structure also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs. (*§380.031 F.S.*)

Subdivision: Any tract or plot of land divided into two or more lots or parcels less than one acre in size for sale, lease or rent for residential, industrial or commercial use, regardless of whether the lots or parcels are described by reference to recorded plats, metes and bounds description, or by any other

legal method. (*§10D-6 F.A.C.*)

Substandard Housing: Substandard housing shall be defined as a housing unit having a deteriorated or dilapidated appearance and is unsafe or unhealthful for occupancy.

Support Documents: Any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan. (*§9J-5.003 F.A.C.*)

SWFWMD: Southwest Florida Water Management District.

~T~

Transportation Disadvantaged: Those individuals who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities. (*§9J-5.003 F.A.C.*)

25-Year Frequency 24-Hour Duration Storm Event: A storm event and associated rainfall during a continuous 24-hour period that may be expected to occur once every 25 years. Its associated floodplain is that land which may be expected to be flooded during the storm event.

~U~

Unique Natural Habitats: Habitat: the environment in which an animal normally lives and in which it meets its basic need for food, water, cover, breeding space, and group territory. Unique: occurrence is rare or infrequent or is of special social/cultural, economic, educational, aesthetic or scientific value. Areas where endangered, threatened or rare species, or remnant native plant species, occur.

Unique Natural Resources: Natural resources which are rare or infrequent in occurrence, or are of special social/cultural, economic, educational, aesthetic or scientific value.

Urban Sprawl: Scattered, untimely, poorly planned urban development that occurs in urban fringe and rural areas and frequently invades lands important for environmental and natural resource protection. Urban sprawl typically manifests itself in one or more of the following ways: (1) leapfrog development; (2) ribbon or strip development; and (3) large expanses of low-density, single-dimensional development. (DCA "Special Issue" Technical Memo, Volume 4, Number 4)

~V~

Vegetative Communities: Ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals. (*§9J-5.003 F.A.C.*)

Vested Right: A right is vested when it has become absolute and fixed and cannot be defeated or denied by subsequent conditions or change in regulations, unless it is taken and paid for. There is no vested right to an existing zoning classification or to have zoning remain the same forever. However, once development has been started or has been completed, there is a right to maintain that particular use regardless of the classification given the property. In order for a nonconforming use to earn the right to continue when the zoning is changed, the right must have vested before the change. If the right to complete the development was not vested, it may not be built, no nonconforming use will be established, and the new regulations will have to be complied with.

~W~

Water Recharge Areas: Land or water areas through which groundwater is replenished. (*§9J-5.003 F.A.C.*)

Water Wells: Wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption. (*§9J-5.003 F.A.C.*)

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Zero Lot Line: A development approach in which a building is sited on one or more lot lines with no yard. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Virtually all zoning ordinances retain yard requirements; where zero lot line developments have been permitted, they have been handled through variances or planned unit development procedures, or other devices which allow for site plan review. The few ordinances which specifically authorize the zero lot line approach do so as an exception to prevailing regulations and under clearly defined circumstances.