

CITY OF LIVE OAK COMPREHENSIVE PLAN 2017

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CITY OF LIVE OAK
COMPREHENSIVE PLAN 2017

Future Land Use

Traffic Circulation

Housing

Sanitary Sewer, Solid Waste, Drainage
Potable Water and Natural Groundwater Aquifer Recharge

Conservation

Recreation and Open Space

Intergovernmental Coordination

Capital Improvements

Public School Facilities Element

Prepared for:

Live Oak City Council

Prepared by:

City of Live Oak Local Planning Agency

With Assistance from

(Original Document)

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CREDITS

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Credits Page (Last)

INTRODUCTION

In 1985, the Florida Legislature enacted and the Governor signed into law the “Local Government Comprehensive Planning and Land Development Regulation Act.” This legislation required all local governments in Florida to revise and update their comprehensive plan for their respective jurisdictions in conformance with the provisions of the Act and the accompanying minimum criteria for plan review and determination of plan compliance contained in Chapter 9J-5, Florida Administrative Code.

Section 163.3191, F.S., reflects the intent of the state legislature that local comprehensive planning should be a continuous and ongoing process. As part of this process, local governments periodically assess the success or failure of plan implementation activities, examine how adequately the plan reflects current trends and conditions, and is consistent with changes in state policy on planning and growth management. This assessment is achieved through the Evaluation and Appraisal Report of the Comprehensive Plan.

The Evaluation and Appraisal Report provides a summary of data and analysis describing baseline conditions in the community as presented within each element of the comprehensive plan and a summary of current conditions in the community based upon the most current data available. A comparison of these descriptions provides the basis for conclusions about the need to update the data and analysis in the plan to ensure that the plan is based upon the most current data available. The objectives set forth in the adopted Comprehensive Plan are compared with the current conditions and results as of the date of the Evaluation and Appraisal Report in order to determine whether or not the targets established in the objectives have been met. Analysis of conditions at the time of adoption is followed by identification of future actions and anticipated amendments.

This Evaluation and Appraisal Report, was prepared consistent with the requirements of Chapter 163, Part II, Florida Statutes, and Rule 9J-5.0053, Florida Administrative Code and the Florida Department of Community Affairs Evaluation and Appraisal Reports: A Guidebook for Florida Cities and Counties. This report focus[es] primarily on the issues or topics of major importance pertinent to the respective local government jurisdiction and acknowledge the unique characteristics of the City and of the North Central Florida region.

GENERAL SETTING OF THE CITY

The City is approximately ~~6.4~~ **[7.5]** square miles or 4,120 acres in area. The City is located in the north central portion of the Suwannee County.

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I

FUTURE LAND USE ELEMENT

INTRODUCTION

This Future Land Use Element, the Future Land Use Plan Map and map series, designates the future general distribution, location and extent of the uses of land within the incorporated areas of the City. The purpose of this Future Land Use Element and associated maps is to provide for the appropriate distribution of population densities and building and structural densities and intensities. The data collected for this plan element and its analysis, contained in the City's Data and Analysis document, are not part of this plan element, but do provide a basis for its formulation.

The following goal, objectives and policies provide for the distribution of future land uses, as well as, guidance for such future land uses. The focal point around which this Future Land Use Element is centered is the City as a designated urban development area, and the uses and density of such uses within this designated area.

FUTURE LAND USE GOAL, OBJECTIVES AND POLICIES

GOAL I – IN RECOGNITION OF THE IMPORTANCE OF ENHANCING THE QUALITY OF LIFE IN THE CITY, DIRECT DEVELOPMENT, FOR BOTH THE FIVE-YEAR AND TEN-YEAR PLANNING PERIODS, TO THOSE AREAS WHICH HAVE IN PLACE OR HAVE AGREEMENTS TO PROVIDE SERVICE CAPACITY TO ACCOMMODATE GROWTH IN AN ENVIRONMENTALLY ACCEPTABLE MANNER, AND TO MAKE PROVISIONS FOR THIS GROWTH WITH APPROPRIATE QUANTITIES OF ASSOCIATED DESIGNATED FUTURE LAND USES, LOCATED IN APPROPRIATE SECTORS AND AREAS, WHICH SERVE TO ACHIEVE COMPATIBILITY AND CONSISTENCY FOR THE COMMUNITY.

OBJECTIVE I.1 The City shall continue to make available, schedule for availability, or coordinate with private development for privately funded infrastructure improvements, the public facilities for future growth and urban development, as development occurs, in order to provide for urban densities and intensities within the City.

Policy I.1.1 The City shall limit the location of a new, isolated land use classification and associated zoning district, for medium and large scale multi-family residential, high density residential, medium and large scale non-residential, commercial and industrial land uses and zonings to parcels which contain the required frontage on, or are identified as being in transitional areas with access to, Level 2 or 3 local, arterial or collector roads, as identified in the Transportation Plan Element and/or also on the Future Traffic Circulation Map; and where public utilities and facilities are available, or will be constructed in coordination with said development, to

support such uses. Certain road segments, including existing or proposed by-pass or perimeter roads, shall also have assigned overlay corridor standards, as implemented by the Land Development Regulations, which apply specifically to those segments.

Policy I.1.2

The City of Live Oak shall adopt the following land use classifications on the Future Land Use Plan Map, and the City's Land Development Regulations shall be based on and be consistent with the following land use classifications and corresponding standards for densities and intensities.

Where a lot, parcel or development is located on the Future Land Use Plan Map, within more than one classification category, each portion of that lot, parcel or development shall be subject to the corresponding standards for densities and intensities applicable to the classification in which it is located. Proposed developments on such lots or parcels, which cannot be contained within a single land use classification shall, prior to plan submittal, first propose and petition to conclusion for an amendment to the Future Land Use Plan Map, for one appropriate classification to be assigned to the entire development area.

No future amendment to the Future Land Use Plan Map can be considered, if the result if adopted, will result in the creation of an isolated island, spot, district, classification, or enclave of differing land use, unrelated to those within the classification/district boundaries adjacent, surrounding or nearby to the subject property, unless it is found, subject to additional criteria as found herein, that the proposed land use is consistent and compatible with existing land uses, and existing and expected development on or of adjacent properties, and said differing land use will not create a potential negative impact on current use and future development of those properties.

I.1.2.1: CONSERVATION

Lands classified as conservation use are land devoted to the conservation of the unique natural functions within these lands.

Conservation uses shall be limited to public access, native vegetative community restoration, and residential and non-residential uses necessary to manage such conservation lands (i.e., ranger stations, research stations, etc.

Where Conservation facilities and uses are proposed, Development shall be limited to an intensity of less than or equal to 0.10 floor area ratio and 0.20 overall impervious lot coverage.

I.1.2.2: RECREATION AND OPEN SPACE

Lands classified as Recreation and Open Space consist of parcels of land, which are publically owned or operated, which serve as recreation and/or open-space facilities for public access and use. Uses may include both active and passive recreation facilities. Passive recreation areas shall be unimproved green and open space, and left in a natural state, where appropriate.

Where active Recreation facilities and uses are proposed, development shall be limited to an intensity of less than or equal to 0.30 floor area ratio and 0.50 overall impervious lot coverage.

I.1.2.3: PUBLIC

Lands classified as Public use consist of areas or facilities that serve the general public, or which are governmentally owned, except for educational uses. These areas or facilities include government buildings, offices, and government facilities including utilities, public grounds, airports, cemeteries, and similar public uses. The siting of new public or governmentally owned areas or facilities shall require a land use change to this category, and the appropriate associated zoning districts of Public 1, 2 or 3.

Where Public facilities and uses are proposed, development shall be limited to: an intensity of less than or equal to 3.0 floor area ratio in Public 1 Zoning, which will be applied for those areas within or abutting the Central Downtown Land Use Classification; and in Public 2 and 3 Zonings, an intensity of less than or equal to 2.0 floor area ratio and 0.80 overall impervious lot coverage.

I.1.2.4: AGRICULTURE

Agriculturally classified lands are lands which are predominately used for crop cultivation, silviculture, and dwelling units. The raising of livestock animals in the agriculture classification shall be limited to a density of one animal per acre of the more common North American equine or bovine species. Slaughterhouses, milking barns, feedlots, chicken houses and holding pens, and the raising of goats, hogs, and poultry shall be prohibited. No animal shall be housed in any structure or feed lot within 300 feet of any lot line. In addition, other uses compatible with agricultural uses, as provided for in the Land Development Regulations, may be approved as special exceptions.

Where non-residential, Agricultural facilities and uses are proposed, development shall be limited to an intensity of less than or equal to 0.20

floor area ratio and 0.30 overall impervious lot coverage. Floor area ratio and overall impervious lot coverage for single-family development in this Classification shall be as found in the Land Development Regulations.

Agricultural density shall be limited to less than or equal to one dwelling unit per 5 acres.

I.1.2.5: RESIDENTIAL

Residential land use is currently classified in area as follows:

Very Low
Low
Moderate
Medium
High

Residential use classifications provide locations for conventional, unconventional, and/or mobile home dwelling units, on the following Future Land Use Plan Map classifications: very low, low, moderate, medium, and high density within the City, as defined within this Comprehensive Plan, and the associated Residential Zoning Districts as defined in the Land Development Regulations. In addition, other compatible uses, as provided for in the Land Development Regulations, may be approved as special exceptions.

Proposed Planned Residential Development zonings shall first have the necessary residential land use classification in place which will accommodate the proposed density of the development.

Residential very low density shall be limited to a density of less than or equal to 1.0 dwelling unit per acre.

Residential low density shall be limited to a density of less than or equal to 2.178 dwelling units per acre (20,000 square foot lot size).

Residential moderate density shall be limited to a density of less than or equal to 4.356 dwelling units per acre (10,000 square foot lot size).

Residential medium density shall be limited to a density of less than or equal to 8.0 dwelling units per acre.

Residential high density shall be limited to a density of less than or equal to 20.0 dwelling units per acre.

Floor area ratio and overall impervious lot coverage in RSF, RSFU and RSF/MH for single-family and duplex development, on a single parcel / lot of record, shall be as found in the Land Development Regulations.

Where non-residential facilities and uses are proposed within the RSF and RSF/MH Zoning Districts, which are permitted by right, or which have been approved by method of a Special Exception, development shall be limited to an intensity of less than or equal to 0.30 floor area ratio for very-low and low density, and 0.40 floor area ratio for moderate, medium and high density; and 0.50 overall impervious lot coverage for very-low and low density, and 0.60 overall impervious lot coverage for moderate, medium and high density.

Where multi-family facilities and uses are proposed within the RMF-1 and RMF-2 Zoning Districts, development shall be limited to an intensity of less than or equal to 2.0 floor area ratio in Medium Density areas and 3.0 floor area ratio in High Density areas; and 0.70 overall impervious lot coverage for both Medium and High Density areas.

The medium residential land use classifications may also provide potential locations for Residential-Office Zoning; and the medium and high density residential land use classifications for Office-Institutional Zoning. Proposed amendments to medium or high density residential for Residential-Office or Office-Institutional Zoning shall be limited to parcels which contain the required frontage on either a designated redevelopment overlay office corridor area, as defined in the Land Development Regulations, or parcels which contain required frontage on, or are identified as being in transitional areas with access to, Level 2 or 3 local, arterial or collector roads, as identified in the Transportation Plan Element and/or also on the Future Traffic Circulation Map; and where public utilities and facilities are available, or will be constructed in coordination with said development, to support such higher density or intensity; and only in areas which will not infringe on, or change the character of, established residential neighborhoods, especially those of historical significance, and only when the proposed zoning change is found by the Governing Authority to be consistent and compatible with all other applicable elements, sections and criteria of the Comprehensive Plan and Land Development Regulations.

Floor area ratio and overall impervious lot coverage in RO and OI for various uses shall be as found in the Land Development Regulations.

I.1.2.6: COMMERCIAL

Lands classified as Commercial provide for areas used for the sale, rental, and distribution of products or performance of services, as defined within

the associated zoning districts found in the Land Development Regulations. In addition, other compatible uses, as provided for in the Land Development Regulations, may be approved as special exceptions.

Where Commercial facilities and uses are proposed, development shall be limited to an intensity of less than or equal to 1.0 floor area ratio and 0.80 overall impervious lot coverage.

I.1.2.7: COMMERCIAL MIXED

Lands classified as Commercial Mixed provide for a mix of Commercial, Service, Office, and Residential related uses, as defined within the associated zoning districts found in the Land Development Regulations. In addition, other compatible uses, as provided for in the Land Development Regulations, may be approved as special exceptions.

Where Commercial Mixed facilities and uses are proposed, development shall be limited to an intensity of less than or equal to 3.0 floor area ratio and 0.80 overall impervious lot coverage. The maximum percent of floor area of the development on a parcel with this classification shall be limited to no more than 50% as a residential component, but may be up to 100% commercial. The residential portion shall be limited to a density of: for single-story developments, less than or equal to 30.0 dwelling units per acre; and multi-story developments, less than or equal to 60.0 dwelling units per acre.

I.1.2.8: CENTRAL DOWNTOWN

Lands classified as Central Downtown provide for a mix of Commercial, Service, Office, and Residential related uses, as defined within the associated zoning districts found in the Land Development Regulations. In addition, other compatible uses, as provided for in the Land Development Regulations, may be approved as special exceptions.

Where Commercial Downtown facilities and uses are proposed, development shall be limited to a height limitation of three stories, and an intensity of less than or equal to 3.0 floor area ratio. The maximum percent of floor area of the development on a parcel with this classification shall be limited to no more than 80% as a residential component, but may be up to 100% commercial. The residential portion shall be limited to a density of: for single-story developments, less than or equal to 30.0 dwelling units per acre; and multi-story developments, less than or equal to 60.0 dwelling units per acre. Areas devoted to uses other than a primary building, such as parking lots, shall be governed in overall impervious lot coverage according to the standards for landscaping as found in the Land Development Regulations.

The boundaries of the Central Downtown classification are as described on the Future Land Use Plan Map, in order to assign, protect and preserve an important contributing classification/district for the City. The associated Zoning District for this land use shall be delineated on the City's Official Zoning Atlas as the Central Downtown district (CD). Proposed contractions of this classification or district, or map amendments within the boundaries, shall only be considered if the result will not create an isolated island or enclave of differing land use or zoning within the classification/district. The only land use which is deemed to be compatible and allowable within the boundaries of this classification are: Public, Stormwater and Recreation and Open Space.

I.1.2.9: INDUSTRIAL

Lands classified as Industrial provide for areas used for the manufacturing, assembly, processing or storage of products, as well as, other uses as provided for in the Land Development Regulations, which serve the industrial related business and employees thereof. In addition, other compatible uses, as provided for in the Land Development Regulations, may be approved as special exceptions.

Where Industrial facilities and uses are proposed, development shall be limited to an intensity of less than or equal to 2.0 floor area ratio and 0.80 overall impervious lot coverage.

I.1.2.10: EDUCATIONAL

Lands classified as Educational provide for all governmental uses and facilities as defined and governed by Title XLVIII of the Florida Statutes (K-20 Education Code), including also parcels utilized for technical and agricultural training and instruction, as well as athletic facilities.

Proposed amendments to classify all existing educational facilities on the Future Land Use Plan Map shall be adopted no later than May 31, 2012.

Once review and comments of potential sites for new educational facilities has been completed by the City, and the proposed site(s) found to be otherwise consistent with the Comprehensive Plan, the siting of new Educational uses and facilities shall require a land use change to this classification. And [subsequently] the appropriate associated zoning district(s), which the City shall initiate on behalf of the School Board, with such amendments exempted from application fees levied by the City for said amendments.

Where Educational facilities and uses are proposed, development shall be as required by the education code, state requirements for educational facilities, the Florida Building Code, and when not in conflict with these, the Land Development Regulations.

I.1.2.11: STORMWATER

Lands classified as Stormwater provide for all governmentally owned and maintained uses and facilities utilized to retain, detain or naturally treat stormwater and runoff.

A proposed land use map amendment from Stormwater to another classification shall only be considered when certified engineering studies, documents and plans are prepared, submitted and approved which demonstrate that alternative methods and facilities are in place to serve the stormwater needs for the subject area in question.

Policy I.1.3 The City's Future Land Use Map shall continue to allocate appropriate amounts and types of land uses for: Conservation, Recreation and Open Space, Public, Agriculture, Residential, Commercial, Commercial Mixed, Central Downtown, Industrial, Educational and Stormwater to meet the needs of the existing and projected future populations and to locate urban land uses in a manner where public facilities will be provided to serve such urban land uses.

Policy I.1.4 The City shall continue to base the designation of: Public, Residential, Commercial, Commercial Mixed, Central Downtown, Educational and Industrial lands depicted on the Future Land Use Plan Map upon acreage which can be reasonably expected to develop in both the 5-year and 10-year planning periods.

Policy I.1.5 The City shall continue to provide for a Commercial - Neighborhood Zoning district to provide small scale retail and service establishments, as provided for in the Land Development Regulations, either as permitted uses, or those granted by method of a Special Exception, which will serve the convenience needs of adjacent areas. Development on and/or rezoning to a Commercial - Neighborhood Zoning district is subject to the following criteria:

1. Shall be considered in Medium and High Density Residential land use classifications, only in areas which will not infringe on, or change the character of, established residential neighborhoods; and shall be considered in Agriculture, Commercial and Industrial classifications, as deemed appropriate by the Governing Body; and

2. Shall be located on parcels which contain required frontage on, or are identified as being in transitional areas with access to, Level 2 or 3: local, arterial or collector roads, as identified in the Transportation Plan Element and/or also on the Future Traffic Circulation Map, and only where public facilities and utilities are available or will be constructed in coordination with said development, to support such higher density or intensity; and
3. The parcel area for any proposed rezoning to Commercial - Neighborhood shall not be less than 21,780 square feet, nor exceed 1.5 acres; and
4. Sale, display, preparation and storage shall be conducted completely within an enclosed building; and
5. Where Commercial - Neighborhood facilities and uses are proposed, development shall be limited to an intensity of less than or equal to 0.40 floor area ratio and 0.60 overall impervious lot coverage, regardless of land use classification.

Policy I.1.6

The City shall require the siting location of public, private and charter school sites to be consistent with the following criteria:

1. The proposed school location shall be compatible with present and projected use of adjacent property;
2. Public facilities and services to serve the needs of the development are, or will be available concurrent with the development of the school;
3. There are no significant environmental constraints that would preclude development of an educational facility on the site;
4. There will be no adverse impacts on archaeological or historic sites or structures listed on the State of Florida Historic Master Site File, which are located on the site;
5. The proposed location is well drained and soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements;
6. The proposed site can accommodate the required parking and circulation of vehicles on and to/from the site;
7. Where feasible the proposed site is so located to allow for co-location with parks, libraries and community centers; and

8. The proposed school siting location shall be assigned a future land use classification of Educational, and the associated zoning district for educational uses, as provided for herein and in the Land Development Regulations.

Policy I.1.7

The City shall require the development of public, private and charter school sites to be consistent with the following standards:

1. Schools on parcels one or more acres in area shall be located on parcels which contain required frontage on, or are identified as being in transitional areas with access to, Level 2 or 3 local, arterial or collector roads, as identified in the Transportation Plan Element and/or also on the Future Traffic Circulation Map, which have sufficient capacity to carry traffic to be generated by the school and are suitable for high volume traffic during evening and special events as determined by generally acceptable traffic engineering standards;
2. The location, arrangement and lighting of all play fields and playgrounds shall be located and buffered as required in the Land Development Regulations to minimize impacts to surrounding residential properties; and
3. All structural setbacks, building heights, and access requirements shall be governed by the City's Land Development Regulations.
4. Public facilities and services to serve the needs of the development are available or will be constructed in coordination with said development, to support such higher density or intensity.

OBJECTIVE I.2

The City shall continue to regulate the location of land development consistent with topography and soil condition and the availability of facilities and services.

Policy I.2.1

The City's Land Development Regulations shall govern development with criteria which serves to control flooding, improper drainage, and negative traffic impacts, while giving consideration to unsuitable areas such as steep slopes, rock formations and adverse earth formations, with the application of the following design standards for arrangement of development:

1. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible building sites at or above the grades of the streets. Grades of streets shall conform as closely as possible to the original

topography. A combination of steep grades and curves shall be avoided.

2. Local streets shall be laid out to permit efficient drainage and utility systems and to require the appropriate number of streets necessary to provide convenient and safe access to property, while also providing for connectivity to the adjacent road network.
3. The rigid rectangular gridiron street pattern with interconnectivity to multiple roads is deemed the most safe, efficient and desirable layout for residential areas.
4. Proposed streets, commercial driveways and parking lot areas shall be extended to the boundary lines of the tract to be subdivided or developed, to provide interconnectivity with existing or future abutting development.

OBJECTIVE I.3 The City shall require that all proposed development be approved only where the public facilities meet or exceed the adopted level of service standard.

Policy I.3.1 The City shall maintain procedures for the review of proposed developments to determine its impact on level of service standards for public facilities. Building permits shall be issued only when the necessary facilities and services are in place in accordance with the Concurrency Management System found within this Comprehensive Plan.

OBJECTIVE I.4 The City shall continue to maintain innovative Land Development Regulations. Said Land Development Regulations shall continue to contain specific and detailed provisions to manage future growth and development, in order to implement the Comprehensive Plan, which shall contain at a minimum the following provisions:

Policy I.4.1 The City shall continue to maintain Land Development Regulations which shall include provisions for Planned Residential and Planned Mixed Use Development Regulations, defined as:

1. A concept which requires land to be under unified control, planned and developed as a whole in a single development or in an approved, programmed series of developments for dwelling units and, where permitted, related mixed uses and facilities;
2. A plan which, when adopted, becomes a supplement to the Land Development Regulations for the land to which it is applied;

3. Inclusive of principal and accessory structures substantially related to the character of the development itself and the surrounding area of which it is part; and
4. A concept which, when implemented, allows for development according to comprehensive and detailed plans that include streets, utilities, building sites and the like and site plans and elevations for all buildings as intended to be located, constructed, used and related to each other. It also includes detailed plans for other uses and the improvements on the land as related to the buildings.

Policy I.4.2

The City's Land Development Regulations shall continue to contain specific and detailed provisions to manage future growth and development to implement the comprehensive plan, which shall contain at a minimum the following provisions to:

1. Regulate the subdivision of land;
2. Regulate the use of land and water consistent with this and other related Elements to maintain the compatibility of adjacent land uses and provide for open space;
3. Protect environmentally sensitive lands identified within the Conservation Element;
4. Regulate areas subject to seasonal and periodic flooding and provide for drainage and storm water management;
5. Protect potable water well fields and aquifer recharge areas;
6. Regulate signage, to include specific graduated criteria for allowable signage sizes, heights and other applicable standards, and governed by the zoning district and road classification in or on which the property is located, for the proposed signage;
7. Provide safe and convenient on-site traffic flow and vehicle parking needs; and
8. Provide that development orders and permits shall not be issued which result in the level of service standards being reduced below those adopted in this Comprehensive Plan.

Policy I.4.3

The City's Land Development Regulations shall continue to contain specific and detailed provisions to manage future growth and development to implement the comprehensive plan and to further the intent and objectives of the Land Development Regulations, to include the following:

- Policy I.4.3.1 The City shall continue to require a special permit for dredging, filling, excavation and mining (this permit shall be in addition to any federal, state or regional agency required permit).
- Policy I.4.3.2 The City shall continue to include provisions for drainage, storm water management, open space, and safe and convenient on-site traffic flow, including the provision of required vehicle parking, for all development.
- Policy I.4.3.3 The City shall continue to limit the intensity of all new subdivision or lot creation development, by requiring that the length or depth of any lots does not exceed four times the width or road frontage of lots.
- Policy I.4.3.4 The City shall participate in the National Flood Insurance program and regulate development and the installation of utilities in flood hazard areas in conformance with the program requirements. Further, the City shall require all structures to be clustered on the non-flood prone portion of a site or, where the entire site is in a flood prone area, structures shall be elevated at least two (2) feet above the base flood elevation.
- Policy I.4.3.5 The City shall continue to require a buffer where a public, residential, commercial or industrial higher intensity use is located, established, erected or expanded on land abutting a lower intensity use, as assigned and required by the Land Development Regulations. An opaque structure, as defined by the Land Development Regulations, may be utilized to reduce the width of the buffer area. A buffer may include additional setbacks, landscaping, fencing, walls, berms or other measures implemented through the Land Development Regulations.
- OBJECTIVE I.5 The City shall continue utility policies which provide for the extension of public facility geographic service areas within or adjacent to the designated urban development area to address public health and safety concerns associated with groundwater contamination. The boundary of the designated urban development area is depicted within the Future Land Use Map Series of this Comprehensive Plan, and when applicable, on the Suwannee County Future Land Use Plan Map.
- Policy I.5.1 The City shall give primary consideration for any extension of public facility geographic service areas to adjacent designated urban development areas as identified within the Future Land Use Plan Map Series of this Comprehensive Plan. Water and sanitary sewer line extensions may be made outside such boundary to address public health and safety concerns associated with groundwater contamination and also for developments of marked economic impact and job creation for the area. Water and sewer line extensions may be made to public land uses located outside of such designated urban development area. The City shall condition the

extension of public facilities for residential uses to the adjacent unincorporated urban area on first providing these facilities and services for the majority of the residents within the City which are not currently being served.

Policy I.5.2

The City shall encourage growth to locate within the designated Community Redevelopment Area to promote urban infill, urban redevelopment and downtown revitalization.
(Amended Ord. 1226, 8-18-08)

Policy I.5.3

The City shall support recreational facilities, including trails, within the designated Community Redevelopment Area and urban infill areas.
(Amended Ord. 1226, 8-18-08)

OBJECTIVE I.6

Amendments to the: text of the Comprehensive Plan and/or Future Land Use Plan Map of the Comprehensive Plan, and/or the text of the Land Development Regulations and/or the Official Zoning Atlas of the Land Development Regulations, shall be proposed, in accordance with the applicable Florida Statutes, as amended, and as required in the Land Development Regulations. To ensure all applicable Board and Agency hearings, and public advertising and public participation requirements are met, all proposed ordinances or amendments to existing ordinances, which affect, or pertain to, the use, development or alteration of land or structures thereon, including amendments to the various documents and/or maps, as stated herein, shall only be accomplished by the standard amendment procedure as required, and by Florida Statutes, by proposing an amendment either to the text and/or Future Land Use Plan Map of the Comprehensive Plan, or to the text and/or Official Zoning Atlas Map of the Land Development Regulations, as is applicable.

The City shall continue to include, within the required reports and recommendations of the Development Manager of the City Planning Department, Planning and Zoning Board, and Local Planning Agency, as so designated, on amendments to the: Comprehensive Plan, Future Land Use Plan Map, Land Development Regulations, and Official Zoning Atlas, that such reports shall address the following criteria; and it shall be concluded by the local governing body, based upon such reports, and prior to approval of the amendment, that the adoption of the Ordinance of the amendment will not be contrary to said criteria:

Policy I.6.1

For an amendment to the text and/or Future Land Use Plan Map of the Comprehensive Plan, the reports and recommendations shall show that each planning staff member, board or agency has heard, reviewed, studied and considered the proposed change in relation to the following, where applicable:

1. All comments, reports and testimony presented or received during said public hearings; and
2. Determined and found the amendment to be consistent and compatible with the Land Use Element objective and policies, and those of other affected elements of the Comprehensive Plan, which have been found to be consistent with the Regional and State Plans, as well as all applicable Florida Statutes; and
3. Determined and found that approval of the amendment would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare of the City.

Policy I.6.2

For an amendment to the Official Zoning Atlas of the Land Development Regulations, the reports and recommendations shall show that each planning staff member, board or agency has heard, reviewed, studied and considered: all comments, reports and testimony presented or received during said public hearing, and additionally, the proposed change in relation to the following, where applicable:

1. Whether the proposed change is in conformance with the City's Comprehensive Plan, or would have an adverse effect on the City's Comprehensive Plan;
2. Whether the proposed change is consistent or inconsistent with the existing land use pattern in the area, including the current roadway functional and development level and classification of roads which the parcel fronts or has access to;
3. Whether the proposed change will adversely influence living conditions in the neighborhood, including infringement on, or changing the character of, an established residential neighborhood which is not designated as transitional or a designated redevelopment overlay office corridor area;
4. Whether the proposed change would result in a population density pattern which would result in an overtaking of the load on public facilities such as schools, utilities, streets, etc.;
5. Whether the proposed change will permit more intensive uses which would create or excessively increase: traffic congestion, drainage problems, light and air quality problems, or otherwise negatively affect public safety;
6. Whether the proposed change will negatively infringe on, or change the character of, established residential neighborhoods, especially those of historical significance deemed to require preservation;
7. Whether the proposed change will adversely affect property values in the adjacent area;
8. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations;

9. Whether the proposed change will result in the creation of an isolated district unrelated to adjacent and nearby districts, otherwise known as Spot Zoning, which is prohibited;
10. Whether the proposed change is to address existing district boundaries, possibly drawn illogically, in relation to existing conditions on and adjacent to the property proposed for change;
11. Whether there are changed or changing conditions making the passage of the proposed amendment in the best interest of the City;
12. Whether the proposed change will serve to further the policies and objectives of designated redevelopment districts within the City;
13. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare;
14. Substantial reasons why the property cannot be used in accordance with existing Zoning;
15. Whether the proposed change is out of scale with the needs within the neighborhood or the City; and
16. What the current market availability is of other adequate and already properly zoned sites in the City, for the proposed use, in districts already permitting such use.

Policy I.6.3

For an amendment to the text of the Land Development Regulations, the reports and recommendations shall show that each planning staff member, board or agency has heard, reviewed, studied and considered the proposed change in relation to the following, where applicable:

1. All comments, reports and testimony presented or received during said public hearing;
2. The need and justification for the amendment;
3. The relationship of the proposed amendment being consistent with and furthering the requirements of the Florida Statutes, and the purposes and objectives of the Comprehensive Planning program and to the City's Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the City's Comprehensive Plan; and
4. That approval of the proposed amendment would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare of the City.

OBJECTIVE I.7

The City shall continue to identify and designate blighted areas, and carry out plans and projects for redevelopment or renewal of these areas, through the continued implementation of the Community Redevelopment Agency and Plan 2039, as amended; and also through the updating of the housing condition survey with the most recent U.S. Bureau of Census information, as well as, the latest information provided by the University of Florida, Shimberg Center for Affordable Housing.

Policy I.7.1 The City shall continue to identify and apply for federal and state funds to redevelop and renew any identified blighted areas, where the City finds there is a competitive feasibility to receive such funding.

Policy I.7.2 The City shall continue to implement the established Community Redevelopment Agency and Plan 2039, as amended, to carry out and further the undertakings, activities, or projects in the Community Redevelopment Area, for the elimination and preservation, of or from, the development or spread of slums and blight.

OBJECTIVE I.8 Nonconforming situations are hereby declared to be incompatible with those permitted by the Land Development Regulations, and it is intended that these be eliminated and not to encourage their survival. The City shall address inconsistencies in land uses, lots, structures, characteristics of use, and uses of structures and premises with the provisions of this Comprehensive Plan and as implemented by the Land Development Regulations, through the classification and identification of such inconsistencies as being non-conforming, and the actions which shall be required in order to bring about compliance.

Policy I.8.1 The City shall continue to identify and implement provisions to address and eliminate non-conforming situations through applicable sections, requirements and definitions in the Land Development Regulations, which shall serve to carry out the Objective.

OBJECTIVE I.9 The City shall also provide for procedures and standards regarding private property rights which may be vested against the Comprehensive Plan.

Policy I.9.1 The City shall continue to establish the following administrative procedure and standards by which a property owner may demonstrate that private property rights have vested against the provisions of this Comprehensive Plan. These administrative procedures shall provide determination for the consistency of development with the densities and intensities set forth in this Comprehensive Plan.

Applications for vesting determinations shall be evaluated pursuant to the following criteria:

1. Common Law Vesting – A right to develop or to continue the development of property notwithstanding this Comprehensive Plan may be found to exist whenever the applicant proves by a preponderance of evidence that the owner or developer, acting in good faith and reasonable reliance upon some act or omission of the City, has made such a substantial change in position or has incurred such extensive obligations and expenses that it would be

highly inequitable and unjust to destroy the right to develop or to continue the development of the property.

2. Statutory Vesting – The right to develop or to continue the development of property shall be found to exist if a valid and unexpired final development order was issued by the City prior to adoption of this Comprehensive Plan, substantial development has occurred on a significant portion of the development authorized in the final development order and is completed or development is continuing in good faith as of the adoption of this Comprehensive Plan. A "final development order" shall be any development order which approved the development of land for a particular use or uses at a specified density of use and which allowed development activity to commence on the land for which the development order was issued. "Substantial development": shall mean that all required permits necessary to commence and continue the development have been obtained; permitted clearing and grading has commenced on the actual construction of roads and the storm water management system, on that portion or the development is complete or is progressing in a manner that significantly moves the entire development toward completion.
3. Presumptive Vesting for Consistency and Concurrency – Any structure on which construction has been completed pursuant to a valid building permit shall be presumptively vested for the purposes of consistency and concurrency and shall not be required to file an application to preserve their vested rights status.
4. Presumptive Vesting: for Density Only – The following categories shall be presumptively vested for the purpose of density and shall not be required to file an application to preserve their vested rights in this regard:
 - (a) All lots of legal record as of the adoption of the Comprehensive Plan, whether located within a subdivision or without, but only to the extent of one single-family residence per lot, unless otherwise permitted; and
 - (b) All contiguous lots of record as of the adoption of this Comprehensive Plan, whether located within a subdivision or without, where such lots are treated as one lot for one single-family residence.

OBJECTIVE I.10 The City shall continue to use a Historic Preservation Agency, appointed by the City Council, to assist the City Council with the designation of, and to process requests for any required Certificate of Appropriateness for,

historic landmarks and landmark sites or historic districts within the City based, in part, upon criteria utilized for the National Register of Historic Places and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. The Historic Preservation Agency shall review applications for historic designation, and after conducting a duly noticed public hearing, shall make a recommendation to the City Council based upon the criteria stated in the maintenance and reuses of historical structures policy contained within the Comprehensive Plan and Land Development Regulations.

Policy I.10.1

The City shall maintain a listing of all known prehistoric and historic sites having particular significance to the history of the City, state or nation whose locations have been documented and can be physically located within the City.

This list shall be based, in part, on the Florida Master Site File developed and maintained by the Florida Department of State and also on staff recommendations and evaluations and analysis done by appropriate local boards or agencies. The list shall be updated as new documented information regarding the prehistoric or historic significance of a site is identified and provided to the City.

Policy I.10.2

The City shall maintain criteria for designating historic structures and sites and further, establish guidelines for the maintenance and adaptive reuse of historic structures and sites, through the process of application for a Certificate of Appropriateness, and consideration of certain criteria, as follows:-

1. The effect of the proposed work on the landmark or the property on which such work is to be done;
2. The relationship between such work and other structures on the historic housing site;
3. The extent to which the historic architectural significance, architectural style, design, arrangement, texture, materials, and color of the landmark or the property will be affected;
4. Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of his or her property; and
5. Whether the plans may be reasonably carried out by the applicant.

OBJECTIVE I.11 The City shall protect natural resources and environmentally sensitive lands (including but not limited to wetlands and flood prone areas). For the purposes of this Comprehensive Plan, "Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bay-heads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps, and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas. Florida wetlands generally do not include longleaf or slash pine flat-woods with an understory dominated by saw palmetto.

Policy I.11.1 The City shall prohibit the location of any structure, other than permitted docks, piers, or walkways, in a Wetland.

Policy I.11.2 The City's Land Development Regulations shall continue to include provisions for the protection of public potable water supply wells by prohibiting:

1. Land uses which require or involve storage, use or manufacture of regulated materials as defined by Chapter 38F-41, Florida Administrative Code, in effect upon adoption of this Comprehensive Plan; Code of Federal Regulations, Title 40, Part 302 and 355 and Title 49, Part 172, in effect upon adoption of this Comprehensive Plan;
2. Landfills;
3. Facilities of bulk storage, agricultural chemicals;
4. Petroleum products;
5. Hazardous, toxic and medical waste;
6. Feed lots or other animal facilities;
7. Waste water treatment plants and percolation ponds; and

8. Mines, and excavation of waterways or drainage facilities,

and other prohibited criteria, structures or activities as found in the Land Development Regulations, which intersect or overlay the water table within a 500-foot radius around any water well designated by this Comprehensive Plan as a public facilities well-head which requires a well field protection area. In addition, no transportation of such regulated materials shall be allowed in the well field protection area, except local traffic serving approved facilities within the well field protection area.

OBJECTIVE I.12 The City, shall coordinate with agencies responsible for the implementation of any regional resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes.

Policy I.12.1 The City shall continue to require that all proposed development which is subject to the provisions of any regional resource planning and management plan shall be consistent with such plan and that proposed development be reviewed for such consistency during the development review process.

OBJECTIVE I.13 The City shall coordinate review of all proposed subdivision plats with the Water Management District, to provide the Water Management District an opportunity to review and issue permits as required, for such subdivision, and to determine if the plat is consistent with any applicable approved District management plans.

Policy I.13.1 The City shall continue to require the developer to submit development plans for all proposed subdivision plats within the incorporated city limits, to the Water Management District for review, comment and permitting, as to the consistency of the proposed development with any approved management plans, prior to development review by the City.

OBJECTIVE I.14 The City shall continue to require the location of the following essential services: radio, telecommunication and television antennas and towers, owned or operated by private or publicly regulated entities, to be approved by either City Staff or the Planning and Zoning Board, as specified in the Land Development Regulations. In addition, the location of electrical transmission lines and natural gas transmission lines, shall be approved pursuant to Chapter 403.502 and 403.9402 of the Florida Statutes. All other essential services, which are hereby defined to include and be limited to electrical distribution lines, telephone lines and substations, and cable television lines shall be exempt from any City approval and shall be permitted in any land use category. All public buildings and grounds, and public facilities not defined as an essential service herein, and to be located outside of a public right-of-way or easement, shall require an

II

TRAFFIC CIRCULATION ELEMENT

INTRODUCTION

A traffic circulation system existing and future development by providing for safe and efficient movement of people and goods. This plan element identifies the types, locations and extent of existing and proposed major thoroughfares and transportation routes in the City and establishes a framework for policy decision-making regarding future transportation needs. The data collected for this plan element and its analysis, contained in the Data and Analysis document, are not part of this plan element but do provide a basis for its formulation.

The Traffic Circulation Element ties closely to the Future Land Use Element due to the inherent two-way relationship between land use and transportation. Land use patterns directly affect the demand for transportation facilities with more intensive land uses generating more traffic and requiring greater degrees of accessibility. Conversely, the transportation network affects and influences the use of land located adjacent to these facilities.

The Traffic Circulation Element also coordinates with other plan elements as required by the Local Government Comprehensive Planning and Land Development Regulation Act and accompanying Chapter 9J-5, Florida Administrative Code. Since the City's traffic circulation system does not stop at political boundaries, coordination with other local governments is a prerequisite to a functional traffic circulation system. The goals, objectives and policies of the Intergovernmental Coordination Element establish guidelines for coordination between various governmental entities.

TRAFFIC CIRCULATION GOAL, OBJECTIVES AND POLICIES

GOAL II – PROVIDE FOR A TRAFFIC CIRCULATION SYSTEM WHICH SERVES EXISTING AND FUTURE LAND USES.

OBJECTIVE II.1 The City shall maintain a safe, convenient and efficient level of service standard which shall be maintained for all motorized and non-motorized transportation systems.

Policy II.1.1 Establish level of service standards at peak hour as defined within the Florida Department of Transportation 2002 Quality/Level of Service Handbook for the following roadway segments within the City.

ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	AREA TYPE	LEVEL OF SERVICE
1	U.S. 90/Howard Street - W (From City of Live Oak west limits to U.S. 129/S.R. 51/ Ohio Avenue)	2-U	Principal Arterial	Urban	D
2	U.S. 90/Howard Street - E (From U.S. 129/S.R. 51/ Ohio Avenue to City of Live Oak east limits)	2-U	Principal Arterial	Urban	D
3	U.S. 129/S.R. 51/Ohio Avenue (From City of Live Oak north limits to intersection of S.R. 51/11 th Street)	4-D	Principal Arterial	Urban	D
4	U.S. 129/Ohio Avenue (From City of Live Oak south limits to S.R. 51/11 th Street)	2-U	Principal Arterial	Urban	D
5	C.R. 287/95/C.R. 249/Houston Avenue (From City of Live Oak north limits to U.S. 90/ Howard Street)	2-U	Urban Collector	Urban	D
6	S.R. 51 (From City of Live Oak west southwest limits through the Round-A-Bout to U.S. 129/Ohio Avenue)	2-U	Minor Arterial	Urban	D
7	C.R. 249/Nobles Ferry Road (From City of Live Oak north northwest limits to C.R. 283/95/Houston Avenue)	2-U	Urban Collector	Urban	D
8	C.R. 136/Duval Street (From City of Live Oak east limits to U.S. 129/S.R. 51/ Ohio Avenue)	2-U	Urban Collector	Urban	D
9	C.R. 136/11th Street (From City of Live Oak west limits to S.R. 51 and Walker Avenue at the Round-A-Bout)	2-U	Urban Collector	Urban	D
10	C.R. 10A/Helvenston Street (From City of Live Oak east limits to U.S. 129/S.R. 51/Ohio Avenue)	2-U	Urban Collector	Urban	D
11	Walker Avenue and Winderweeple Street (From U.S. 90/ Howard Street north on Walker Street to the intersection with Winderweeple Street, then east to U.S. 129/S.R. 51/ Ohio Avenue)	2-U	Urban Collector	Urban	D

12	C.R. 258/Pinewood Drive (From S.R. 51 to U.S. 129/Ohio Avenue)	2-U	Urban Collector	Urban	D
13	Georgia Avenue and Fir Street (From C.R. 136/ <u>Duval Street</u> to U.S. 129/S.R. 51/Ohio Avenue)	2-U	Urban Collector	Urban	D
14	Lee Avenue (From C.R. 136/Duval Street to Helvenston Street)	2-U	Urban Collector	Urban	D
15	Pارشley/7th Street and Woods Avenue (From U.S. 129/S.R. 51/ <u>Ohio Avenue on Parshley Street west to Woods Avenue, then north to U.S. 90/Howard Street</u>)	2-U	Urban Collector	Urban	D
16	Walker Avenue (From U.S. 90/ <u>Howard Street</u> to C.R. 136/11 th Street)	2-U	Urban Collector	Urban	D
17	C.R. 283/Houston Avenue (From U.S. 90/ <u>Howard Street</u> to S.R. 51/11 th Street)	2-U	Urban Collector	Urban	D
18	White Avenue (From <u>C.R. 10A</u> /Helvenston Street to U.S. 90/ <u>Howard Street</u>)	2-U	Urban Collector	Urban	D
19	Railroad Avenue and Miller Street (From U.S. 90/ <u>Howard Street south to Miller Street, then west to U.S. 129/Ohio Avenue</u>)	2-U	Urban Collector	Urban	D

Policy II.1.2

The City shall control the number and frequency of connections and access points of driveways and roads to arterial and collector roads by requiring access points for state roads to be in conformance with Chapter 14-96 and 14-97, Florida Administrative Code, and the following requirements for City roads:

1. Permitting one access point for ingress and egress purposes to a single property or development;
2. Permitting two access points if the minimum distance between the two access points exceeds 20 feet;
3. Permitting three access points if the minimum distance between each access point is at least 100 feet; or
4. Permitting more than three access points where a minimum distance of 1,000 feet is maintained between each access point.

- Policy II.1.3 The City shall continue to require development to provide safe and convenient off-street parking and loading standards., which includes the provisions for non-motorized vehicle parking, which shall be located on the same lot or parcel of land the parking is intended to serve. Each off-street parking space, with the exception of handicapped parking spaces, shall be a minimum of 10 feet by 20 feet in size. Each handicapped parking space shall be a minimum of 12 feet by 20 feet in size. The City may allow the establishment of such off-street parking facilities within 300 feet of the premises they are intended to service when the practical difficulties prevent the placing of the facilities on the same lot as the premises they are designed to serve.
- Policy II.1.4 The City shall continue to require any development which is required to provide a site plan or any development requiring platting, include requirements for an additional 10-foot right-of-way width for bicycle and pedestrian ways to be provided for all proposed collector and arterial roadways, as integrated or parallel transportation facilities.
- OBJECTIVE II.2 The City shall require that all traffic circulation improvements be consistent with and complement the future land uses on the Future Land Use Plan Map, by limiting higher density and higher intensity land use locations to be adjacent to collector or arterial roads, as identified on the Future Traffic Circulation Map.
- Policy II.2.1 The City shall, as part of the capital improvement scheduling of roadway improvements, review all proposed roadway improvements to determine if such improvements will further the direction of the Future Land Use Plan Element.
- OBJECTIVE II.3 The City shall coordinate its traffic circulation planning efforts with the Florida Department of Transportation for consistency with the Department's 5-Year Transportation Plan.
- Policy II.3.1 The City shall review all comprehensive plans and land development activity for consistency with the Florida Department of Transportation's 5-Year Transportation Plan.
- OBJECTIVE II.4 The City shall provide for the protection of future rights-of-way from building encroachment by establishing right-of-way setback requirements for all structures along new or realigned collector and arterial roadways to be provided by the developer or purchased as additional right-of-way.
- Policy II.4.1 The City shall maintain provisions which require all structures to provide for new or realigned collector and arterial roads. Such right-of-way shall be provided by the developer of the land as part of the development review process or shall be purchased by the agency improving the road.

III

HOUSING ELEMENT

INTRODUCTION

The following goal, objectives and policies constitute the Housing Element providing for decent, safe and sanitary housing at affordable costs and in sufficient quantities to meet the needs of both existing and future City residents. The data collected for this plan element and analysis, contained in the City's Data and Analysis document, are not part of this plan element, but do provide basis for its formulation.

This plan element of the City's Comprehensive Plan establishes a guide for the City to follow in addressing the housing needs of the City. The Housing Element addresses the main goal for housing within the City through the year 2017, as well as, measurable objectives which are established to meet the City's housing goal. In addition, each objective is followed by one or more corresponding policies to provide guidance and direction towards the accomplishments of the objective.

HOUSING GOAL, OBJECTIVES AND POLICIES

GOAL III – PROMOTE THE PROVISION OF DECENT, SAFE AND SANITARY HOUSING IN SUITABLE ENVIRONMENTS AT AFFORDABLE COSTS TO MEET THE NEEDS OF THE CITY'S PRESENT AND FUTURE CITIZENS, INCLUDING THOSE RESIDENTS WITH SPECIAL NEEDS.

OBJECTIVE III.1 The City shall provide the allocation of at least 25 percent of the land use allocation which permit dwelling units to be provided to permit affordable housing for the existing and anticipated population. For the purposes of this Comprehensive Plan "affordable housing" means housing for which monthly rents or monthly mortgage payments, including taxes, insurance, and utilities, do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households. Thirty percent is not the limit if the mortgage lender is satisfied that the household can afford a higher percent. Consideration must be given to the following groups: a. "Moderate Income Person" 120% of the median income; b. "Low Income Person" 80% of the median income; c. "Very Low Income Person" 50% of the median annual income. Non-owner occupied units should be reserved for low or very low income households as defined by HUD at a monthly cost (including utilities) that does not exceed 30% of the total monthly income. In addition, the City will be required to conduct an affordable housing needs assessment consistent with 9J-5.010(a), (b), and (c).

Policy III.1.1 The City shall include, as part of its adopted citizen participation plan, a provision to ensure that representatives of the local, private and non-profit

housing industry be requested to participate in housing related planning activities conducted by the City.

Policy III.1.2 The City's Land Development Regulations shall permit the construction of government subsidized housing only within areas which are served by public facilities which meet or exceed the adopted level of service standards established in the other elements of this Comprehensive Plan.

OBJECTIVE III.2 The City shall promote the maintenance of a safe and sanitary housing stock and the elimination of substandard housing conditions, as well as, the establishment of provisions for the structural and aesthetic improvement of housing through adoption of minimum housing standards.

Policy III.2.1 The City, to address the quality of housing and stabilization of neighborhoods, shall include minimum housing standards for structural strength, stability, sanitation, adequate light and ventilation and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of residential buildings within the adopted Land Development Regulations based upon the following criteria:

1. Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower and a toilet;
2. Every dwelling unit shall have both a cold water and hot water supply;
3. Every dwelling unit shall have heating facilities;
4. Every habitable room shall have a window or skylight; and
5. All exterior walls and roofs shall be structurally sound and free of defects.

OBJECTIVE III.3 The City shall continue to make available site opportunities for very low, low-and moderate-income families and mobile homes in conformance with the Future Land Use Element by permitting mobile homes in single-family and multi-family residential areas on individual lots or as mobile home subdivisions and parks for the creation and/or preservation of affordable housing in accordance with Chapter 9J-5.010(3)(b)1, Florida Administrative Code.

Policy III.3.1 The City shall provide siting for housing for very low, low- and moderate-income persons and mobile homes, in order to create and/or preserve affordable housing in accordance Chapter 9J-5.010(3)(b)1, Florida Administrative Code, in effect upon January 1, 2006.

- Policy III.3.2 The City’s Land Development Regulations shall provide for the location of mobile home developments and standards for mobile home installation consistent with Chapter 320.8285(5) and 553.38(2), Florida Statutes, for very low, low-and moderate-income persons consistent with Chapter 9J-5.010(3)(b)3, in effect upon January 1, 2009.
- OBJECTIVE II.4 The City shall continue to facilitate the provision of group homes of foster care facilities, as licensed or funded by the Florida Department of Children and Families, within residential areas or areas of residential character. The term group homes shall include long-term residential care facilities licensed by the Florida Department of Children and Families and adult congregate living facilities licensed by the Agency for Health Care Administration.
- Policy III.4.1 The City shall permit homes of six or fewer residents which otherwise meet the definition of a community residential home as provided in Chapter 419, Florida Statutes, in effect on January 1, 2006, as a single-family, noncommercial use to be allowed in all residential land use districts provided that such homes shall not be located within a radius of 1,000 feet of another existing home with six or fewer residents.
- Policy III.4.2 The City shall permit homes of more than six residents which meet the definition of a community residential home as provided in Chapter 419, Florida Statutes, in effect on January 1, 2006 within medium and high density residential land use categories based upon the following criteria:
1. The City shall approve the siting of a community residential home, unless the City determines that the siting of the home at the site selected:
 - (a) Does not meet applicable licensing criteria established and determined by the Florida Department of Children and Families and Agency for Health Care Administration, including requirements that the home be located to assure the safe care and supervision of all clients in the home;
 - (b) Would result in such a concentration of community residential homes in the area in proximity to the site selected or would result in a combination of such homes with other residences in the community such that the nature and character of the area would be substantially altered. (A home that would be located within a radius of 1,200 feet of another existing community residential home shall be considered to be an over concentration of such homes that substantially alters the nature of character of the area. A home that would be located within a radius of 500 feet

of a low or moderate density residential land use category shall be considered to substantially alter the nature and character of the area).

OBJECTIVE III.5 The City shall continue to improve programs for the removal of blight and unsafe structures through the implementation of hazardous building regulations consistent with Chapter 553 (Building Construction Standards), Florida Statutes.

Policy III.5.1 The City shall continue to enforce a hazardous building code, consistent with Chapter 553 (Building Construction Standards), Florida Statutes, which shall require the rehabilitation or demolition and clearance of housing and other structures which pose a threat to public safety.

- a. The hazardous building code, consistent with Chapter 553 (Building Construction Standards), Florida Statutes, shall be remedial and shall be constructed to secure the beneficial interest and purposes which are public safety, health and general welfare through provisions dealing with structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazardous incident to the construction alteration, repair, removal, demolition, use and occupancy of building, structure or premises;
- b. The provision shall apply to unoccupied and unsafe buildings and shall apply equally to new and existing conditions; and
- c. Provisions to protect classified historical structures requiring architectural and engineering plans bearing the seal of a registered professional architect or engineer shall be included.

Policy III.5.2 The City shall apply for federal and state housing assistance where it has been determined that the City has competitive standing in any ranking process for determining program award.

Policy III.5.3 The Local Planning Agency shall develop neighborhood or sector plans to study and make recommendations to the Local Governing Body regarding the conservation of such neighborhoods when existing residential neighborhoods are being considered for Future Land Use Plan amendments.

OBJECTIVE III.6 The City shall continue to provide for the restoration or rehabilitation for adaptive reuse of historically significant housing by requiring that no person may undertake alteration of the exterior part of City designated historic housing or demolish or relocate such housing without City Council review and approval of such demolition, alteration or relocation.

- Policy III.6.1 The City hereby provides that after conducting a public hearing, the City Council shall review an application for a certificate of appropriateness for new construction, alterations, demolition or relocation of City designated historic housing and shall approve or deny such applications based upon the following guidelines:
1. The effect of the proposed work on the landmark or the property upon which such work is to be done;
 2. The relationship between such work and other structures on the historic housing site;
 3. The extent to which the historic architectural significance, architectural style, design, arrangement, texture, materials and color of the historic housing will be affected; and
 4. Whether the denial of a certificate would deprive the property owner of reasonable beneficial use of his or her property.
- Policy III.6.2 The City shall include historic sites and structures preservation regulations within the adopted Land Development Regulations which address the identification and improvement of historically significant housing and shall regulate alterations, demolitions, relocation and new construction for historically significant housing.
- OBJECTIVE III.7 The City shall require in conformance with the objectives and policies provided within this element, the availability of relocation housing as a prerequisite to housing rehabilitation or neighborhood revitalization activities which result in the displacement of residents.
- Policy III.7.1 The availability of relocation housing shall be researched and verified by City staff prior to commencement of any governmental housing rehabilitation or neighborhood revitalization program to be enacted by the City which result in the displacement of residents.
- OBJECTIVE III.8 The City, shall coordinate information regarding City housing programs with the Housing Authority so that the Authority has the latest information available regarding local housing conditions and needs; and in addition, the City shall cooperate with the Housing Authority in the planning of the housing assistance programs of the Northwest Florida Housing Authority.
- Policy III.8.1 The City shall coordinate City housing programs with the Housing Authority and provide public participation opportunities for the private sector in planning for the provision of a supply of housing to accommodate the full range of life stages and economic capabilities of the City's residents.

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IV

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

INTRODUCTION

The following plan element provides direction for the use, maintenance and location of general sanitary sewer, solid waste, drainage, potable water facilities and natural groundwater aquifer recharge areas in conformance with the Future Land Use Element of this Comprehensive Plan.

The data collected for this plan element and analysis of this data contained in the City's Data and Analysis document, are not part of this plan element, but do provide a basis its formulation.

The future growth of the City depends upon the safe, adequate and economical means for the provision of public facilities and services. This portion of the Comprehensive Plan provides a goal, objectives and policies which direct the implementation and use of such public facilities in a logical and economic fashion, as well as, in a manner which is consistent with the State of Florida Comprehensive Plan, the North Central Florida Regional Comprehensive Policy Plan and the various elements of this Comprehensive Plan.

SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE GOALS, OBJECTIVES AND POLICIES

GOAL IV-1 – ENSURE THE PROVISION OF PUBLIC FACILITIES IN A TIMELY, ORDERLY, EFFICIENT AND ENVIRONMENTALLY SOUND MANNER AT AN ACCEPTABLE LEVEL OF SERVICE FOR THE CITY'S POPULATION.

OBJECTIVE IV.1 The City shall correct deficiencies by undertaking capital improvement projects in accordance with the schedule contained in the Capital Improvements Element of this Comprehensive Plan. Further, the City shall require a concurrency review be made with applications for development approval and require that a certificate of concurrency be issued prior to development.

Policy IV.1.1 The City shall provide that within the schedule contained in the Capital Improvements Element, that capital improvement projects needed for replacement or correction of deficiencies in public facilities be given priority over providing for any other future facilities needs unless such needs are: (1) If they are imminently needed to protect the public health and safety; or (2) Not meeting maintenance or operation level of service standards adopted herein.

SANITARY SEWER FACILITY SUB ELEMENT

GOAL IV-2 – ENSURE THE PROVISION OF PUBLIC SANITARY SEWER FACILITIES IN A TIMELY, ORDERLY, EFFICIENT AND ENVIRONMENTALLY SOUND MANNER AT AN ACCEPTABLE LEVEL OF SERVICE FOR THE CITY’S POPULATION.

OBJECTIVE IV.2 The City shall coordinate the extension of or increase in the capacity of facilities by scheduling the completion of public sanitary sewer facility improvements concurrent with projected demand. In addition, the City shall issue development approval only if the proposed development does not lower the level of service of public sanitary sewer facilities and services below the adopted level of service established within this Comprehensive Plan.

Policy IV.2.1 The City hereby establishes the following level of service standards for sanitary sewer facilities:

<u>FACILITY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
Individual Septic Tanks	Standards as specified in Chapter 64E-6 Florida Administrative Code in effect on January 1, 2006
City of Live Oak Sanitary Community Sewer System	134 gallons per capita per day

Policy IV.2.2 The City shall prohibit the installation of septic tanks in locations with soils which do not meet installation requirements of Chapter 64E-6, Florida Administrative Code.

Policy IV.2.3 The City shall continue to allow septic tanks to remain in service until such time as centralized sanitary sewer service is accessible, conditioned on the following requirements:

1. The City shall not issue a building permit for construction of a building or facility where sanitary sewage is proposed to be disposed using an on-site sewage disposal system in an area zoned Industrial on the City’s official zoning atlas, or used for industrial or manufacturing purposes or its equivalent, where the City’s centralized sanitary sewer system is available within ¼ mile of the area used, or zoned industrial or manufacturing, or where a likelihood exists that the on-site sewage disposal system may receive toxic, hazardous or industrial waste;

2. The City shall not issue an occupational license to the owner or tenant of a building located in an area zoned Industrial on the City’s official zoning atlas, or used for industrial or manufacturing Purposes or its equivalent, when such site is served by an on-site sewage disposal system without first obtaining an annual operating permit from the County Health Department; and

3. The City shall not issue a certificate of land development regulation compliance to a new owner or tenant of a building located in an area zoned Industrial on the City’s official zoning atlas, or used for industrial or manufacturing purposes or its equivalent, or who operates a business which has the potential to generate toxic, hazardous or industrial waste water, when such site is served by and on-site sewage disposal system without first obtaining an annual operating permit for an on-site sewage disposal system from the County Health Department.

SOLID WASTE FACILITY SUB ELEMENT

GOAL IV-3 – ENSURE THE PROVISION OF PUBLIC SOLID WASTE FACILITIES IN A TIMELY, ORDERLY, EFFICIENT AND ENVIRONMENTALLY SOUND MANNER AT AN ACCEPTABLE LEVEL OF SERVICE FOR THE CITY’S POPULATION.

OBJECTIVE IV.3 The City shall continue to coordinate the extension of, or increase in the capacity of solid waste facilities by scheduling the completion of public facility improvements and requiring that they are concurrent with projected demand.

Policy IV.3.1 The City hereby establishes the following level of service standards for solid waste disposal:

<u>FACILITY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
Solid Waste Landfill	0.64 tons per capita per year

DRAINAGE FACILITY SUB ELEMENT

GOAL IV-4 – ENSURE THE PROVISION OF PUBLIC DRAINAGE FACILITIES IN A TIMELY, ORDERLY, EFFICIENT AND ENVIRONMENTALLY SOUND MANNER AT AN ACCEPTABLE LEVEL OF SERVICE FOR THE CITY’S POPULATION.

OBJECTIVE IV.4 The City shall continue to coordinate the extension of, or increase in the capacity of drainage facilities by scheduling the completion of public facility improvements and requiring that they are concurrent with projected demand.

Policy IV.4.1

The City hereby establishes the following level of service standards for drainage facilities:

LEVEL OF SERVICE STANDARD

For all projects which fall totally within a stream or open lake watershed, detention systems must be installed such that the peak rate of post-development run-off will not exceed the peak rate of pre-development run-off for storm events up through and including either:

1. A design storm with a 10 year, 24-hour rainfall depth with Soil Conservation Service Type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation or recreations uses; or
2. A design storm with 100 year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.

All other storm water management projects shall adhere to the standards as specified in Chapter 62-25, Florida Administrative Code (Rules of the Florida Department of Environmental Protection) in effect on January 1, 2006 and Chapter 40B-4, Florida Administrative Code (Rules of the Suwannee River Water Management District) in effect on January 1, 2006.

Any development exempt from Chapter 62-25 or 40B-4, Florida Administrative Code in effect January 1, 2006 as cited above, and which is adjacent to, or drains into a surface water, canal or stream, or which enters a ditch which empties into a sinkhole, shall first allow the run-off enter a grassed swale designed to percolate 80 percent of the run-off from a three-year, one-hour design storm within 72-hours after a storm event.

Policy IV.4.2

The City, shall prohibit the construction of structures or landscape alterations which would interrupt natural drainage flows, including sheet flow and flow to isolated wetland systems.

Policy IV.4.3

The City, shall fund and prepare a water quality assessment. Such assessment shall determine if storm water run-off from roadways and surrounding land uses, which enter existing drainage wells, is causing a diminution of water quality of the City's potable water sources. If the assessment determines such drainage wells are causing water quality problems with the City's potable water sources, the City shall amend this Comprehensive Plan based upon the findings of such assessment. Such amendment shall address existing and projected drainage facility needs designed to correct water quality problems identified in the assessment with the City's potable water sources.

POTABLE WATER FACILITY SUB ELEMENT

GOAL IV-5 – ENSURE THE PROVISION OF PUBLIC POTABLE WATER FACILITIES IN A TIMELY, ORDERLY, EFFICIENT AND ENVIRONMENTALLY SOUND MANNER AT AN ACCEPTABLE LEVEL OF SERVICE FOR THE CITY’S POPULATION.

OBJECTIVE IV.5 The City shall continue to coordinate the extension of, or increase in the capacity of potable water facilities by scheduling the completion of public facility improvements and requiring that they are concurrent with projected demand.

Policy IV.5.1 The City hereby establishes the following level of service standards for potable water.

<u>FACILITY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
Private Individual Water Wells	Standards as specified in Chapter 62-22, Florida Administrative Code, in effect on January 1, 2006.
City of Live Oak Community Potable Water System	164 gallons per capita per day 20 pounds per square inch of volume

Policy IV.5.2 The City shall permit residential densities in excess of 1 dwelling units per acre, but less than or equal to 4 dwelling units per acre only within areas served by the City’s centralized potable water system and residential densities in excess of 4 dwelling units per acre only within areas served by the City’s centralized potable water and centralized sanitary sewer systems.

NATURAL GROUNDWATER AQUIFER RECHARGE SUB ELEMENT

GOAL IV-6 – ENSURE THE PROTECTION OF SURFACE AND GROUNDWATER QUALITY AND QUANTITY BY ESTABLISHMENT OF PLANS AND PROGRAMS TO PROMOTE ORDERLY USE AND DEVELOPMENT OF LAND IN A MANNER WHICH WILL PROMOTE SUCH PROTECTION AND AVAILABILITY.

OBJECTIVE IV.6 The City, shall require that no sanitary sewer facility have any discharge of primary treated effluent into designated high groundwater aquifer recharge areas as designated by the Water Management District and depicted in Appendix A of this Comprehensive Plan.

Policy IV.6.1 The City shall continue to provide that during the development review process, all proposed development within the drainage basin of any designated priority water body shall be coordinated with the Water

Management District and ensure that any proposed development is consistent with any approved management plans within that basin.

- OBJECTIVE IV.7 The City, shall coordinate with the Water Management District to protect the functions of natural high ground water aquifer recharge areas as designated by the Water Management District and depicted in Appendix A of this Comprehensive Plan and natural drainage features, by requiring that all developments requiring subdivision approval be reviewed by the Water Management District prior to final approval of the plat.
- Policy IV.7.1 The City shall continue to prohibit the discharge of hazardous materials to all soils. Groundwaters and surface waters of the City. Should the City be identified as a potential site for a hazardous waste treatment facility, the City will cooperate with the Regional Planning Council by coordinating adjacent land uses with the facility and by amending the Comprehensive Plan to further address the protection of natural resources, emergency response and appropriate land uses related to the facility.
- Policy IV.7.2 The City will cooperate with the County in the County's establishment of a local listing of all producers of industrial, hazardous and toxic material and waste, as provided by the Water Quality Assurance Act of 1983 and Florida Statutes 403.7225.
- Policy IV.7.3 The City will cooperate with the County in its preparation of a five-year assessment and update the County's hazardous materials plan, as Florida Statutes 403.7225, and the County's monitoring of small quantity producers of industrial, hazardous and toxic materials identified by such plan to be operating within the City.
- Policy IV.7.4 The City will participate annually in the County's Amnesty Day program as provided by the Water Quality Assurance Act of 1983, Florida Statutes 403.7225.
- Policy IV.7.5 The City shall provide for the limitation of development and associated impervious surfaces in high groundwater aquifer recharge areas designated by the Water Management District to protect the functions of the recharge area through requirement of the following:
1. Storm water management practices shall not include drainage wells and sinkholes for storm water disposal where recharge is into potable water aquifers. Where development is proposed in areas with existing wells, these wells shall be abandoned, including adequate sealing and plugging according to Chapter 17-28, Florida Administrative Code, in effect upon adoption of this Comprehensive Plan.

2. Well construction, modification or closure shall be regulated in accordance with the criteria established by the Water Management District and the Florida Department of Health and Rehabilitative Services;
3. Abandoned wells shall be closed in accordance with the criteria established in Chapter 17-28, Florida Administrative Code, in effect upon adoption of this Comprehensive Plan;
4. No person shall discharge or cause to or permit the discharge of a regulated material as listed in Chapter 442, Florida Statutes, in effect upon adoption of this Comprehensive Plan, to the soils, groundwater or surface water; and
5. No person shall tamper or bypass or cause or permit tampering with or bypassing of the containment of a regulated material storage system, except as necessary for maintenance or testing of those components.

Policy IV.7.6 The City’s Land Development Regulations shall provide for the limitation of development adjacent to natural drainage features to protect the functions of the feature.

OBJECTIVE IV.8 The City shall continue to assist the Water Management District with the implementation of its water conservation rule when water shortages are declared by the District. Whereby, during such shortages, water conservation measures shall be implemented for the use and reuse of water of the lowest acceptable quality for the purposes intended. In addition, the City shall assist the Water Management District with the dissemination of educational materials regarding the conservation of water prior to peak seasonal demand.

Policy IV.8.1 The City shall assist in the enforcement of water use restrictions during a Water Management District declared water shortage and in addition, assist the Water Management District with the dissemination of educational materials regarding the conservation of water prior to peak seasonal demand.

OBJECTIVE IV.9 The City, shall require that construction activity undertaken shall protect the functions of natural drainage features.

Policy IV.9.1 The City shall require a certification, by the preparer of the permit plans, that all construction activity undertaken shall incorporate erosion and sediment controls during construction to protect the functions of natural drainage features.

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V

CONSERVATION ELEMENT

INTRODUCTION

The following goal, objectives and policies constitute the Conservation Element providing for the conservation, use and protection of the City's natural resources. The data collected for this plan element and its analysis, contained in the City's Data and Analysis document, **is are** not part of this plan element, but provide a basis for its formulation.

Conservation uses are defined as lands devoted to conservation of unique natural functions or environmental quality.

The Future Land Use Plan Map identifies Conservation Future Land Use as defined above. At present, there isn't any conservation use within the City. Therefore, until such time as there are areas designated for the protection of a natural resource, this category, although listed, will not appear on the Future Land Use Plan Map.

The Future Land Use Plan Map may identify flood prone areas, wetlands, existing and planned water wells, rivers, bays, lakes, minerals and soils, which are land cover features, but are not land uses. Therefore, although these natural resources are identified within the Future Land Use Plan Map series, they are not designated on the Future Land Use Plan Map as Conservation areas. However, the constraints on future land uses of these natural resources are addressed in the following goals, objective and policy statements.

CONSERVATION GOAL, OBJECTIVES AND POLICIES

GOAL V – CONSERVE, THROUGH APPROPRIATE USE AND PROTECTION, THE RESOURCES OF THE CITY TO MAINTAIN THE INTEGRITY OF NATURAL FUNCTIONS.

OBJECTIVE V.1 The City, shall continue to enforce provisions within the site plan review process to protect air quality through appropriate siting of development and associated public facilities.

Policy V.1.1 The City shall continue to require that all appropriate air quality permits are obtained prior to the issuance of development orders, so that minimum air quality levels established by the Florida Department of Environmental Protection are maintained in the City.

OBJECTIVE V.2 The City, in order to protect the quality and quantity of current and projected water sources, hereby established a 500 foot well field protection area around community water system wells. In addition, the City, in order to protect high groundwater aquifer recharge areas as designated by the Water Management District and depicted in Appendix A

of this Comprehensive Plan shall limit development in these areas as specified in the high ground-water aquifer recharge protection policy of the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of this Comprehensive Plan.

- Policy V.2.1 The City shall, as part of the development review process, require the coordination of development plans with the Florida Department of Environmental Protection and the Water Management District to assist in the monitoring uses which may impact the City's current and projected water sources.
- Policy V.2.2 The City shall protect the present water quality classification established by the Florida Department of Environmental Protection by prohibiting industrial uses, commercial uses and intensive agricultural uses such as milking barns and chicken houses, to be located adjacent to the City's surface water bodies.
- Policy V.2.3 The City shall identify and make recommendations, where appropriate, for the purchase of Environmentally Sensitive Lands under the Conservation and Recreation Lands Program.
- Policy V.2.4 The City shall continue to require a 35 foot natural buffer around all wetlands and prohibit the location of residential, commercial and industrial land uses within the buffer areas, but allow resource-based recreational activities within buffer areas.
- Policy V.2.5 The City, shall, through the development review process, require that post-development runoff rates and pollutant loads do not exceed pre-development conditions.
- Policy V.2.6 The City shall continue to require all new development to maintain the natural functions of natural flood storage, pollution alternatives, in wetlands and 100-year flood prone areas.
- Policy V.2.7 The City shall participate in the National Flood Insurance Program and regulate development and the installation of the utilities in flood hazard areas in conformance with the program requirements. Further, the City shall require all structure to be clustered on the non-flood prone portion of a site or where the entire site is in a flood prone area, structure shall be elevated at least two feet above the highest adjacent grade.
- Policy V.2.8 The City shall conserve wetlands by prohibiting, where the alternatives of clustering all structures in the non-wetland portion of the site exists, any development or dredging and filling which would alter their natural functions. If no other alternative for development exists, the City shall allow only minimal residential development activity in those areas

designated as wetlands within this Comprehensive Plan and that such development activity comply with the following density and performance standards:

Residential dwelling units not more dense than one dwelling unit per five acres subject to the following minimum performance standards:

1. Residences and any support buildings shall be built on piling of sufficient height to exceed by one foot the highest recorded flood level in the wetland. If there is no flooding data available, residences and any support buildings shall be built at least two feet above the highest seasonal water level.
2. Clearing or removal of native vegetation shall not exceed $\frac{1}{2}$ acre per five acres. If dwelling units are clustered, a density of one dwelling unit per five acres shall be maintained on site and clearing or removal of native vegetation shall not exceed a total of $\frac{1}{4}$ acre for each five acre area. Exotic vegetation may be removed without regard to this limitation provided that, if the area cleared of exotic vegetation exceeds the applicable $\frac{1}{2}$ acre or $\frac{1}{4}$ acre limitation, it is replanted with native wetland vegetation.
3. No dredging or filling (except for pilings to support the residence and support buildings or poles providing utility services) shall be allowed, except that a walking path or driveway to the residence may use permeable fill if it is designed with a sufficient number and size of culverts to allow the natural flow of water to continue.
4. Drain fields for septic tanks and gray water shall be located outside the wetland.
5. If dwelling units are clustered, a density of one dwelling unit per five acres shall be maintained on-site and the following provisions shall also apply:
 - (a) Clustering of units shall be located in the perimeter areas of the wetlands; and
 - (b) A restrictive or conservation easement to preserve open space shall be required.

For the purpose of this Comprehensive Plan “wetlands” means those areas that are inundated or saturated by surface water or ground-water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as

hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

- Policy V.2.9 The City shall support the Water Management District in their conducting of water conservation programs by assisting with public information programs for water use restrictions in the case of a water shortage.
- Policy V.2.10 The City shall comply with the plans of the Water Management District for the emergency conservation of water sources through assisting the Water Management District with the public information programs for any water use restrictions in the case of water shortage.
- Policy V.2.11 The City shall, as part of the development review process, prohibit the use of drainage wells and sink holes for storm water disposal in high ground-water aquifer recharge areas, designated by the Water Management District and depicted in Appendix A of this Comprehensive Plan, in order to maintain the natural features of these areas.
- Policy V.2.12 The City, as part of the development review process, shall require the maintenance of the quantity and quality of surface water runoff within natural drainage basins by prohibiting any development which may diminish or degrade the quality and quantity of surface water runoff within the City.
- Policy V.2.13 The City, prior to granting approval of a site and development plan for construction or expansion, shall require that all hazardous waste generators and facilities are duly permitted as required by Chapter 403, Florida Statutes, by the Florida Department of Environmental Protection. In addition, the city, prior to the issuance of a certificate of land development regulation compliance, shall require that all existing hazardous waste facilities or uses which generate hazardous waste show proof of such permit prior to a change in occupancy.
- OBJECTIVE V.3 The City shall as part of the development review, provide for the conservation, use and protection of soils, minerals, and native vegetative communities.

- Policy V.3.1 The City shall require that any mining permit be coordinated with the Florida Department of Environmental Protection so that mineral resources are conserved and used appropriately.
- Policy V.3.2 The City shall review any comments provided by the Water Management District concerning proposed subdivision plats regarding topographic, hydrologic and vegetative cover factors during the development review process in order to protect and conserve the natural functions of soils.
- Policy V.3.3 The City shall require that forest resources be managed, as provided in Silviculture Best Management Practices Manual, published by the Florida Department of Agriculture and Consumer Services, Division of Forestry, revision May 1990, for multiple uses of recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.
- OBJECTIVE V.4 The City shall, continue to identify as provided in the critical wildlife habitat policy of this element, and protect native wildlife and their habitats, including state and federally protected plant and animal species (endangered, threatened and species of special concern), within proposed development sites, and protect these natural resources from impacts of development by the use of the Florida Fish and Wildlife Conservation Commission Critical Wildlife Conservation Areas, Florida Natural Areas Inventory, and North Central Florida Strategic Regional Policy Plan Regionally Significant Natural Resources map series to identify habitats which potentially contain endangered, threatened or species of special concern, and rare or unique vegetative communities prior to granting development approval.
- Policy V.4.1 The City shall cooperate with the Florida Fish and Wildlife Conservation Commission in the monitoring and inventorying of wildlife and wildlife habitats within the City.
- Policy V.4.2 The City shall assist in the application and compliance with all federal and state regulations which pertain to endangered and rare species in coordination with the Florida Fish and Wildlife Conservation Commission and the Florida Natural Areas Inventory.
- Policy V.4.3 The City shall require the evaluation of impacts to endangered, threatened or species of special concern by requiring as a condition of permit approval of all proposed subdivisions of land into 25 or more lots and multi-family, commercial and industrial development of 50 acres or more a survey of the site for the presence of state and federally protected plant and animal species. If designated species are found on the site or would be affected by the development, a specific management plan will be required from the developer, including necessary modifications to the proposed development, to ensure the preservation of the designated

species and their habitat. The inventory and management plan shall be done in consultation with Florida Fish and Wildlife Conservation Commission, but final approval of the management plan shall be by the City.

Policy V.4.4

The City shall address, during the development review process, the mitigation of development activities within environmentally sensitive areas, which include but are not limited to those areas identified as environmentally sensitive areas, on the Future Land Use Plan Map of this Comprehensive Plan to ensure that the possible impacts created by the proposed development activity will not significantly alter the natural functions of these significant natural resources. All new development will maintain the natural functions of environmentally sensitive areas, including but not limited to wetlands and 100-year floodplains so that the long term environmental integrity and economic impact and recreation value of these areas is maintained.

Policy V.4.5

The developer of any proposed development which is equal to or greater than 20 acres and located within areas identified by the Florida Fish and Wildlife Conservation Commission as Strategic Habitat Conservation Areas shall be required to evaluate the impacts to endangered, threatened, or species of special concern and rare or unique vegetative communities; provided, however, if competent and substantial scientific evidence demonstrating that an endangered, threatened or species of special concern, wildlife habitat or rare and unique vegetative community is located within the area of any proposed development which is equal to or greater than 20 acres is presented to the City at the time of a preliminary plat or site and development plan is reviewed by the City, the developer shall evaluate the impacts on such habitats or communities. As a condition of permit approval of any proposed development within these areas, such evaluation shall consist of a survey of the development site conducted by the developer to identify the presence of any state and federally protected plant and animal species.

If protected species are found on the development site or would be affected by the development, a management plan shall be required from the developer, including necessary modifications to the proposed development, to ensure the preservation of the protected species and their habitat. The City shall require the use of best management practices for the conservation, appropriate use and protection of fisheries, wildlife and wildlife habitats, identify and protect native wildlife and their habitats, including state and federally protected plant and animal species (endangered, threatened and species of special concern), within proposed development sites and protect these natural resources from the impacts of development by the use of the Florida Fish and Wildlife Conservation Commission Strategic Habitat Conservation Areas maps, Florida Natural

Areas Inventory, and North Central Florida Strategic Regional Policy Plan Regionally Significant Natural Resources map series to identify habitats which potentially contain endangered, threatened or species of special concern, and rare or unique vegetative communities prior to granting development approval. Both the survey and the management plan shall be done in consultation with the Florida Fish and Wildlife Conservation Commission, but the final approval of the management plan shall be by the City.

- Policy V.4.6 The City shall continue to implement a program and set of standards to protect natural vegetative communities and listed species habitat from the adverse impacts of development. (*Amended Ord. 1226, 8-18-08*)
- Policy V.4.7 The City shall coordinate with federal, state and local agencies or nonprofit environmental organizations in managing natural areas and open spaces. (*Amended Ord. 1226, 8-18-08*)
- Policy V.4.8 The City shall develop and implement, in coordination with regulatory agencies, and the North Central Florida Regional Planning Council, a comprehensive management plan for public lands to restore or enhance the site's natural hydrology, degraded natural areas or removal of non-native vegetation. (*Amended Ord. 1226, 8-18-08*)
- Policy V.4.9 The City shall establish and maintain a conservation land management program aimed at increasing protection or enhancement of surface water quality by coordinating with regulatory agencies, and enhancing non-point pollution treatment on public lands to require swales in road right-of-way, install retention areas designed in a park like setting along new roadways, and design future facilities and structures to drain toward natural holding areas for pre-treatment. (*Amended Ord. 1226, 8-18-08*)
- OBJECTIVE V.5 The City, in order to protect significant natural resources in a manner which is in conformance with and furthers the North Central Florida Strategic Regional Policy Plan, as amended February 27, 2003, hereby adopts the following maps as they apply to the City as part of the Future Land Use Map Series of this Comprehensive Plan: (1) Regionally Significant Natural Resources – Ground Water Resources, dated July 17, 2001; (2) Regionally significant Natural Resources – Natural Systems, dated July 17, 2001; (3) Regionally Significant Natural Resources – Planning and Resource Management Areas, dated July 17, 2001; (4) Regionally Significant Natural Resources – Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated July 17, 2001; and (5) Regionally Significant Natural Areas – Surface Water Resources, dated July 17, 2001. The following policies provide direction for the use of these maps in applying the referenced policies of this Comprehensive Plan.

- Policy V.5.1 The map entitled Regionally Significant Natural Resources – Ground Water Resources, dated July 17, 2001, included within the Future Land Use Map Series, identifies groundwater resources for the application of the provisions of the high groundwater aquifer protection policy of the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of this Comprehensive Plan.
- Policy V.5.2 The map entitled Regionally Significant Natural Resources – Natural Systems, dated July 17, 2001, included within the Future Land Use Map Series, identifies listed species for the application of the provisions the critical wildlife habitat policy of this element.
- Policy V.5.3 The maps entitled Regionally Significant Natural Resources – Planning and Resource Management Areas, dated July 17, 2001, included within the Future Land Use Map Series, identifies publicly owned regionally significant lands for application of the provisions of the conservation land use policy of the Future Land Use Element of this Comprehensive Plan.
- Policy V.5.4 The maps entitled Regionally Significant Natural Resources – Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated July 17, 2001, included within the Future Land Use Map Series, identifies surface water management improvement water bodies for the application of the provisions of the surface water runoff policy of this element.
- Policy V.5.5 The map entitled Regionally Significant Natural Areas – Surface Water Resources, dated July 17, 2001, included within the Future Land Use Map Series, identifies surface water resources for the application of the provisions of the surface water protection policy of this element.

VI

RECREATION AND OPEN SPACE ELEMENT

INTRODUCTION

Recreation is the pursuit of leisure time activities in an outdoor or indoor setting. Open Space is land areas under public ownership, or in some instances privately owned buffer areas, which are designated to remain undeveloped. Both Recreation Facilities and Open Space are necessary in order to provide the citizens, residents and visitors to the City with various opportunities and an environment which serves to balance and improve the overall human quality of life. Achieving the proper relationship in size, number, type, and location of different park, recreation, and open space facilities and areas in conjunction with the population shall be determined year by year by the City in direct response to whatever various park and recreation opportunities or activities would best serve the needs of the local and/or regional population. Since the designation and acquisition of lands to serve the park and recreation needs of the community is the foundational component necessary for implementation, the primary purpose of this plan element shall be to ensure that an adequate land area is maintained in proportion to the population of the City.

Data collected for this plan element and its analysis, contained in the City’s Data and Analysis document, is not part of this plan element, but provides a basis for its formulation.

The following goal, objectives and policies for recreation and open space, establishes the quantity of necessary land areas within the incorporated city limits of the City of Live Oak, Florida, which will serve the different park and recreation needs for the City, including: Natural Reservations, Parks and Playgrounds, Parkways, Beaches and Public Access to Beaches, Open Spaces, Waterways, and Other Recreational Facilities. The level of service standards established within the policies provide guidelines for determining the acceptable quantities of recreational and open space land areas for the City’s population.

Within these level of service standard policies, “population” is the population of the City, and “land area in acreage” is considered any publically owned lands which are available to the public at large. (*Amended Ord. 1275, 5-25-10*)

GOAL, OBJECTIVES AND POLICIES

GOAL VI – ENSURE THE PROVISION AND MAINTENANCE OF RECREATION FACILITIES AND OPEN SPACE FOR CITIZENS AND VISITORS AND ACCESS TO THESE FACILITIES FOR ALL PERSONS, REGARDLESS OF SPECIAL NEED OR CONDITION.

OBJECTIVE VI.1 The City shall annually assess the needs for certain recreational and open space acreage. (*Amended Ord. 1275, 5-25-10*)

Policy VI.1.1 The assessment shall be conducted prior to the annual budgeting process, and the annual Capital Improvements Element update; and

shall be determined using data, analysis, reports and communiqué from: The Suwannee County Parks and Recreation Department and/or Recreation Board, city staff, elected officials and the general public. (*Amended Ord. 1275, 5-25-10*)

OBJECTIVE VI.2 The City shall continue to provide vehicular and pedestrian access to City-owned designated recreation and open space facilities and lands. (*Amended Ord. 1275, 5-25-10*)

Policy VI.2.1 The City shall establish provisions to ensure adequate vehicular and pedestrian access is being provided.
(*Amended Ord. 1275, 5-25-10*)

OBJECTIVE VI.3 The City, using its own tracking charts, and in collaboration and conjunction with data, reports and input provided by the Suwannee County Parks and Recreation Department, and/or Recreation Board, shall maintain accurate recreation and open space area inventories so that accurate levels of service can be determined.
(*Amended Ord. 1275, 5-25-10*)

Policy VI.3.1 The City shall establish cooperative policies with other units of government including: Suwannee County, the Florida Department of Environmental Protection, Water Management District, Suwannee County School Board, and community organizations, to accurately maintain recreation and open space area inventories, in order to determine the need for additional areas. Additionally, for easier identification and tracking, all lands which are part of this inventory shall be designated under the Recreation and Open Space classification on the City’s Future Land Use Plan Map.
(*Amended Ord. 1275, 5-25-10*)

Policy VI.3.2 Reserved (*Amended Ord. 1275, 5-25-10*)

Policy VI.3.3 Reserved (*Amended Ord. 1275, 5-25-10*)

Policy VI.3.4 Reserved (*Amended Ord. 1226, 8-18-08*),
(*Amended Ord. 1275, 5-25-10*)

OBJECTIVE VI.4 The City shall establish requirements within the Land Development Regulations to implement policy which requires all new development to contribute as a funding source for Recreation and Open Space lands and/or facilities.
(*Amended Ord. 1275, 5-25-10*)

Policy VI.4.1 The City’s Land Development Regulations shall require all new development or redevelopment requiring plan review and permitting, and new subdivision or re-subdivisions requiring construction improvements/plat review and approval, to be

assessed a certain percentage of the value of any construction or improvements, as part of fees collected by the City at permit issuance, or subdivision plat approval, said funds to be deposited into a designated recreation and open space fund for improvements or expansion to the inventory of recreation and open space lands and/or facilities. *(Amended Ord. 1275, 5-25-10)*

Policy VI.4.2 Reserved *(Amended Ord. 1275, 5-25-10)*

OBJECTIVE VI.5 The City hereby adopts and shall maintain a Master Greenway Trail Map, Illustration A-XIII, including existing and proposed recreational trail systems and conservation greenways, to link existing and new open space and outdoor recreational acres together. Land acquisition efforts will focus on continuing to establish new linkages and enhancing existing greenways and recreation trail systems, including acquiring land for destination activities and trailheads. *(Amended Ord. 1226, 8-18-08)*

Policy VI.5.1 Land acquisition and conservation easement efforts will focus on continuing to establish new linkage and enhancing existing greenways and recreation trail systems, including acquiring land for destination outdoor recreation activities and trailheads. *(Amended Ord. 1226, 8-18-08)*

OBJECTIVE VI.6 The City shall continue to coordinate the expansion of, or increase in the area of, lands to be designated for Recreation and/or Open Space Facilities, by scheduling the acquisition of lands so that the inventory is concurrent with adopted level of service standards. *(Amended Ord. 1275, 5-25-10)*

Policy VI.6.1 The City hereby establishes the following level of service standards for recreation and open space lands and/or facilities.

FACILITY or AREA DESIGNATION	LEVEL OF SERVICE STANDARD
Nature Reserve	.50 acres per 1,000 population.
Neighborhood Parks with Playgrounds	.50 acres per 1,000 population.
Regional/Community Parks	1.0 acres per 1,000 population.

Parkway	No parkways are located within the City Limits therefore the threshold is not applicable.
Beaches and public access to beaches	No beaches are located within the City Limits therefore the threshold is not applicable.
Open Spaces	1.0 acres per 1,000 population.,
Waterways	No waterways are located within the City Limits therefore the threshold is not applicable.
Other Multi-Function Recreational Areas or Facilities	4.0 acres per 1,000 population. <i>(Amended Ord. 1275, 5-25-10)</i>

Policy VI.6.2 The City shall, through the annual capital improvements budgeting process, identify funding sources to correct or improve existing deficiencies in City-owned park and open space lands and/or recreation facilities, in accordance with the level of service standards contained herein. *(Amended Ord. 1275, 5-25-10)*

OBJECTIVE VI.7 The City shall establish requirements within the Land Development Regulations to provide for open space buffer areas between differing classifications of uses which are proposed to abut one another. *(Amended Ord. 1275, 5-25-10)*

Policy VI.7.1 The City's Land Development Regulations shall require, as part of the development review process, that a new use classification proposed to abut an existing use of a differing classification, to provide for open space buffering, to include required buffering components within these spaces, according to certain criteria adopted; said buffering to be scaled accordingly depending upon the nature and assignment of the differing classification. *(Amended Ord. 1275, 5-25-10)*

VII

INTERGOVERNMENTAL COORDINATION ELEMENT

INTRODUCTION

This plan element establishes a goal with corresponding planning policies for the purpose of coordinating with adjacent local governments and with regional and state agencies in matters relating to the overall Comprehensive Plan of the City.

Data collected for this plan element identifies the process of intergovernmental coordination. Its corresponding analysis reviews the effectiveness of the intergovernmental coordination instruments which are in force to implement agreements for services between the City and its governmental counterparts. This data and its corresponding analysis, contained in the Data and Analysis report, are not part of this plan element but provided a basis for its formulation.

The following goals, objectives and policies provide guidelines for coordination between the City and adjacent local governments and other governmental and service agencies.

INTERGOVERNMENTAL COORDINATION GOALS, OBJECTIVES AND POLICIES

GOAL VII – ESTABLISH PROCESSES AMONG THE VARIOUS GOVERNMENTAL ENTITIES TO ACHIEVE COORDINATION OF COMPREHENSIVE PLANNING, PROMOTE COMPATIBLE DEVELOPMENT, PROVIDE PUBLIC SERVICES AND PROMOTE THE EFFICIENT USE OF AVAILABLE RESOURCES AMONG GOVERNMENTAL ENTITIES.

OBJECTIVE VII.1 The City, shall coordinate its comprehensive planning with the School Board, Water Management District, adjacent local government comprehensive plans, and other units of local government providing services, but not having regulatory authority over the use of the land.

Policy VII.1.1 The City shall establish a procedure, as part of the Comprehensive Plan review and amendment process, that all plan amendments proposed within the Comprehensive Plan are coordinated with adjacent local governments, the School Board, Water Management District, Regional Planning Council, state and other units of local government providing services but not having regulatory authority over the use of land.

Policy VII.1.2 The City shall use the Regional Planning Council’s informal mediation process to resolve conflicts with other units of government.

- Policy VII.1.3 The City shall establish interlocal agreements for the provision of services across jurisdictional boundaries, if the City chooses to establish a service area outside the City limits.
- Policy VII.1.4 The City shall coordinate its comprehensive planning with the School Board pursuant to the Interlocal Agreement for Public School Facility Planning by reviewing and commenting on the Five-Year Facilities Work Program of the School Board annually; reviewing and commenting on the Educational Plant Survey of the School Board; providing growth and development trend reports to the School Board annually; reviewing and commenting on future school sites for consistency with the Comprehensive Plan; providing notification of Comprehensive Plan amendments, rezonings, and development proposals to the School Boards; considering co-location and shared use opportunities for community facilities with the School Board; providing applications for residential development to the School Board for a determination of whether there is adequate school capacity to accommodate the proposed residential development; and jointly evaluating with the School Board proportionate share mitigation options if school capacity is not available. (*Amended Ord. 1212, 7-8-08*)
- OBJECTIVE VII.2 The City shall provide adjacent units of local government, the Water Management District, the School Board, the Regional Planning Council and the Florida Department of Community Affairs the opportunity to comment on Comprehensive Plan amendments.
- Policy VII.2.1 The City shall, as part of the subdivision, multi-family, commercial and industrial review process, review the relationship of proposed development to the existing Comprehensive Plans of adjacent local governments.
- Policy VII.2.2 The City shall, as part of the monitoring and evaluation process of the Comprehensive Plan, review the relationships of development provided for in the Comprehensive Plan to the existing Comprehensive Plans of adjacent local governments.
- Policy VII.2.3 The City’s administrative officer shall provide preliminary plats, and permit plans for multi-family, commercial and industrial development within the City for review and comment to adjacent local governments when the development is within two (2) miles of the adjacent local government’s political boundary.

OBJECTIVE VII.3	The City shall continue to coordinate the establishment and amendment of level of service standards for public facilities with state and local entities having operational and maintenance responsibility for such facilities prior to the adoption or any amendment of such level of service standards. In addition, the City shall request from the Florida Department of Transportation a copy of its Annual Level of Service Analysis Report for all state roadways within the City.
Policy VII.3.1	The City, as part of the Comprehensive Plan monitoring and evaluation process, shall coordinate amendments of any level of service standards with appropriate state, regional and local agencies, such as the Florida Department of Transportation, Florida Department of Environmental Protection, the Water Management District, the Regional Planning Council, adjacent local governments and the School Board prior to such amendment.
OBJECTIVE VII.4	The City, shall coordinate with the Water Management District regarding all development proposals with the potential for impacting the water resources of the City. Subdividers shall provide construction plans for review and comment by the Water Management District, prior to the construction plan approval of the City.
Policy VII.4.1	The City, through the development review process, shall coordinate all proposed subdivisions with the Water Management District for all such subdivision proposals within the watershed of any designated Surface Water Management and Improvement Act priority water body at the preliminary plat stage and prior to the construction plan stage of the subdivision.
OBJECTIVE VII.5	The City, shall ensure that the impacts of development proposed in the Comprehensive Plan are coordinated with development in the county, region and state.
Policy VII.5.1	The City, through the development review process, shall coordinate with the County, regional agencies and state agencies to ensure that impacts of development proposed in the comprehensive Plan are consistent and compatible with adjacent development.
OBJECTIVE VII.6	The City shall upon adoption of this objective, coordinate the Comprehensive Plan with the School Board Educational Facilities Plan.

Policy VII.6.1

Until such time as interlocal agreement is adopted by the City and the School Board in accordance with the requirement of Chapter 163, Part II and Chapter 1013, Florida Statutes, the following procedure shall be used to ensure intergovernmental coordination with the School Board for the location of educational facilities within the City:

1. Upon receipt of a written notice from the School Board informing the City of the acquisition or leasing of property to be used for new public educational facilities, the City shall notify the School Board within 45 days as to the consistency of the site with the Comprehensive Plan; and
2. Subsequent to a request by the School Board for a Comprehensive Plan determination, the City shall determine the consistency, with the Comprehensive Plan, of any proposed educational capital improvement projects.

Policy VII.6.2

Until such time as an interlocal agreement is adopted by the City and the School Board in accordance with the requirements of Chapter 163, Part II and Chapter 1013, Florida Statutes, the following procedure shall govern the collaborative planning program and decision making concerning population projections and public school siting between the City and the School Board:

1. Upon receipt of the annual report specified in Chapter 1013 Florida Statutes, whereby the School Board would notify the City of any additions to the School Board Educational Facilities Plan, the City shall respond to the receipt of said plan within 45 days; and
2. The City shall coordinate population estimates and projections with the School Board at a minimum once each year as part of the review of the Five-Year School Facilities Plan.

Policy VII.6.3

In order to address the extension of public facilities to existing or new schools, subject to concurrency, all expansions or new construction of public, charter and private schools shall be subject to site and development plan review and approval.

Policy VII.6.4

In order to coordinate the effective and efficient provision and siting of educational facilities with associated infrastructure and services within the City, representatives of the City and the School Board shall meet by the end of the year 2003 to develop mechanisms for coordination of educational facilities planning.

Policy VII.6.5

The City shall focus on the following coordinating mechanisms when discussing the interlocal agreement, required by Chapter 163, Part II and Chapter 1013, Florida Statutes, with the School Board:

1. Coordinate the review of the annual update of the Capital Improvements Element of the City and the annual educational facilities report and Five-Year School Facilities Plan of the School Board;
2. Coordinate the review and assessment of the associated costs and expenditures of siting and developing schools with needed public infrastructure;
3. Coordinate the review of land uses that increase residential density;
4. Use a unified data base, including population forecasts (student population), land use and facilities; and
5. Use recreational and physical plant facilities in a manner which fosters the coordination of use of the facilities consistent with their multi-function design.

OBJECTIVE VII.7

The City shall provide all other units of local government located within the County, the opportunity to comment on the siting of facilities with countywide significance, including locally unwanted land uses.

Policy VII.7.1

The City, as part of the development review process, shall review the relationship of any facilities with county-wide significance, including locally unwanted land uses, to the existing comprehensive plans of all other units of local governments located within the County.

OBJECTIVE VII.8

All development shall be located in a manner which does not diminish the level of service of the City's public facilities less than the level of service standard established within the Comprehensive Plan.

Policy VII.8.1

In order to coordinate the effective and efficient provision and siting of high density and high intensity developments within the City, the City shall endeavor to coordinate facilities planning with the County and the School Board.

- OBJECTIVE VII.9 The City shall establish a technical advisory committee to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.
- Policy VII.9.1 The technical advisory committee shall be comprised of appropriate City staff representatives. In addition, the City shall also invite staff representatives from the County to participate as members of the technical advisory committee. The technical advisory committee shall be responsible for making recommendation to the appropriate local governing bodies concerning annexation, municipal incorporation, joint infrastructure service areas and other related joint planning issues.
- Policy VII.9.2 The City shall use the informal mediation process of the Regional Planning Council to resolve annexation issues with the County.
- Policy VII.9.3 The City shall work with the County to encourage annexation to meet the criteria for “urban in character” as specified within Chapter 171, Florida Statutes in effect on January 1, 2003.
- Policy VII.9.4 The City shall work with the County, where an urban services report is required by Chapter 171, Florida Statutes in effect on January 1, 2003, for annexation. Such report shall address the fiscal issues related to urban services for residents within the Designated Urban Development Areas as designated on the Future Land Use Plan Map of the Comprehensive Plan that are not yet annexed by the City, to minimize the time that one jurisdiction is providing services to an area for which it is not receiving revenue.
- Policy VII.9.5 The City shall coordinate level of service standards with the County for those services provided by the City within the unincorporated area of the County.
- Policy VII.9.6 The City shall continue to coordinate with the County, as well as the Florida Department of Transportation to maintain level of service standards for shared roadways.
- Policy VII.9.7 The City shall coordinate with the County as well as the Florida Department of Environmental Protection to maintain level of service standards for County recreational facilities within the City and state recreational facilities within the City.

Policy VII.9.8

The City shall coordinate with the County to resolve planning issues within the Designated Urban Development Area as designated on the Future Land Use Plan Map of the Comprehensive Plan.

Policy VII.9.9

The City shall coordinate planning efforts with the County for the provision of centralized potable water, sanitary sewer, drainage improvements and recreation facilities within the Designated Urban Development Area as designated on the Future Land Use Plan Map of the Comprehensive Plan.

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VIII

CAPITAL IMPROVEMENTS ELEMENT

INTRODUCTION

The following goals, objectives and policies for capital improvement provide the basis of strategic planning for the financing and construction of certain capital improvements.

Data collected for this plan element and its analysis, contained in the City's Data and Analysis document, are not part of this plan element, but provide a basis for its formulation.

This element is not intended, in and of itself, as a full-scale capital improvement program for the City because it considers only public facilities planned for under the requirements of Chapter 163, Florida Statutes, Part II and Rule 9J-5, Florida Administrative Code, as amended.

CAPITAL IMPROVEMENTS GOAL, OBJECTIVES AND POLICIES

GOAL VIII – THE CITY SHALL ANNUALLY ADOPT AND IMPLEMENT A FINANCIALLY FEASIBLE CAPITAL IMPROVEMENTS PROGRAM WHICH COORDINATES THE TIMING AND PRIORITIZES THE DELIVERY OF THE NEEDS ADDRESSED WITHIN THE OTHER ELEMENTS OF THIS COMPREHENSIVE PLAN. (*Amended Ord. 1251, 2-10-09*)

As defined in Section 163.3164 (23), Florida Statutes, financial feasibility means that sufficient revenues are currently available or will be available from committed funding sources for the first three years, or will be available from committed or planned revenue sources for years four and five of the Five-Year Schedule of Improvements to fund projects needed to maintain adopted level of service standards. (*Amended Ord. 1251, 2-10-09*)

OBJECTIVE VIII.1 The City shall continue to provide capital improvements to correct the existing and projected deficiencies as identified within the schedule of improvements and funding of this plan element, by adopting an annual financially feasible capital improvements budget which is consistent with the schedule of improvements and funding. (*Amended Ord. 1251, 2-10-09*)

Policy VIII.1.1 The City shall establish as part of the annual budgeting process the following criteria for the evaluation of proposed capital improvement projects:

Criteria

1. The City shall assess the level of service for the public facilities which have adopted level of service standards established by the

Comprehensive Plan, on an annual basis, prior to or concurrent with the City's budget process;

2. The City shall schedule only those projects which are consistent with the goals, objectives and policies of this Comprehensive Plan and which do not exceed the City's fiscal capability;
3. The City shall identify those existing or projected public facility needs, which occur or are projected to occur, due to deficiencies in the maintenance of adopted levels of service standards;
4. The capital improvement projects which are identified as eminently needed to protect the public health and safety shall be given the highest priority;
5. The capital improvements projects related to the maintenance and operation of existing facilities which, due to existing or projected needs, do not or are not expected to meet the adopted level of service standard for such facility shall be given the second order of priority;
6. The capital improvement projects with the greatest deficiencies based upon the established level of service standards within the Comprehensive Plan shall be given the third order of priority;
7. The capital improvement projects which, due to deficiencies based upon the established level of service standard within the Comprehensive Plan, are needed to provide public facilities to areas which have received development approval prior to the adoption of this Comprehensive Plan shall be given the fourth order of priority; and
8. All other capital improvement projects shall be given the fifth order of priority.

Policy VIII.1.2 The City, upon identification of a need for drainage facility improvements due to deficiencies based upon the established level of service standards within the Comprehensive Plan, shall coordinate plans for improvements with the Water Management District prior to scheduling such drainage facility improvement.

Policy VIII.1.3 The City shall review the effectiveness of the capital improvements planning program through the Procedure for Monitoring and Evaluation of the Capital Improvements Element, within this plan element.

Policy VIII.1.4 The City shall annually assess capacity of existing public facilities to address any existing or projected deficiencies in adopted level of service standards in order to prepare an annual update of the Five-Year Schedule of Improvements that identifies, schedules, and specifies finding for any capital improvement projects needed to maintain adopted level of service standards. (*Amended Ord. 1251, 2-10-09*)

OBJECTIVE VIII.2 The City shall require by 1991, that all decisions regarding the issuance of development permits to be consistent with the established level of service standards adopted for public facilities within the Comprehensive Plan.

Policy VIII.2.1 The City shall use level of service standards contained within the respective plan elements of this Comprehensive Plan in reviewing impacts of new development and redevelopment upon the provision of public facilities:

LEVEL OF SERVICE STANDARDS

TRAFFIC CIRCULATION LEVEL OF SERVICE STANDARDS

Establish Level of Service Standard at peak hour as defined within the Florida Department of Transportation’s 2002 Quality/Level of Service Standards Handbook for the following roadway segments within the City.

ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	AREA TYPE	LEVEL OF SERVICE
1	U.S. 90/Howard Street - W (From City of Live Oak west limits to U.S. 129/S.R. 51/ Ohio Avenue)	2-U	Principal Arterial	Urban	D
2	U.S. 90/Howard Street - E (From U.S. 129/S.R. 51/ Ohio Avenue to City of Live Oak east limits)	2-U	Principal Arterial	Urban	D
3	U.S. 129/S.R. 51/Ohio Avenue (From City of Live Oak north limits to intersection of S.R. 51/11 th Street)	4-D	Principal Arterial	Urban	D
4	U.S. 129/Ohio Avenue (From City of Live Oak south limits to S.R. 51/11 th Street)	2-U	Principal Arterial	Urban	D
5	C.R. 287795/C.R. 249/Houston Avenue (From City of Live Oak north limits to U.S. 90/ Howard Street)	2-U	Urban Collector	Urban	D

6	S.R. 51 (From City of Live Oak west southwest limits <u>through the Round-A-Bout</u> to U.S. 129/Ohio Avenue)	2-U	Minor Arterial	Urban	D
7	C.R. 249/Nobles Ferry Road (From City of Live Oak north <u>northwest</u> limits to C.R. <u>283795</u> /Houston Avenue)	2-U	Urban Collector	Urban	D
8	C.R. 136/Duval Street (From City of Live Oak east limits to U.S. 129/S.R. 51/ <u>Ohio Avenue</u>)	2-U	Urban Collector	Urban	D
9	C.R. 136/11th Street (From City of Live Oak west limits to S.R. 51 and Walker Avenue <u>at the Round-A-Bout</u>)	2-U	Urban Collector	Urban	D
10	C.R. 10A/Helvenston Street (From City of Live Oak east limits to U.S. 129/S.R. 51/Ohio Avenue)	2-U	Urban Collector	Urban	D
11	Walker Avenue and Winderweedle Street (From U.S. 90/ <u>Howard Street north on Walker Street to the intersection with Winderweedle Street, then east</u> to U.S. 129/S.R. 51/ <u>Ohio Avenue</u>)	2-U	Urban Collector	Urban	D
12	C.R. 258/Pinewood Drive (From S.R. 51 to U.S. 129/Ohio Avenue)	2-U	Urban Collector	Urban	D
13	Georgia Avenue and Fir Street (From C.R. 136/ <u>Duval Street</u> to U.S. 129/S.R. 51/Ohio Avenue)	2-U	Urban Collector	Urban	D
14	Lee Avenue (From C.R. 136/Duval Street to Helvenston Street)	2-U	Urban Collector	Urban	D
15	Parshley/7th Street and Woods Avenue (From U.S. 129/S.R. 51/ <u>Ohio Avenue on Parshley Street west to Woods Avenue, then north to U.S. 90/Howard Street</u>)	2-U	Urban Collector	Urban	D
16	Walker Avenue (From U.S. 90/ <u>Howard Street</u> to C.R. 136/11 th Street)	2-U	Urban Collector	Urban	D

17	C.R. 283/Houston Avenue (From U.S. 90/ Howard Street to S.R. 51/11 th Street)	2-U	Urban Collector	Urban	D
18	White Avenue (From C.R. 10A /Helvenston Street to U.S. 90/ Howard Street)	2-U	Urban Collector	Urban	D
19	Railroad Avenue and Miller Street (From U.S. 90/ Howard Street south to Miller Street, then west to U.S. 129/Ohio Avenue)	2-U	Urban Collector	Urban	D

SANITARY SEWER LEVEL OF SERVICE STANDARDS

<u>FACILITY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
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Individual Septic Tank	Standards as specified in Chapter 64E-6 Florida Administrative Code, in effect on January 1, 2006.
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City of Live Oak Community Sanitary Sewer System	134 gallons per capita per day
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SOLID WASTE DISPOSAL LEVEL OF SERVICE STANDARDS

<u>FACILITY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
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Solid Waste Landfill	0.64 tons per capita per year
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DRAINAGE LEVEL OF SERVICE STANDARDS

For all projects which fall totally within a stream or open lake watersheds, detention systems must be installed such that the peak rate of post-development run off will not exceed the peak rate of predevelopment run off for storm events up through and including either:

1. A design storm with a 10 year, 24-hour rainfall depth with Soil Conservation Service Type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation or recreational uses; or
2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation or recreational issues.

All other storm water management projects shall adhere to the standards as specified in Chapter 62-25, Florida Administrative Code (Rules of the Florida Department of Environmental Regulation) and Chapter 40B-4, Florida Administrative Code (Rules of the Suwannee River Water Management District) in effect on January 1, 2006.

Any development exempt from Chapter 62-25, Florida Administrative Code, and which is adjacent to, or drains into a surface water, canal, or stream, or which empties into a sinkhole, shall first allow the run off to enter a grassed swale or other conveyance designed to percolate 80 percent of the runoff from a three year, one hour design storm within 72 hours after a storm event.

POTABLE WATER LEVEL OF SERVICE STANDARDS

<u>FACILITY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
Private individual water wells	Standards as specified in Chapter 62-22 Florida Administrative Code, in effect on January 1, 2006.
City of Live Oak Community Potable Water System	164 gallons per capita per day

RECREATION AND OPEN SPACE LANDS AND/OR FACILITIES LEVEL OF SERVICE STANDARDS

FACILITY or AREA DESIGNATION	LEVEL OF SERVICE STANDARD
Nature Reserve	.50 acres per 1,000 population.
Neighborhood Parks with Playgrounds	.50 acres per 1,000 population.
Regional/Community Parks	1.0 acres per 1,000 population.
Parkway	No parkways are located within the City Limits therefore the threshold is not applicable.

Beaches and public access to beaches	No beaches are located within the City Limits therefore the threshold is not applicable.
Open Spaces	1.0 acres per 1,000 population.
Waterways	No waterways are located within the City Limits therefore the threshold is not applicable.
Other Multi-Function Recreational Areas or Facilities <i>(Amended Ord. 1275, 5-25-10)</i>	4.0 acres per 1,000 population.

PUBLIC SCHOOL FACILITIES LEVEL OF SERVICE STANDARDS

<u>ACTIVITY</u>	<u>LEVEL OF SERVICE STANDARD</u>
Elementary	100 percent of permanent Florida Inventory of School Houses capacity as adjusted by the School Board annually to account for measurable programmatic changes.
Middle	100 percent of permanent Florida Inventory of School Houses capacity as adjusted by the School Board annually to account for measurable programmatic changes.
Middle/High	100 percent of permanent Florida Inventory of School Houses capacity as adjusted by the School Board annually to account for measurable programmatic changes.
High	100 percent of permanent Florida Inventory of School Houses capacity as adjusted by the School Board annually to account for measurable programmatic changes. <i>(Amended Ord. 1212, 7-8-08; 1273, 1-12-10)</i>

Policy VIII.2.1.5 Reserved *(Amended Ord. 1226, 8-18-08 & 1275, 5-25-10)*

- Policy VIII.2.2 The City shall require that public facilities which serve such development have a capacity which meets or exceeds the adopted level of service standard at the time the development permit is issued.
- OBJECTIVE VIII.3 The City shall, include subdivision improvement standards within the Land Development Regulations which require that the subdivider, at his or her expense, shall provide paved streets, street name signs, storm water facilities, and where community sanitary sewer and potable water service is available, shall install sanitary sewer, water mains and fire hydrants connected to the mains.
- Policy VIII.3.1 The City shall require that all proposed subdivisions which include an existing street shall be required to improve the street to conform to the standards established within the Land Development Regulations.
- OBJECTIVE VIII.4 The City shall maintain an annual capital improvements budgeting process to manage the fiscal resources of the City, so that needed capital improvements, identified within the Comprehensive Plan, are provided for existing and future development and re-development.
(Amended Ord. 1251, 2-10-09)
- Policy VIII.4.1 The City shall incorporate within the City's annual budgeting process, a financially feasible capital improvements budget which addresses the needed projects found in the schedule of improvements and funding of this plan element. *(Amended Ord. 1251, 2-10-09)*
- Policy VIII.4.2 The City shall limit the issuance of development orders and permits to areas where the adopted level of service standards for the provision of public facilities found within the Comprehensive Plan are maintained. This provision also includes areas where development orders were issued prior to the adoption of the Comprehensive Plan.
- Policy VIII.4.3 The City shall establish a policy as part of the annual capital improvements budgeting process to issue revenue bonds only when the maximum total of the annual payment for all revenue bonds does not exceed 20 percent of the City's annual non-ad valorem operating revenues.
- Policy VIII.4.4 The City shall establish a policy as part of the annual capital improvements budgeting process to request issuance of general obligation bonds only when the maximum general obligation bonding capacity does not exceed 20 percent of the property tax base.
- Policy VIII.4.5 The City shall apply for federal or state grant funding for projects which recognize the policies of other elements of this Comprehensive Plan whenever available and where it has been determined that the City has

competitive standing in any ranking process for determining program award.

Policy VIII.4.6 The City shall limit any extension of public facility geographic service areas to the adjacent designated urban development area as shown in Illustration A-XII.

Policy VIII.4.7 The City shall replace or renew community facility plants damaged due to flood only where such facility can meet minimum requirements for flood proofing.

Policy VIII.4.8 During each required annual update to the Capital Improvements Element of the Comprehensive Plan, the City shall utilize the applicable data and language found in the most recent adopted version of the Five-Year District Facilities Work Program or Plan, as approved by the Suwannee County School Board, in determining level of service standards, implementation of the schedule of improvements, and illustrations. *(Adopted Ord. 1273, 1-12-10)*

IMPLEMENTATION

FIVE-YEAR SCHEDULE OF IMPROVEMENTS

The Five-Year Schedule of Improvements shown in Table VIII-1 shows the timing, location, projected cost and revenue sources for any capital improvement needs identified in the Data and Analysis Report 2010-2014 and the School District Five Year Work Plan 2009-2010 which, although not a part of this Plan, provides the basis for determining the economic feasibility of the projects listed.

TABLE VIII-1

FIVE YEAR SCHEDULE OF IMPROVEMENTS

2010 – 2014

PROJECT DESCRIPTION	SCHEDULE	PROJECTED COSTS	GENERAL LOCATION	REVENUE SOURCE	CONSISTENCY WITH OTHER ELEMENTS
None					

Source: Data and Analysis Report 2010-2014 and the School District Five Year Work Plan 2009-2010

(Amended Ord. 1212, 7-8-08; 1251, 2-10-09; 1273, 1-12-10)

**PROCEDURE FOR MONITORING AND
EVALUATION OF CAPITAL IMPROVEMENTS ELEMENT**

The role of monitoring and evaluation of the Capital Improvements Element is important to the effectiveness of the City's planning program. This is due to fluctuations in the revenues and expenditures of the City caused by shifting market and economic conditions.

Past revenues and expenditures of the City will be used to predict fiscal trends in order to maintain the City's adopted level of service standards for public facilities and recreation. Therefore, the Capital Improvements Element requires a continuous program for monitoring and evaluation. Pursuant to Chapter 163, Part II, Florida Statutes, this element will be reviewed on an annual basis to ensure that the fiscal resources are available to provide the public facilities needed to support the established level of service standards.

The annual review is the responsibility of the City's Local Planning Agency. City staff, designated by the City Administrator, will serve as advisory counsel to the Local Planning Agency dealing with all fiscal issues.

The Local Planning Agency shall consider the following points during the annual review to assist in the determination of findings and recommendations to the City Council;

- (1) The review of criteria used to evaluate capital improvement projects in order to ensure projects are ranked in their appropriate order of priority;
- (2) The City's effectiveness in maintaining the adopted level of service standards;
- (3) Impacts of the service provisions of other local, regional or state agencies upon the City's ability to maintain the adopted level of service standards;
- (4) Efforts by the City to secure grants or private funds, when available, to finance the provision of needed capital improvements;
- (5) Consideration of corrections, updates and modification concerning costs and revenue sources;
- (6) Consistency of the Capital Improvements Element with the other elements of the Comprehensive Plan and particularly its support of the Future Land Use Element;
- (7) The City's ability to provide public facilities within respective geographic service areas in order to determine any need for boundary modification or adjustment; and

- (8) The appropriateness of including within the 5-Year Schedule of Improvements those identified improvements needed for the latter part of the planning period.

The findings and recommendations of the Local Planning Agency will be transmitted to the City for review at a scheduled public hearing. Subsequent to review of the findings and recommendations of the Local Planning Agency, the City Council shall direct City staff to provide the Local Planning Agency with an updated 5-Year Schedule of Improvements and any drafts for amendments to the Capital Improvements Element as deemed necessary by the City Council.

The Local Planning Agency shall consider the annual amendment of the 5-Year Schedule of Improvements at the first scheduled date for consideration of amendments to the City's Comprehensive Plan. All amendments to the Schedule or elements except for corrections, updates and modifications concerning costs; revenue sources; acceptance of facilities pursuant to dedications which are consistent with the Plan; or date of construction of any facility enumerated in the Capital Improvements Element, shall be adopted in accordance with Chapter 163.3187, Florida Statutes, as amended.

CONCURRENCY MANAGEMENT SYSTEM

INTRODUCTION

Chapter 9J-5, Florida Administrative Code, requires the adoption of a concurrency management system to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. This concurrency management system is designed to ensure, that the adopted level of service standards required within this Comprehensive Plan for roads, potable water, sanitary sewer, solid waste, drainage and recreation and open space will be maintained.

The City has adopted policies within this Comprehensive Plan, which establish level of service standards for public facilities; the concurrency management system in turn provides a mechanism for which the City can ensure the maintenance of the standards concurrent with the impacts of development.

PURPOSE AND OVERVIEW

The City shall require a concurrency review be made with applications for development approvals and a Certificate of Concurrency issued prior to development. If the application is deemed concurrent, a Certificate of Concurrency will be issued by the Land Development Regulation Administrator. If the development requires any other development permit, a copy of the Certificate of Concurrency shall be included with any future application for a development permit. A separate concurrency review shall not be required for each development permit for the same project. Concurrency review addresses only the availability of public facilities and capacity of services and a Certificate of Concurrency does not represent overall development approval.

If the application for development is not concurrent, the applicant shall be notified that a certificate cannot be issued for the development. The burden of showing compliance with the adopted levels of service and meeting the concurrency test shall be upon the applicant.

The City shall review applications for development and a development approval shall be issued only if the proposed development does not lower the existing level of service of public facilities and services below the adopted level of service in this Comprehensive Plan.

The minimum requirements for concurrency within this management system are as follows:

These minimum requirements shall be ensured as follows:

1. For Sanitary Sewer, Solid Waste, Drainage and Potable Water Facilities

- (a) A development order or permit may be issued, subject to the condition that, at the time of issuance of a certificate of occupancy or its functional equivalent, if the necessary facilities and services are in place and available to serve the new development; or
- (b) At the time the development order or permit is issued, the necessary public facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place and available to serve new development at the time of the issuance of a certificate of occupancy or its functional equivalent.

2. For Parks and Recreation Facilities

- (a) At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or
- (b) A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the City, or funds in the amount of the developer's fair share are committed; and
 - (1) A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the City's adopted 5-Year Schedule of the Capital Improvements Element; or
 - (2) At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or
 - (3) At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

3. For Transportation Facilities

- (a) At the time a development order or permit is issued the necessary facilities and services are in place or under construction; or
- (b) A development order or permit is issued, subject to the condition that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction no more than three years after issuance of a building permit or its functional equivalent as provided in the City's 5-Year Schedule of the Capital Improvements Element. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation 5-year work program.
- (c) At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than three years after the issuance of a building permit or its functional equivalent; or
- (d) At the time a development order or permit is issued the necessary facilities and services are guaranteed on an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than three years after issuance of a building permit or its functional equivalent.

CONCURRENCY DETERMINATION PROCEDURES

A concurrency test shall be made of the following public facilities and services for which level of service standards have been established in this Comprehensive Plan, which are:

- (1) Traffic Circulation;
- (2) Sanitary Sewer;
- (3) Solid Waste;
- (4) Drainage;
- (5) Potable Water; and
- (6) Recreation and Open Space.

The concurrency test for facilities and services will be determined by comparing the available capacity of a facility or service to the demand created by the proposed project. Available capacity will be determined by adding together the total excess capacity of existing facilities and the total capacity of any new facilities which meet the previously defined concurrency standards and subtracting any capacity committed through concurrency reservations or previously approved development orders.

1. For development orders and permits, the following determination procedures shall apply;
 - a. If an applicant desires to determine whether there is sufficient capacity to accommodate their proposed project, the Land Development Regulation Administrator shall make an informal non-binding determination of whether there appears to be sufficient capacity in the public facilities and services to satisfy the demands of the proposed project.

If there appears to be insufficient capacity the Land Development Regulation Administrator shall then make a determination of what public facilities or services would be deficient if the proposed project were approved.
 - b. There are certain development approvals that are ineligible to receive concurrency reservation because they are too conceptual and consequently do not allow an accurate assessment of public facility impacts. These development approvals are land use amendments to the Comprehensive Plan and rezoning requests. Those development approvals shall receive a non-binding concurrency determination.
 - c. Any concurrency determination, whether requested as part of an application for development approval or without an application for development approval, is a non-binding determination of what public facilities and services are available at the date of inquiry. The issuance of a Certificate of

Concurrency Compliance shall be the only binding action, which reserves capacity for public facilities and services.

2. For roadways, the following determination procedures shall apply:
 - a. The City shall provide level of service information as set forth in the most recent Data and Analysis Report in support of the City's Comprehensive Plan. If this level of service information indicates a level of service failure, the applicant may either:
 - (1) Accept the level of service information as set forth in the most recent Data and Analysis Report supporting the City's Comprehensive Plan; or
 - (2) Prepare a more detailed Highway Capacity Analysis as outlined in the Highway Capacity Manual, Special Report 209 (1985) or a speed and delay study following the procedures outlined by the Florida Department of Transportation, Traffic Engineering Office in its Manual for Uniform Traffic Studies.
 - b. If the applicant chooses to do a more detailed analysis the:
 - (1) Applicant shall submit the completed alternative analysis to the Land Development Regulation Administrator for review; and
 - (2) Land Development Regulation Administrator shall review the alternative analysis for accuracy and appropriate application of the methodology.
 - c. If the alternative methodology, after review and acceptance by the Land Development Regulation Administrator, indicates an acceptable level of service, the alternative methodology shall be used in place of most recent data and analysis to support the City's Comprehensive Plan.
 - d. Any proposed development generating more than 750 trips a day shall be required to provide a trip distribution model, in addition to the requirements outlined above.
3. For sanitary sewer, solid waste, drainage, potable water, and recreation and open space, the following determination procedures shall apply:
 - a. The City shall provide level of service information as set forth in the most recent Data and Analysis Report in support of the City's Comprehensive Plan.
 - b. If such level of service information indicates that the proposed project would not result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was available.
 - c. If such level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the

date of application or inquiry.

CERTIFICATE OF CONCURRENCY COMPLIANCE

A Certificate of Concurrency Compliance shall only be issued upon final development approval. The Certificate of Concurrency Compliance shall remain in effect for the same period of time as the development order or permit granting final development approval. If the development approval does not have an expiration date, the Certificate of Concurrency Compliance shall be valid for twelve months from the date of issuance.

In such cases where there are competing applications for public facility capacity, the following order of priority shall apply:

1. Issuance of a building permit based upon previously approved development orders permitting redevelopment;
2. Issuance of a building permit based upon previously approved development orders permitting development;
3. Issuance of new development orders permitting redevelopment;
4. Issuance of new development orders permitting new development.

In conclusion, the following conditions apply to the City's Concurrency Management System:

1. Amendments to the Comprehensive Plan can be made twice each year and as otherwise permitted as small scale developments. In addition, changes can be made to the Capital Improvements Element by ordinance if the changes are limited to the technical matters Listed in Chapter 163, Part II, Florida Statutes.
2. No development order or development permit shall be issued which would require the City Council to delay or suspend construction of any of the capital improvements on the 5-Year Schedule of the Capital Improvements Element.
3. If by issuance of a development order or development permit a substitution of a comparable project on the 5-Year Schedule is proposed, the applicant may request the City to consider an amendment to the 5-Year Schedule in one of the twice annual amendment reviews.
4. The result of any development not meeting adopted level of service standards for public facilities shall be cessation of the affected development or the reduction of the standard for level of service (which requires an amendment to the Comprehensive Plan).

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IX

PUBLIC SCHOOL FACILITIES ELEMENT

INTRODUCTION

The School Facilities Element designates evaluation standards and methodologies for determining proportionate share mitigation for school capacity and future land development in the City. The purpose of this School Facilities Element is to ensure that a public school concurrency system is based upon consistent goals, objectives and policies using appropriate and relevant best available data in compliance with the requirements of Section 163.3177 (12), Florida Statutes. In accordance with this requirement, a uniform system of level of service standards, implementation requirements and proportionate share mitigation are established in this Public School Facilities Element. The data collected for this plan element and analysis of this data, contained in the City's Data and Analysis document, are not part of this plan element, but serve to provide a foundation and basis for the formulation of this Public School Facilities Element of the Comprehensive Plan.

The following goals and objectives provide for correction of existing deficiencies, ensure adequate school capacity for the five-year and long term planning periods, coordinate school location with residential development, ensure necessary supporting infrastructure, include options for proportionate-share mitigation and provide procedure for school site selection. An interlocal agreement between the City and the School Board allows for both the private and public sectors to feasibly plan for the logical provision of needed school facilities and services to the students of the City.

The following policies list the level of service standards for the City in conjunction with the Five-Year Schedule of Capital Improvements of the Capital Improvements Element of this Comprehensive Plan. Concurrency service areas are established on a less than district-wide basis along with service requirements. School capacity is determined by using the Florida Inventory of School Houses Capacity and is incorporated into considerations of future site development and school design. A process to implement school concurrency by providing capacity determination, availability standards, applicability standards, and proportionate-share mitigation outlines the procedures for evaluating the mitigation process concerning the effect that proposed developments may have on school capacity.

GOALS, OBJECTIVES AND POLICIES

GOAL IX.1 – IT IS THE GOAL OF THE CITY TO PROVIDE FOR THE FUTURE AVAILABILITY OF PUBLIC SCHOOL FACILITIES IN A MANNER CONSISTENT WITH ADOPTED LEVEL OF SERVICE STANDARDS. THIS GOAL SHALL BE ACCOMPLISHED IN ORDER TO PROVIDE ADEQUATE SCHOOL FACILITY CAPACITY, AS DETERMINED BY THE LEVEL OR SERVICE, ON A LESS THAN COUNTY-WIDE BASIS. THE IMPLEMENTATION OF SCHOOL CONCURRENCY WILL BE ACCOMPLISHED BY ADHERING TO AND RECOGNIZING THE CITY'S AUTHORITY IN LAND-USE DECISIONS, WHICH INCLUDE THE AUTHORITY TO

APPROVE OR DENY COMPREHENSIVE PLAN AMENDMENTS, REZONINGS, OR OTHER DEVELOPMENT ORDERS THAT GENERATE STUDENTS AND IMPACT THE SCHOOL SYSTEM AND THE SCHOOL BOARD'S STATUTORY AND CONSTITUTIONAL RESPONSIBILITY TO PROVIDE ADEQUATE PUBLIC SCHOOLS.

OBJECTIVE IX.1 Establish level of service standards in order to ensure that there is sufficient school capacity to support student growth for each year of the five-year planning period and for the long term planning horizon.

Policy IX.1.1 The level of service is defined as school enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses. The level of service standard is the maximum level of school utilization that will be permitted in the School District. The level of service is established for schools in the City, as follows:

(a) Elementary: 100 percent of permanent Florida Inventory of School Houses capacity as adjusted annually by the School Board to account for measurable programmatic changes;

(b) Middle: 100 percent of permanent Florida Inventory of School Houses capacity as adjusted annually by the School Board to account for measurable programmatic changes;

(c) Middle/High: 100 percent of permanent Florida Inventory of School Houses capacity as adjusted annually by the School Board to account for measurable programmatic changes;

(d) High: 100 percent of permanent Florida Inventory of School Houses capacity as adjusted annually by the School Board to account for measurable programmatic changes;

(Amended Ord. 1273, 1-12-10)

Policy IX.1.2 The adopted level of service standards shall become applicable commensurate with the adoption of this element of the Comprehensive Plan.

Policy IX.1.3 Individual schools should generally not operate in excess of the established level of service. Moreover, the issuance of final development orders for subdivision plats or site plans shall be strictly conditioned upon the availability of school capacity and the maintenance of the adopted level of service on a district-wide basis.

Policy IX.1.4

The level of service standards will be used to determine whether sufficient school capacity exists to accommodate future development projects, and evaluate the sufficiency of the Five-Year Schedule of Capital Improvements of the Capital Improvements Element. The Five-Year Schedule of Capital Improvements of the Capital Improvements Element shall be reviewed, updated and adopted annually thus ensuring that projects necessary to address existing deficiencies, and to meet future needs based upon the adopted level of service standards, are scheduled accordingly.

Policy IX.1.5

An annual Comprehensive Plan amendment shall include the addition of a new fifth year to the Five-Year Schedule of Capital Improvements of the Capital Improvement Element based upon the School District's financially feasible public schools facilities capital program and five-year facilities work plan. The School District shall provide to the City an updated five-year district facilities work plan no later than October 1 of each year and the City shall adopt the level of service capacity projects listed in the updated five-year district facilities work plan into the Capital Improvements Elements no later than December 1 of each year. The annual plan amendment shall ensure the Five-Year Schedule of Capital Improvements of the Capital Improvements Element continues to be financially feasible and the level of service standards continue to be achieved and maintained.

Policy IX.1.6

The City shall review the Public School facilities Element annually for potential amendments. Any potential amendments to the adopted level of service standards shall be considered annually, but no later than the second amendment cycle. The Initiating Party shall provide a memorandum to all involved parties – the School Board, County, and Municipalities – that includes a description of the proposed amendment, a statement concerning the impact of the proposed amendment on the Comprehensive Plan, and supporting data and analysis that demonstrates that the amendment is financially feasible and can be achieved and maintained over the five years of the School District's financially feasible public school facilities capital program. If there is consensus among all parties to amend the Public School Facilities Element, it shall be accomplished through an amendment to the Interlocal Agreement for Public School Facility Planning and the adoption of amendments to the Comprehensive Plan. The amendment shall not be effective until the amended Interlocal Agreement for Public School Facility Planning is fully executed by all parties and Comprehensive Plan amendments are adopted and found compliant.

OBJECTIVE IX.2

Establish the school concurrency service areas on a less than district-wide basis within which a determination can be made as to whether there is adequate school capacity available based on the adopted level of service standards. The concurrency service area shall maximize capacity utilization, taking into account transportation costs, limiting maximum student travel times, the effect of court-approved desegregation plans, achieving social economic, racial and cultural diversity objectives, and other relevant factors as determined by the School Board's policy on maximization of capacity. Other considerations for amending concurrency service areas may include safe access (including factors such as the presence of sidewalks, bicycle paths, turn lanes and signalization, and general walkability), diversity and geographic or man-made constraints to travel. The types of adjustments to school operations that will be considered shall be determined by the School Board's policies on maximization of capacity.

Policy IX.2.1

The City shall demonstrate that adopted level of service standards will be achieved and maintained on a less than district-wide basis within the period covered by the Five-Year Schedule of Capital Facilities Improvements and that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs and other relevant factors.

OBJECTIVE IX.3

Ensure that Comprehensive Plan amendments and other land use decisions are concurrently evaluated with school capacity availability within the concurrency area.

Policy IX.3.1

The City shall rely upon School Board findings and comments on the availability of school capacity when considering the decision to approve Comprehensive Plan amendments and other land use decisions as provided for in Section 163.3177 (6)(a), Florida Statutes.

Policy IX.3.2

The City shall identify methods to direct development to areas with adequate school capacity or where school sites adequate to serve potential growth have been donated to or set aside for purchase by the School Board in written agreements approved by the School Board.

Policy IX.3.3

In any instance where capacity will not be available to serve students to be generated by a development seeking approval and proportionate share mitigation is not an option, the school capacity deficiency will result in the denial of the proposal.

Policy IX.3.4

The School Board shall review potential new development student generation impacts and available school capacity. Where capacity will not be available to serve students generated by a proposed development and proportionate share mitigation is not an option, the School Board shall not issue a favorable concurrency determination. The City shall use lack of school capacity demonstrated by an unfavorable concurrency determination as a reason for denial.

OBJECTIVE IX.4

Ensure that the planning and construction of educational facilities are coordinated so that the timing is appropriate and the selected location is compatible with the surrounding area, concurrent with necessary service and infrastructure, and consistent with the Comprehensive Plan.

Policy IX.4.1

The City and School Board will jointly determine the need for and timing of on-site and off-site improvements (including water, sanitary sewer, roads and drainage) necessary to support each new school or the proposed renovation, expansion or closure of an existing school as provided for in the Interlocal Agreement for Public School Facilities Planning and will enter into a written agreement as to the timing, location, and the party or parties responsible for construction, operating and maintaining the required improvements. The City shall coordinate with the School Board so that proposed public school facility sites are consistent with the applicable land use designations and policies of the Comprehensive Plan, as well as the land development regulations of the applicable zoning districts. Pursuant to Section 1013.193, Florida Statutes, the City will consider each public school facility site plan as it relates to environmental concerns, health, safety and welfare, and effects on adjacent property. In addition, road capacity and traffic concerns will also be evaluated. The City will also continue to pursue the development of mutually acceptable guidelines for the selection of future school sites including, but not limited to:

- (a) Acquisition of school sites which allow for future expansions to accommodate future enrollment and other facility needs deemed beneficial for joint-uses, as identified by the School Board and the City;
- (b) Coordination of the location, phasing, and development of future school sites to ensure that site development occurs in conjunction with the provision of required infrastructure to serve the school facility; and

- (c) Preferences for residential, urban areas with allowances for rural sites as deemed necessary and appropriate under certain circumstances.

Policy IX.4.2

The City shall coordinate with the School District to evaluate and locate potential sites where the co-location of public facilities, such as parks, libraries and community centers, with schools can be selected and developed by the City and the School Board.

OBJECTIVE IX.5

Enhance community design through effective school facility design and siting standards. Encourage the siting of school facilities so that they are compatible with the surrounding land use.

Policy IX.5.1

The City shall implement and maintain mechanism designed to closely coordinate with the School Board long-range school facilities planning with the Future Land Use Map of the Comprehensive Plan and public school facilities programs, such as:

- (a) Greater efficiency for the School Board and the City by the placement of schools to take advantage of existing and planned roads, water, sewer, parks and drainage systems;
- (b) Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs;
- (c) The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; and
- (d) The expansion and rehabilitation of existing schools to support neighborhoods.

Policy IX.5.2

The City and School Board shall permit and encourage the joint-use of school sites and City facilities with similar facility needs, such as libraries, parks and recreation facilities and health care facilities. Also, the School Board shall coordinate with the City in the location, phasing and design of future school sites to enhance the potential of schools as recreation areas.

Policy IX.5.3

The City and the School Board shall coordinate the location of public schools with the Future Land Use Map of the Comprehensive Plan to ensure existing and proposed school facilities are located consistent with the existing and proposed residential areas that schools serve, are approximate to appropriate

existing and future land uses, and that schools serve as focal points within the community.

Policy IX.5.4 The City and the School Board shall coordinate emergency preparedness issues including, but not limited to, the use of school facilities as public shelters during emergencies.

Policy IX.5.5 The School Board shall provide bicycle and pedestrian access consistent with Florida Statutes on public school property. Bicycle access and trails to public schools should be incorporated in trail projects and programs that are currently scheduled by the City. The School Board shall provide parking and sidewalks on public school property in accordance with applicable land development regulations.

GOAL IX.2 – IT IS THE GOAL OF THE CITY TO ESTABLISH A PROCESS FOR THE IMPLEMENTATION OF SCHOOL CONCURRENCY BY PROVIDING FOR CAPACITY DETERMINATION STANDARDS, AVAILABILITY STANDARDS, APPLICABILITY STANDARDS AND PROPORTIONATE SHARE MITIGATION.

OBJECTIVE IX.6 Establish school capacity determination standards.

Policy IX.6.1 The School District shall determine whether adequate school capacity exists for a proposed development, based upon adopted level of service standards, concurrency service area and other standards stipulated in the Interlocal Agreement for Public School Facility Planning.

Policy IX.6.2 The School District shall conduct a concurrency review that includes findings and recommendations of whether there is adequate school capacity to accommodate the proposed development for each type of school within the concurrency service area consistent with the adopted level of service standards. The School District shall issue a concurrency determination based on the findings and recommendations.

OBJECTIVE IX.7 Establish school availability standards.

Policy IX.7.1 The City shall not deny a subdivision plat or site plan (or functional equivalent) for the failure to achieve and maintain the adopted level of service for public school capacity where:

- (a) Adequate school facilities will be in place or under actual construction within three years after the issuance of the final plat or site plan (or functional equivalent); or

- (b) 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 (or functional equivalent).

Policy IX.7.2

If the School District determines that adequate capacity will not be in place or under actual construction within three years after issuance of final plat or site plan approval and mitigation is not an acceptable alternative, the School District shall not issue a School Concurrency Determination. If the School District determines that adequate capacity does not exist, but mitigation, through proportionate share mitigation or some other means, the application will remain active pending the conclusion of the mitigation negotiation, as provided for within the Interlocal Agreement for Public School Facility Planning.

OBJECTIVE IX.8

Establish proportionate share mitigation alternatives which are financially feasible and will achieve and maintain the adopted level of service standards consistent with the School Board's financially feasible capital improvement program and five-year district facilities work plan.

Policy IX.8.1

In the event that mitigation is an acceptable alternative to offset the impacts of a proposed development, where the adopted level of service standards would otherwise be exceeded, the following options listed below, for which the School Board assumes operational responsibility through incorporation in the School Board's adopted financially feasible capital improvements program and five-year district facilities work plan and which will maintain the adopted level of service standards, shall include:

- (a) The contribution of land; or
- (b) The construction, expansion, or payment for land acquisition or construction of a public school facility; or
- (c) The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.

Policy IX.8.2

Proposed mitigation shall be directed toward a permanent capacity improvement identified in the School Board's financially feasible capital improvements program and five-year district facilities work plan. Consideration may be given by the School Board to place an additional improvement required for mitigation in its capital improvement program and five-year district facilities work plan.

The proposed mitigation must satisfy the demand created by the proposed development consistent with the adopted level of service standards or identified as an amendment to the School Board's adopted capital improvement program and five-year district facilities work plan. Portable classrooms shall not be accepted as mitigation.

Policy IX.8.3

Mitigation shall be directed to projects on the School Board's adopted financially feasible capital improvements program and five-year district facilities work plan that the School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreements between the School Board, the City and the applicant, executed prior to the issuance of the final play approval, site plan approval, or functional equivalent. If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in its financially feasible capital improvement program and five-year district facilities work plan.

Policy IX.8.4

The process to determine proportionate share mitigation shall be in accordance with the procedure outlined in the Interlocal Agreement for Public school Facility Planning. The applicant's proportionate share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

Policy IX.8.5

The School District shall annually review and update student generation multipliers for single-family, multi-family and mobile home housing types for elementary, middle and high schools, based upon the best available district-specific data; cost per student estimates for elementary, middle and high schools, that include all cost of providing instructional and core capacity including land, design, buildings, equipment and furniture, and site improvements while the cost of ancillary facilities that generally support the school district and the capital costs associated with the transportation of students shall not be included in the cost per student estimate used for proportionate share mitigation; capacity of each school, and current and reserved enrollment of each school in accordance with professionally accepted methodologies.

Policy IX.8.6

The School District shall review and update student enrollment projections in accordance with professionally accepted methodologies on an annual basis.

- OBJECTIVE IX.9 Ensure that existing and planned public school facilities are coordinated with plans for supporting infrastructure and have safe access, including sidewalks, bicycle paths, turn lanes, and signalization.
- Policy IX.9.1 The City shall maximize efficient use of existing and planned infrastructure by coordinating with the School District future school sites that take advantage of existing and planned roads, potable water, sanitary sewer, parks and drainage systems.
- Policy IX.9.2 The City shall ensure safe student access to school sites by coordinating the construction of new residential developments, expansion of existing residential developments and redevelopment or revitalization of existing residential developments with safe road and sidewalk connections to public schools.
- Policy IX.9.3 The City shall coordinate bicycle access to public schools by requiring new residential developments adjacent to existing and proposed school sites, other than age restricted residential developments, to include pedestrian connections between any sidewalk network within the residential development and adjacent school site.
- Policy IX.9.4 The City shall work with the School Board to determine responsibility for the costs and construction of any needed off-site improvements for new public school facilities, such as signalization, installation of deceleration lanes, roadway striping for crosswalks, safe directional/warning signage and installation of sidewalks.

APPENDIX A

ILLUSTRATION MAPS

Illustration Maps regarding Existing and Planned Public School Facilities are found in the Appendices Section, under Appendix A-XIV to A-XVII.

APPENDIX B

DEFINITIONS

CAPACITY:	“Capacity” as defined by the Florida Inventory of School Houses Manual.
CLASSROOM:	An instructional space requiring no special design or equipment and used for housing general programs such as language arts, social studies and mathematics.
EDUCATIONAL FACILITIES:	The buildings and equipment, structures, and special educational use areas that are built, installed or established to serve educational purposes only.
EDUCATIONAL PLANT:	The educational facility, site and site improvements necessary to accommodate students, faculty, administrators, staff and the activities of the educational program assigned to the administrative control of one person and uniquely identified in an educational plant survey.
EDUCATIONAL PLANT SURVEY:	A systematic study of educational and ancillary plants and the determination of future needs to provide appropriate educational programs and services for each student.
FIVE-YEAR DISTRICT FACILITIES WORK PLAN:	A plan which demonstrates the ability to finance capital improvements from existing revenue sources and funding mechanisms to correct deficiencies and meet future needs based on achieving and maintaining the adopted level of service for each year of the five year planning period for all schools of each type in each concurrency service area, and for the long range planning period.
FLORIDA INVENTORY OF SCHOOL HOUSES:	An official inventory, which is based on design codes, of all district owned facilities.
LEVEL OF SERVICE:	The measure of the utilization, expressed as a percentage, which is the result of comparing the number of students with the

satisfactory Florida Inventory of School Houses capacity at any given location.

**LONG-RANGE
PLANNING:**

A process of devising a systematic method based on educational information and needs, carefully analyzed, to provide the facilities to meet the goals and objectives of the educational agency.

**MITIGATION
OPTIONS:**

The provision by an applicant of any combination of land, construction, expansion and payment for land acquisition or construction of a public school facility; or the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits. Fair market value of the proportionate fair-share mitigation shall not differ based on the form of mitigation. Such options must include execution by the applicant and the local government of a binding development agreement that constitutes a legally binding commitment to pay proportionate-share mitigation for the additional residential units approved by the local government in a development order and actually developed on the property, taking into account residential density allowed on the property prior to the development that increased overall residential density. The School Board shall be a party to such an agreement.

PERMANENT:

A structure built with a fixed foundation that has permanently attached walls, roof and floor that cannot be moved or transported either as a unit or in sections.

**PERMANENT STUDENT
STATION:**

The floor area in a public school facility required to house a student in an instructional program.

**PORTABLE
CLASSROOM:**

A classroom within a building or portion of a building made up of prefabricated units that may be disassembled and reassembled frequently, or a single unit of construction consisting of walls, roof and floor that is movable as a unit either on wheels or by truck.

**PROPORTIONATE
SHARE MITIGATION:**

The contribution by a developer or applicant, through any of various means (see definition of Mitigation Options), of resources sufficient to offset or compensate for the site-specific impacts generated by a development. The fair market value of mitigation is

credited against any impact fees or other exactions levied against the development.

SITE: A space of ground occupied or to be occupied by an educational facility or program.

SITE DEVELOPMENT: Site development means work that must be performed on an unimproved site in order to make it usable for the desired purpose; or, work incidental to new construction or to make an addition usable.

SITE IMPROVEMENT: The work that must be performed on an existing site to improve its utilization, correct health and safety deficiencies, meet special program needs or provide additional service areas. Site improvement incident to construction is the work that must be performed on a site as an accompaniment to the construction of an addition to an educational facility for a modernization project.

(Adopted Ord. 1212, 7-8-08)

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APPENDIX A

LIST OF ILLUSTRATIONS

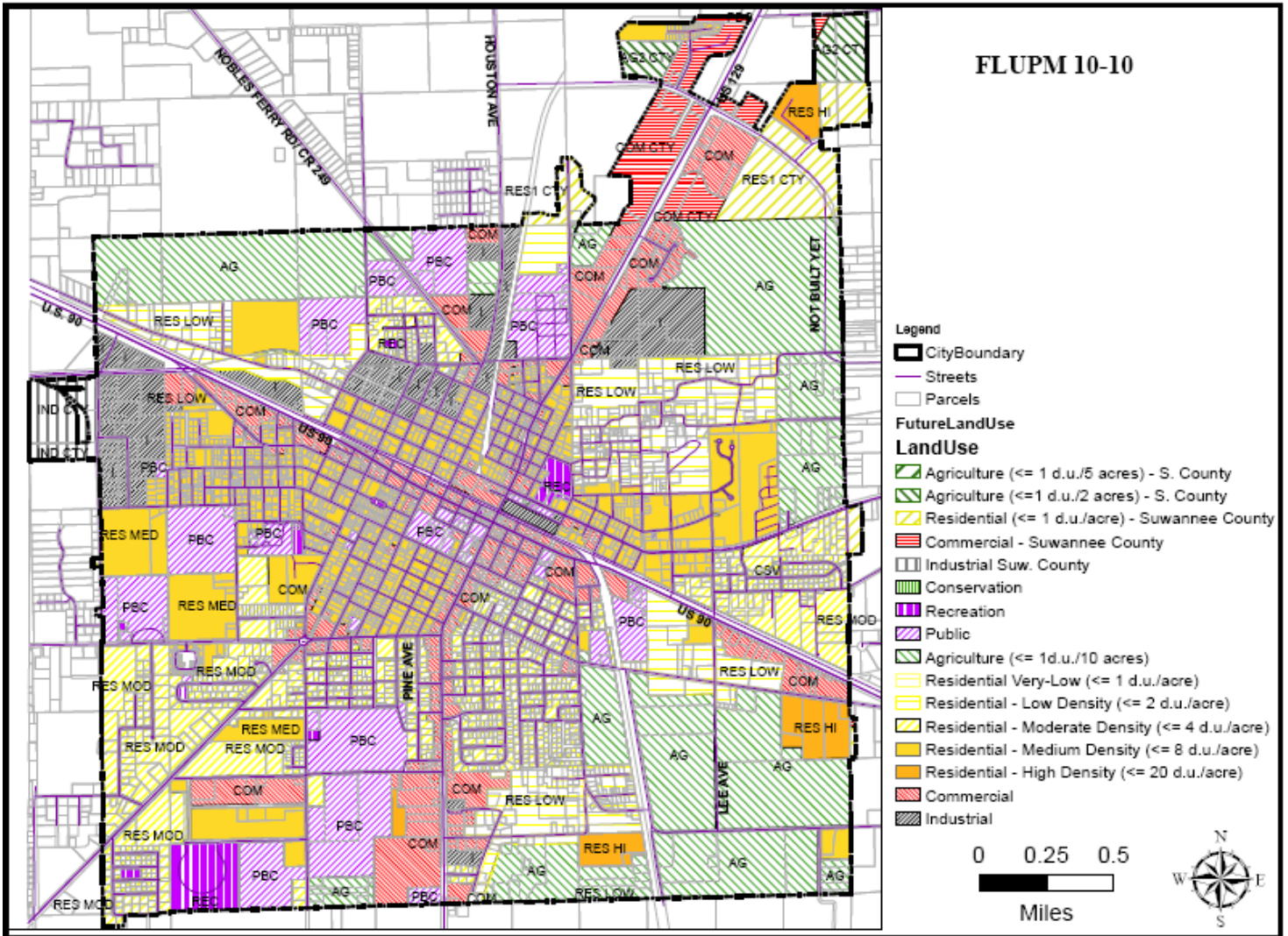
CHAPTER		PAGE
A-I	Future Land Use Plan Map	A-3
A-II	Historic Resources	A-5, 6
A-III	Existing and Planned Water-wells	A-7, 8
A-IV	Rivers and Lakes	A-9
A-V	Flood Prone Areas	A-11
A-VI	Wetlands	A-13
A-VII	Minerals	A-15
A-VIII	Soil Associations and Soil Types	A-17, 18, 19
A-IX	Future Traffic Circulation Map	A-21
A-IXa	Emergency Evacuation Routes Map	A-23
A-IXb	Bicycle and Pedestrian Facilities Map	A-25
A-X	High Groundwater Aquifer Recharge	A-27
A-XI	Regionally Significant Natural Resources	A-29, 31, 33, 35, 37
A-XII	Designated Urban Development Area	A-39
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A-XVI	Ten-Year Long Range Planned Public School Facilities 2019	A-47
A-XVII	Twenty-Year Long Range Planned Public School Facilities 2029	A-49

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ILLUSTRATION A-I

FUTURE LAND USE PLAN MAP 2017

DISCLAIMER: Data is provided "as is" without warranty of any representation of accuracy, timeliness, or completeness. The burden of determining accuracy, timeliness, or completeness for use rests solely on the requestor. The City makes no warranties, expressed or implied, as to the use of the data. The requestor acknowledges and accepts the limitations of the data, including the fact that the data is dynamic and in a constant state of maintenance, correction, and updates.

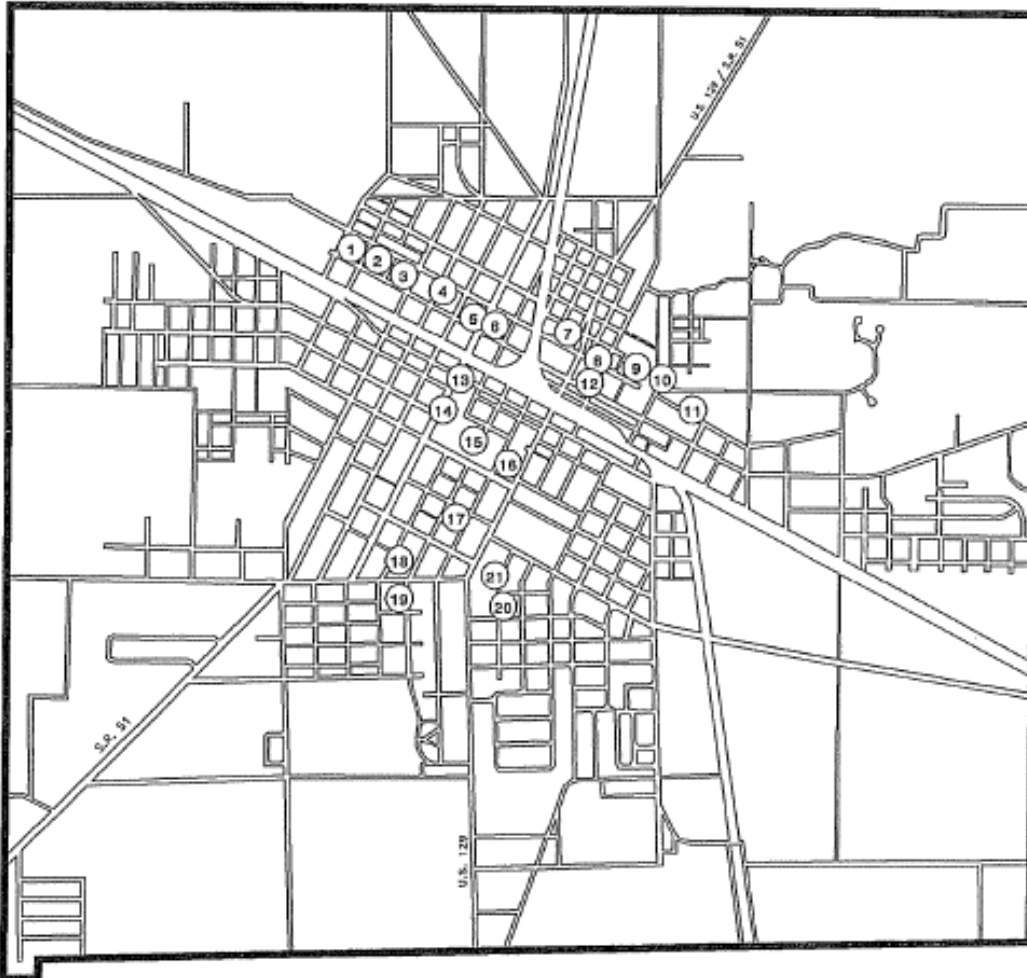


Source: Live Oak Planning and Zoning Department GIS, 10-2010

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ILLUSTRATION A-II
HISTORIC RESOURCES

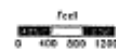
CITY OF LIVE OAK
Historic Resources



LEGEND

Refer to Legend on Following Page

Source:
Florida Department of State
Division of Historical Resources
Florida Master Site File, 1998



LEGEND FOR ILLUSTRATION A-II

HISTORIC RESOURCES

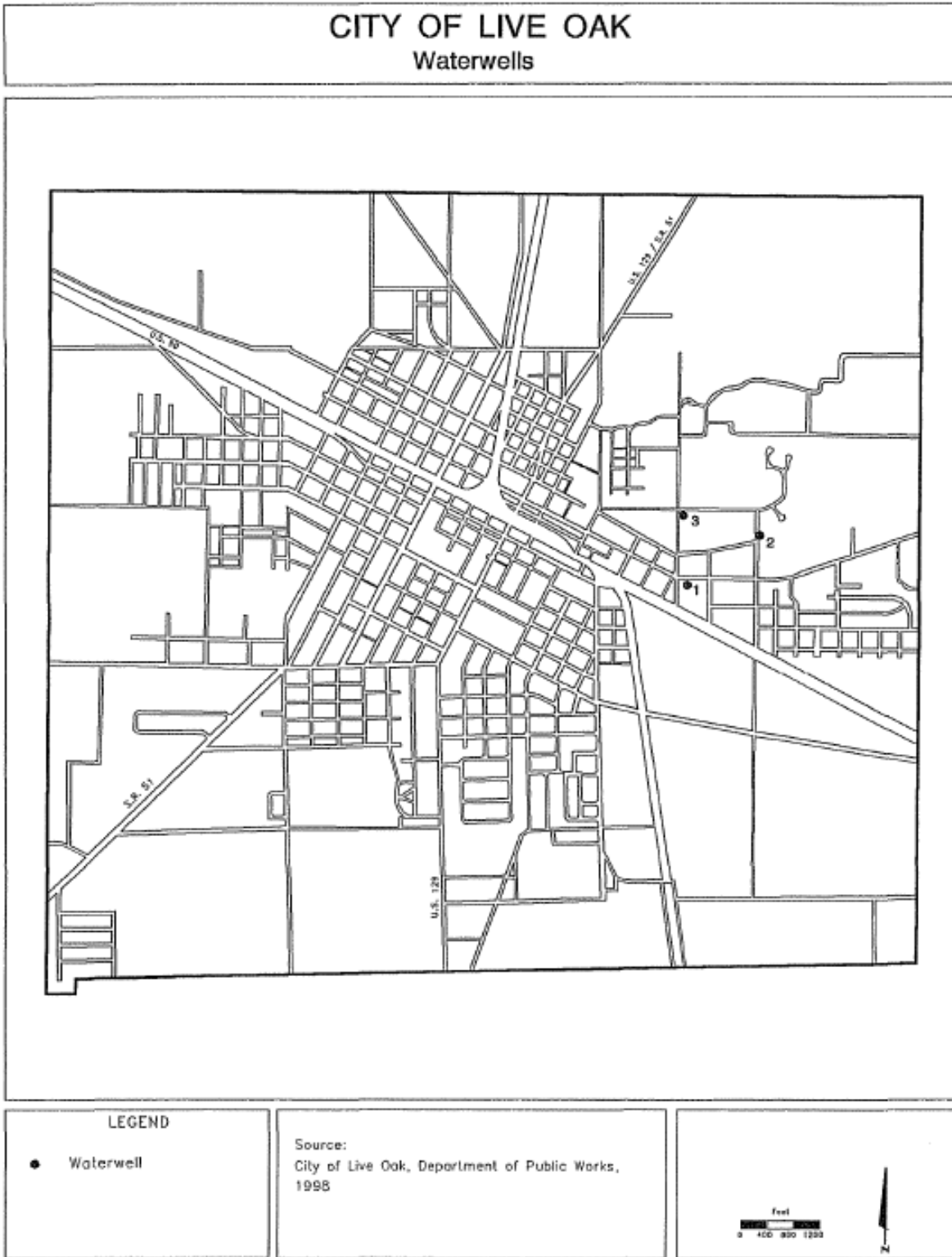
1998 2009

Location #	Site Name	<u>Site Address</u>	Type
1	Alison House	<u>418 Duval St. NW</u>	Historic
2	Suwannee County Courthouse	<u>200 Ohio Ave. S</u>	Historic
3	Aubrey Steigle House	<u>310 Duval St. NW</u>	Historic
4	Old Women's Club		Historic
5 <u>4</u>	Union Depot-ACL Freight Station	<u>208 Ohio Ave. N</u>	Historic
6 <u>5</u>	Kirby House	<u>704 Ohio Ave S</u>	Historic
7 <u>6</u>	Sheffield House 814 East Duval Street	<u>814 Duval St. NE</u>	Historic
8 <u>7</u>	B.W. Deese Worth Hull House	<u>217 Piedmont St. SE</u>	Historic
9 <u>8</u>	Dowling House	<u>406 Duval St. NE</u>	Historic
10	Brady Apartments		Historic
11	House 202 East Duval Street		Historic
12 <u>9</u>	Old Live Oak City Hall	<u>212 Ohio Ave. N</u>	Historic
13	May House		Historic
14	Bishop B. Blackwell House		Historic
15 <u>10</u>	Broome House	<u>205 Houston Ave. NW</u>	Historic
16 <u>11</u>	Main Post Office	<u>400 Ohio Ave. S</u>	Historic
17 <u>12</u>	McCullers House	<u>318 Shelby Ave. NW</u>	Historic
18 <u>13</u>	Rogers House	<u>217 11th St. SW</u>	Historic
19 <u>14</u>	McDavell House		Historic
20 <u>15</u>	Airth House		Historic
21 <u>16</u>	Sullivan Real Estate		Historic

Source: Florida Department of State,
 Division of Historical Resources, Florida Master File;
City of Live Oak, Project Specialist and City Clerk

ILLUSTRATION A-III

WATER WELLS



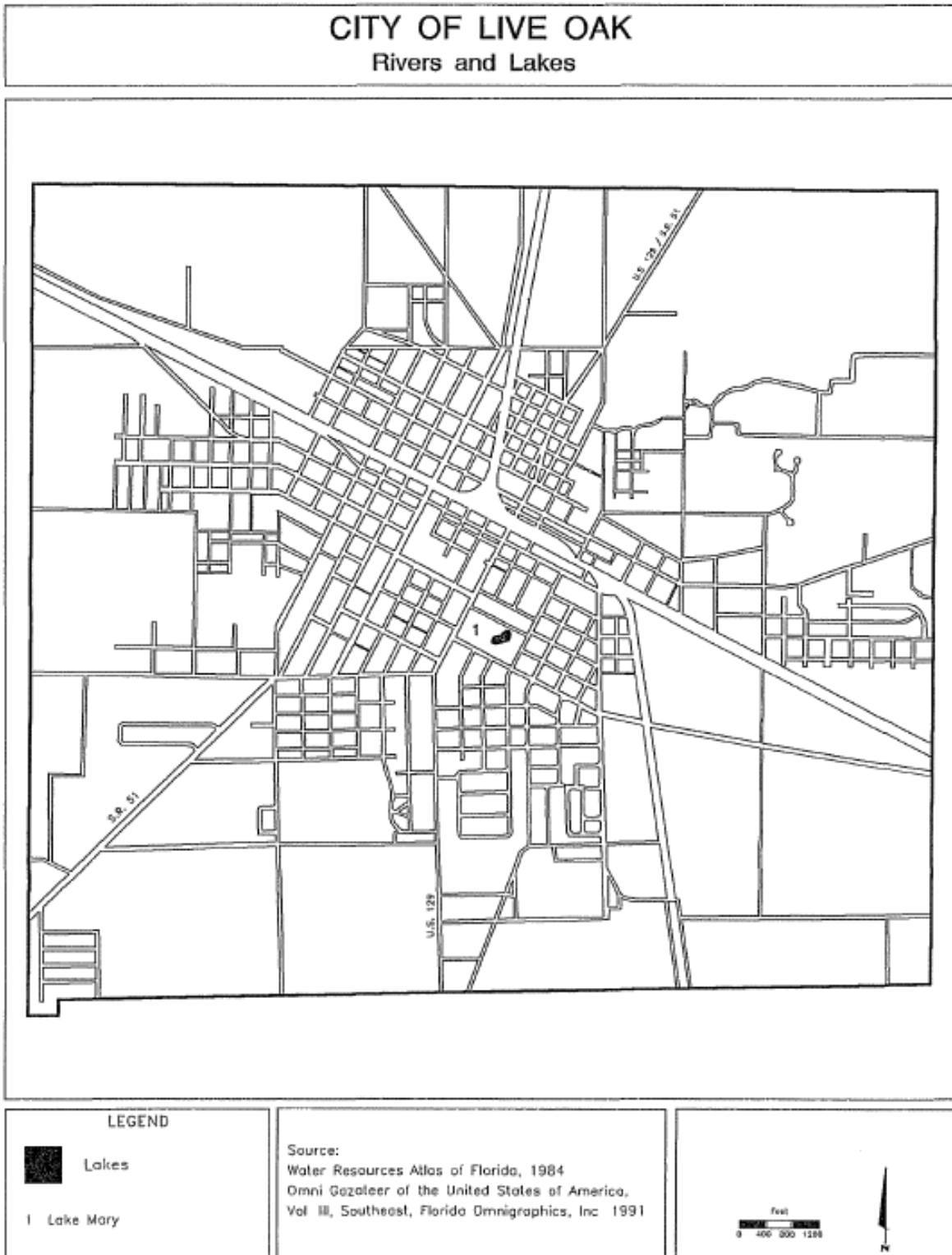
LEGEND FOR ILLUSTRATION A - III
EXISTING AND PLANED WATER WELLS

1998

LOCATION NUMBER	NAME	TYPE	STATUS
1	City of Live Oak, 5	Government\Public	Existing
2	City of Live Oak, 6	Government\Public	Existing
3	City of Live Oak, 7	Government\Public	Existing

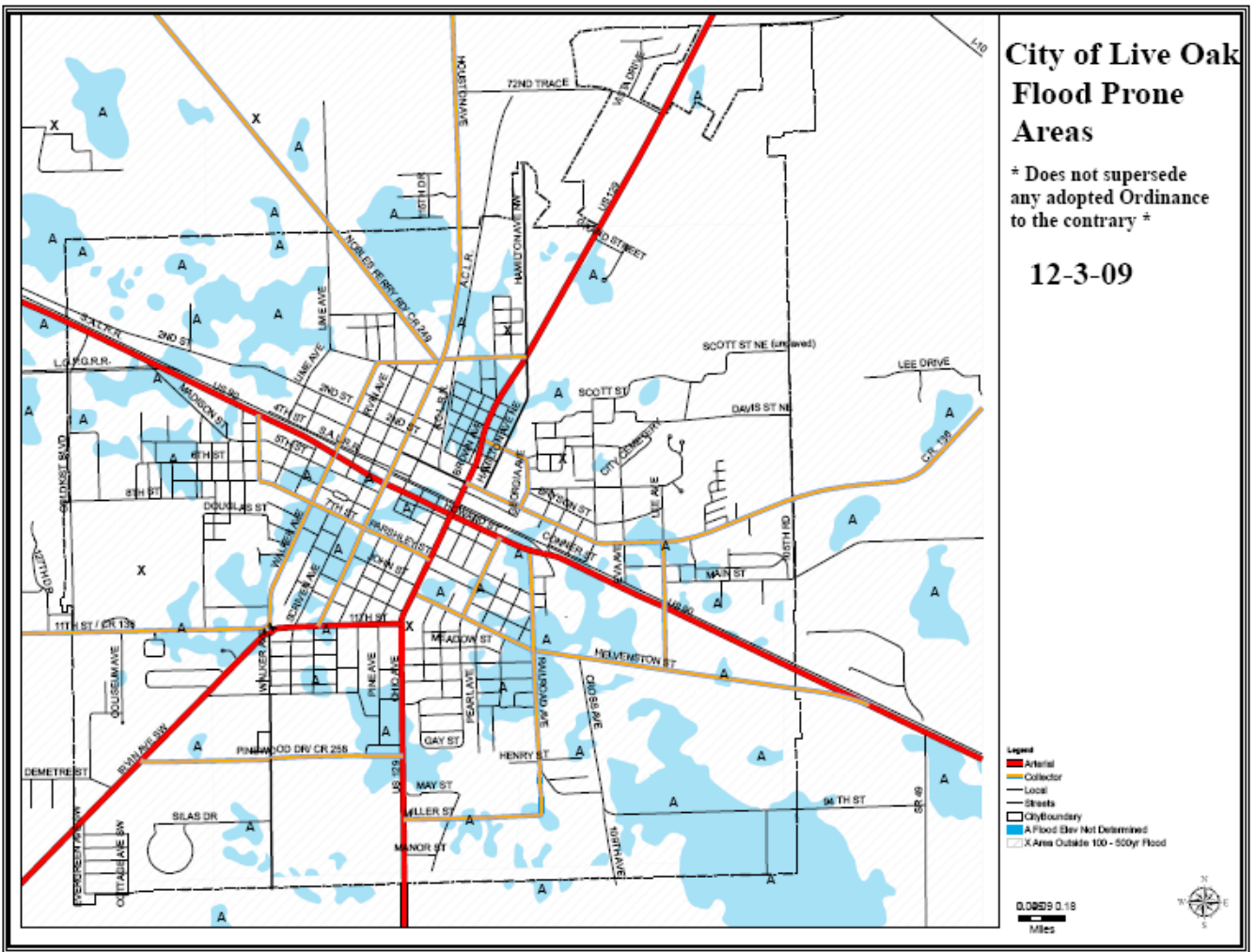
Source: City of Live Oak Department of Public Works, ~~1998~~ 2009

ILLUSTRATION A-IV
RIVERS AND LAKES



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**ILLUSTRATION A-V
FLOOD PRONE AREAS**



Source: **Department of Housing and Urban Development Federal Insurance-Administration, City of Live Oak, 1976**

FEMA Flood Map Layer, City of Live Oak GIS, 2009

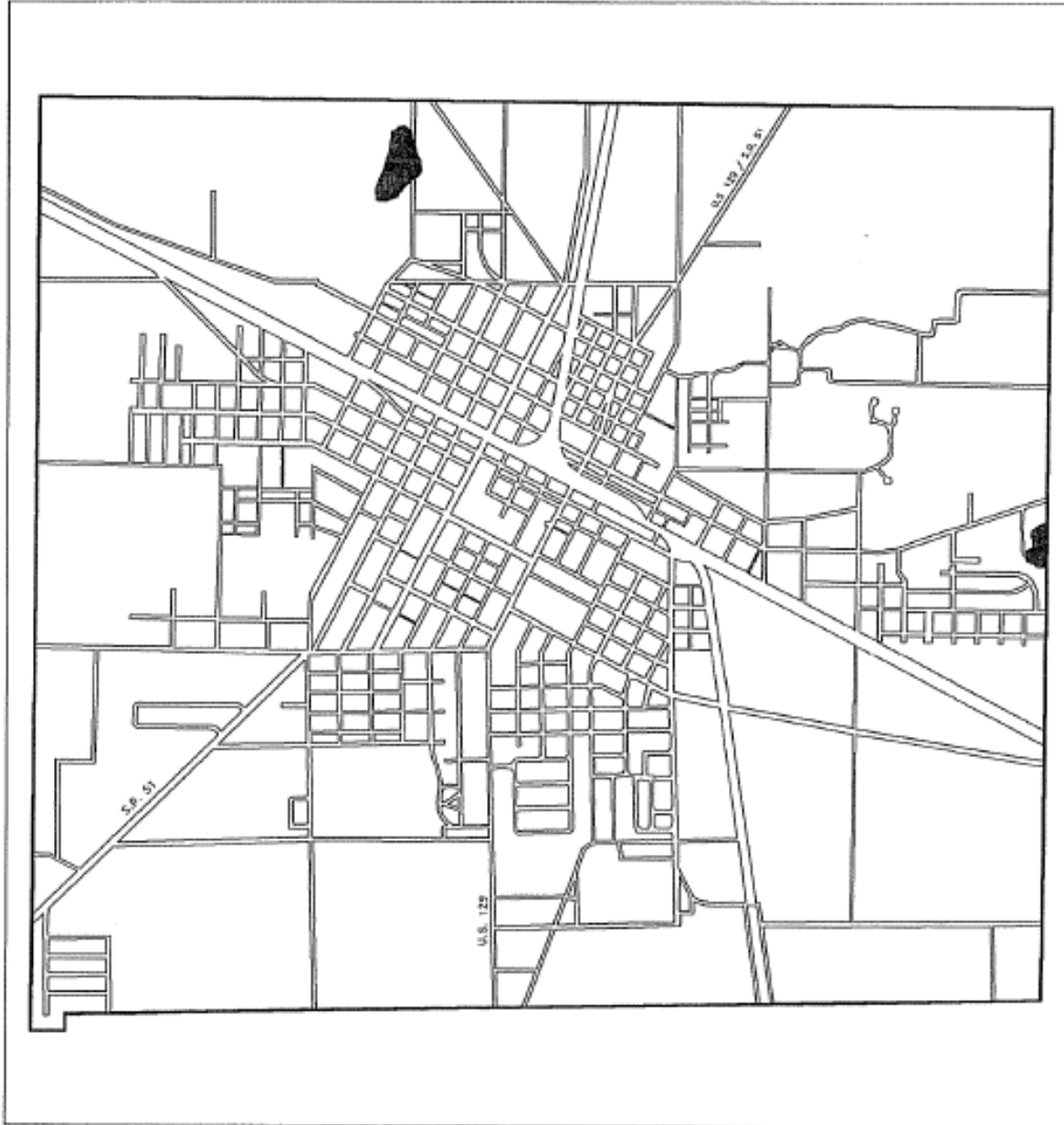
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ILLUSTRATION A-VI

WETLANDS

ILLUSTRATION A-VI

CITY OF LIVE OAK
Wetlands



LEGEND

 Wetlands

Source:
The National Wetlands Reconnaissance Survey
Vadosta and Gainesville, Florida,
United States Fish and Wildlife Service,
United States Department of Interior, 1981

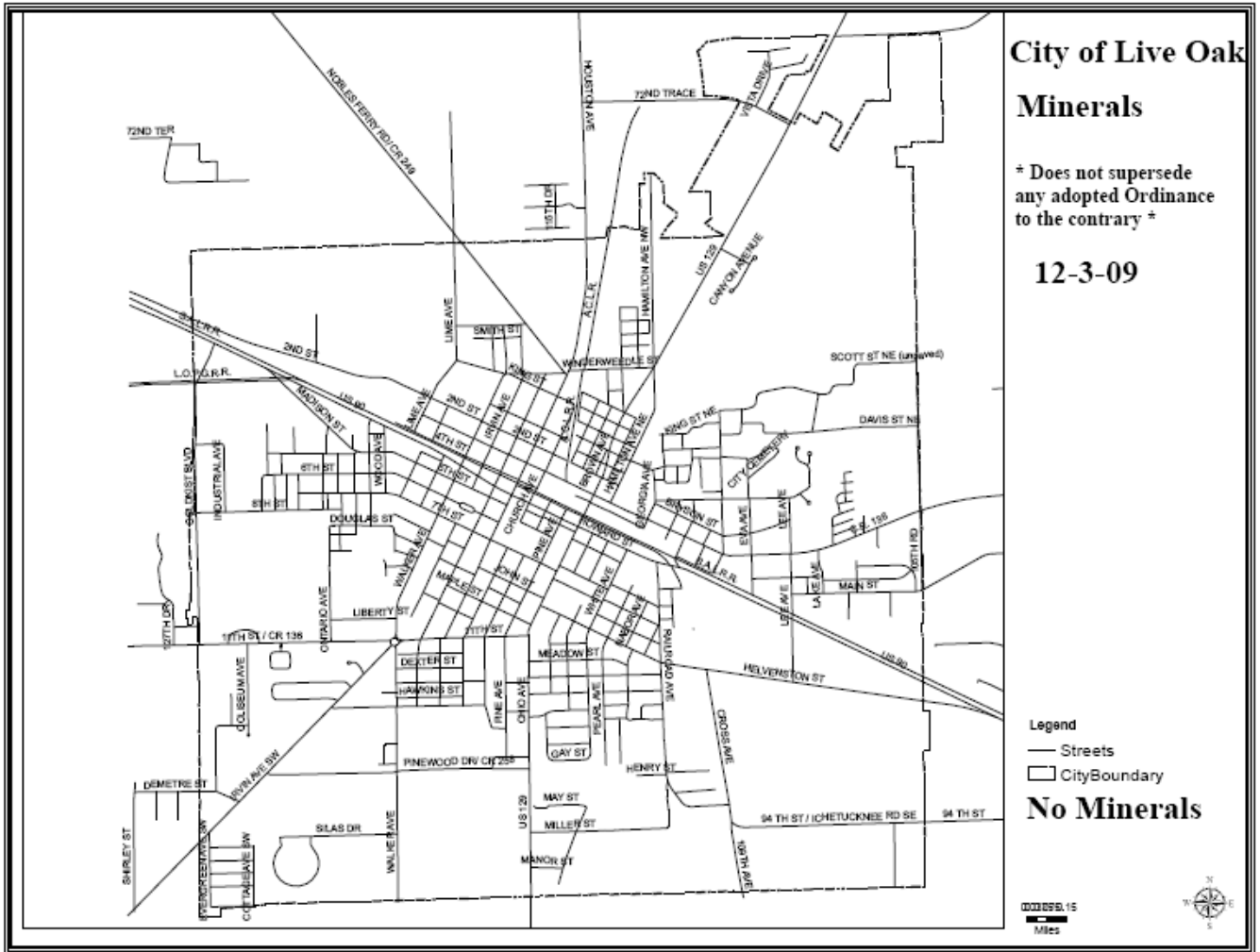
Feet
0 400 800 1200



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ILLUSTRATION A-VII

MINERALS



Source: Natural Resources, NCFRPC, 1977

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**ILLUSTRATION A-VIII
SOIL ASSOCIATIONS**



Source: Soil Survey of **Suwannee County Live Oak**, Florida
U.S. Department of Agriculture
Soil Conservation Service Website, **March 1965 2009**

Refer to Legends on Following Pages

LEGENDS FOR ILLUSTRATION A-VIII

SOIL TYPES

MAP LEGEND	MAP INFORMATION
<p>Area of Interest (AOI)</p> <p> Area of Interest (AOI)</p> <p>Soils</p> <p> Soil Map Units</p> <p>Special Point Features</p> <ul style="list-style-type: none"> Blowout Borrow Pit Clay Spot Closed Depression Gravel Pit Gravelly Spot Landfill Lava Flow Marsh or swamp Mine or Quarry Miscellaneous Water Perennial Water Rock Outcrop Saline Spot Sandy Spot Severely Eroded Spot Sinkhole Slide or Slip Sodic Spot Spoil Area Stony Spot 	<p> Very Stony Spot</p> <p> Wet Spot</p> <p> Other</p> <p>Special Line Features</p> <ul style="list-style-type: none"> Gully Short Steep Slope Other <p>Political Features</p> <ul style="list-style-type: none"> Cities <p>Water Features</p> <ul style="list-style-type: none"> Oceans Streams and Canals <p>Transportation</p> <ul style="list-style-type: none"> Rails Interstate Highways US Routes Major Roads
	<p>Map Scale: 1:47,800 if printed on A size (8.5" x 11") sheet.</p> <p>The soil surveys that comprise your AOI were mapped at 1:24,000.</p> <p>Please rely on the bar scale on each map sheet for accurate map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov Coordinate System: UTM Zone 17N NAD83</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Suwannee County, Florida Survey Area Data: Version 7, Dec 14, 2006</p> <p>Date(s) aerial images were photographed: 11/2/2007</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>

LEGENDS FOR ILLUSTRATION A-VIII (CONTINUED)

SOIL TYPES

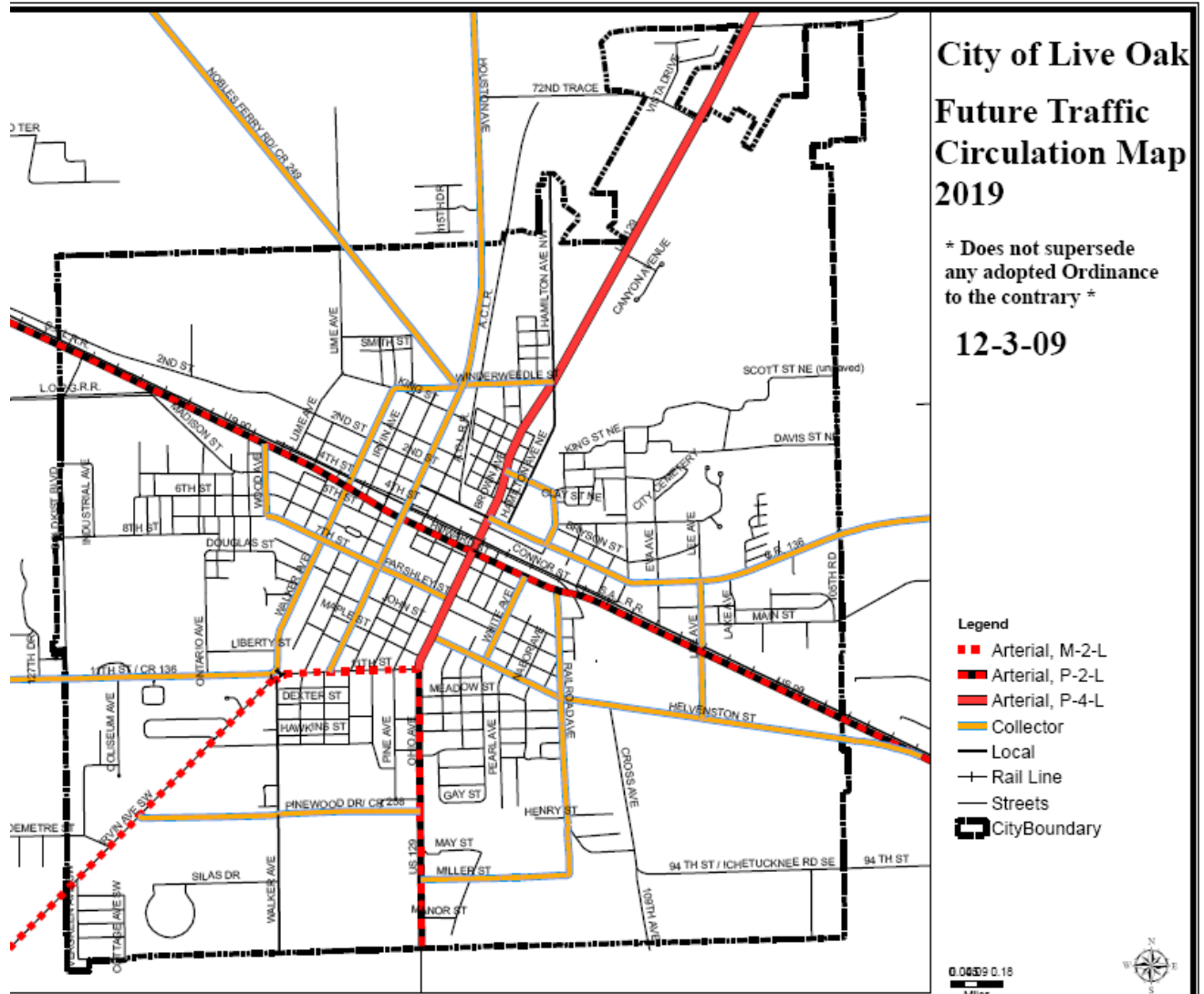
Map Unit Legend

Suwannee County, Florida (FL121)			
Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
5	Blanton-Bonneau complex, 0 to 5 percent slopes	857.9	9.2%
7	Bigbee-Garcon-Meggett complex, occasionally flooded	21.7	0.2%
11	Bonneau-Blanton-Padlock complex, 0 to 5 percent slopes	1,343.2	14.5%
13	Blanton-Alpin-Bonneau complex, 0 to 5 percent slopes	1,083.9	11.7%
14	Blanton-Bonneau complex, 5 to 8 percent slopes	61.7	0.7%
15	Blanton-Lynchburg-Bonneau Complex, 0 to 5 percent slopes	246.7	2.7%
17	Falmouth-Bonneau-Blanton complex, 0 to 5 percent slopes	4,188.8	45.1%
18	Otela-Chiefland-Ichetucknee complex, 0 to 5 percent slopes	7.8	0.1%
25	Pantego fine sandy loam	21.4	0.2%
29	Alpin fine sand, 0 to 5 percent slopes	240.4	2.6%
34	Falmouth-Bonneau-Blanton complex, 5 to 8 percent slopes	50.8	0.5%
35	Mascotte-Sapelo complex	31.1	0.3%
43	Blanton-Foxworth-Alpin complex, 0 to 5 percent slopes	36.2	0.4%
45	ChIPLEY-Foxworth-Albany complex, 0 to 5 percent slopes	13.3	0.1%
46	Familico-Olustee-Pottsburg complex, depressional	68.4	0.7%
49	Sapelo-Mascotte-Plummer complex	6.3	0.1%
51	Plummer fine sand	40.1	0.4%
52	Plummer fine sand, depressional	22.5	0.2%
54	Plummer muck, depressional	4.9	0.1%
61	Udorthents-Pitts complex, 1 to 8 percent slopes	755.4	8.1%
74	Surrency, Plummer, and Cantey soils, frequently flooded	54.4	0.6%
83	Urban land	108.7	1.2%
99	Water	17.4	0.2%
Totals for Area of Interest		9,282.9	100.0%

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ILLUSTRATION A-IX

FUTURE TRAFFIC CIRCULATION MAP 2019

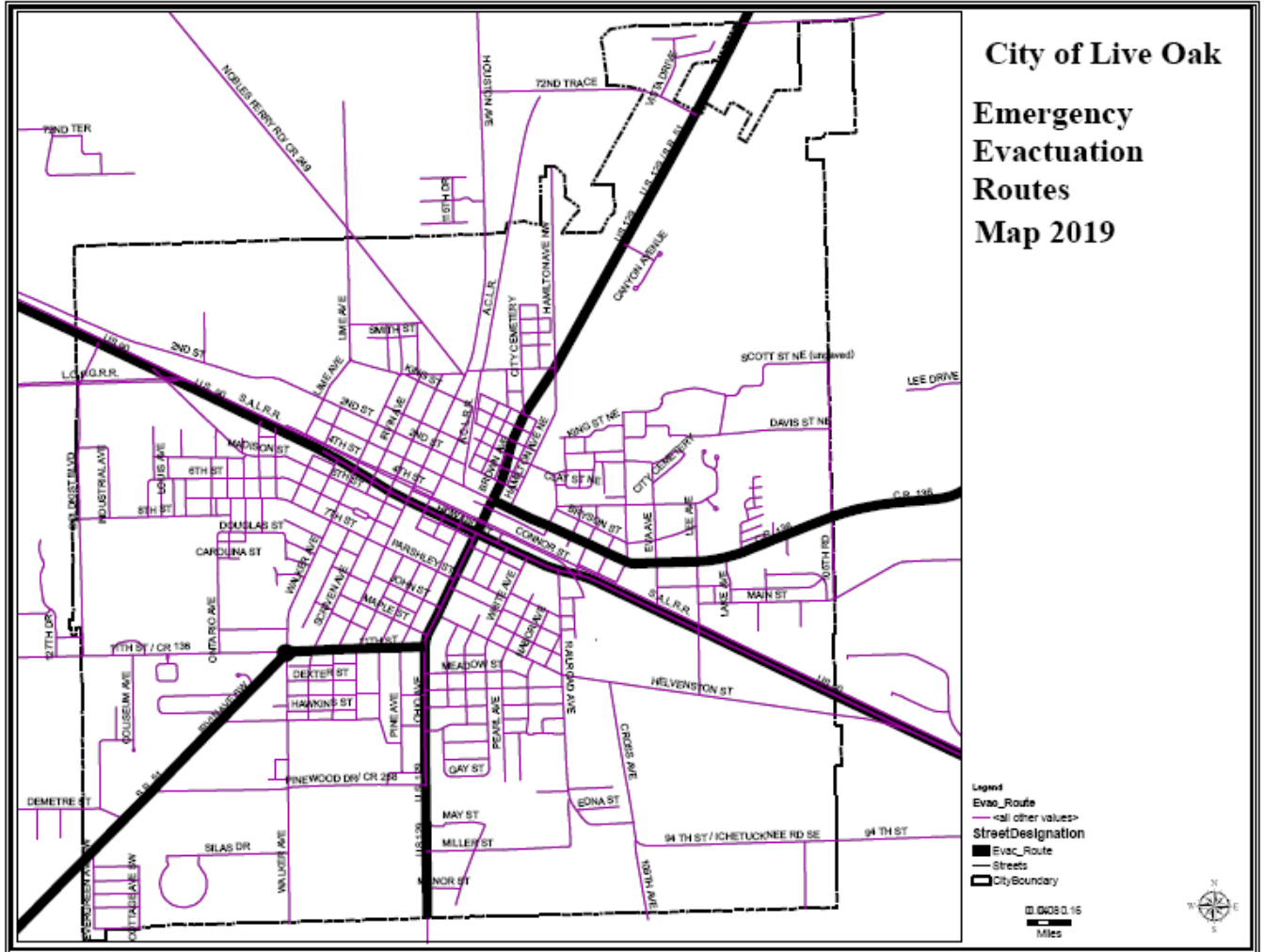


Source: Florida Department of Transportation
Level of Service Report, 2004

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ILLUSTRATION A-IXa

EMERGENCY EVACUATION ROUTES MAP 2017 2019

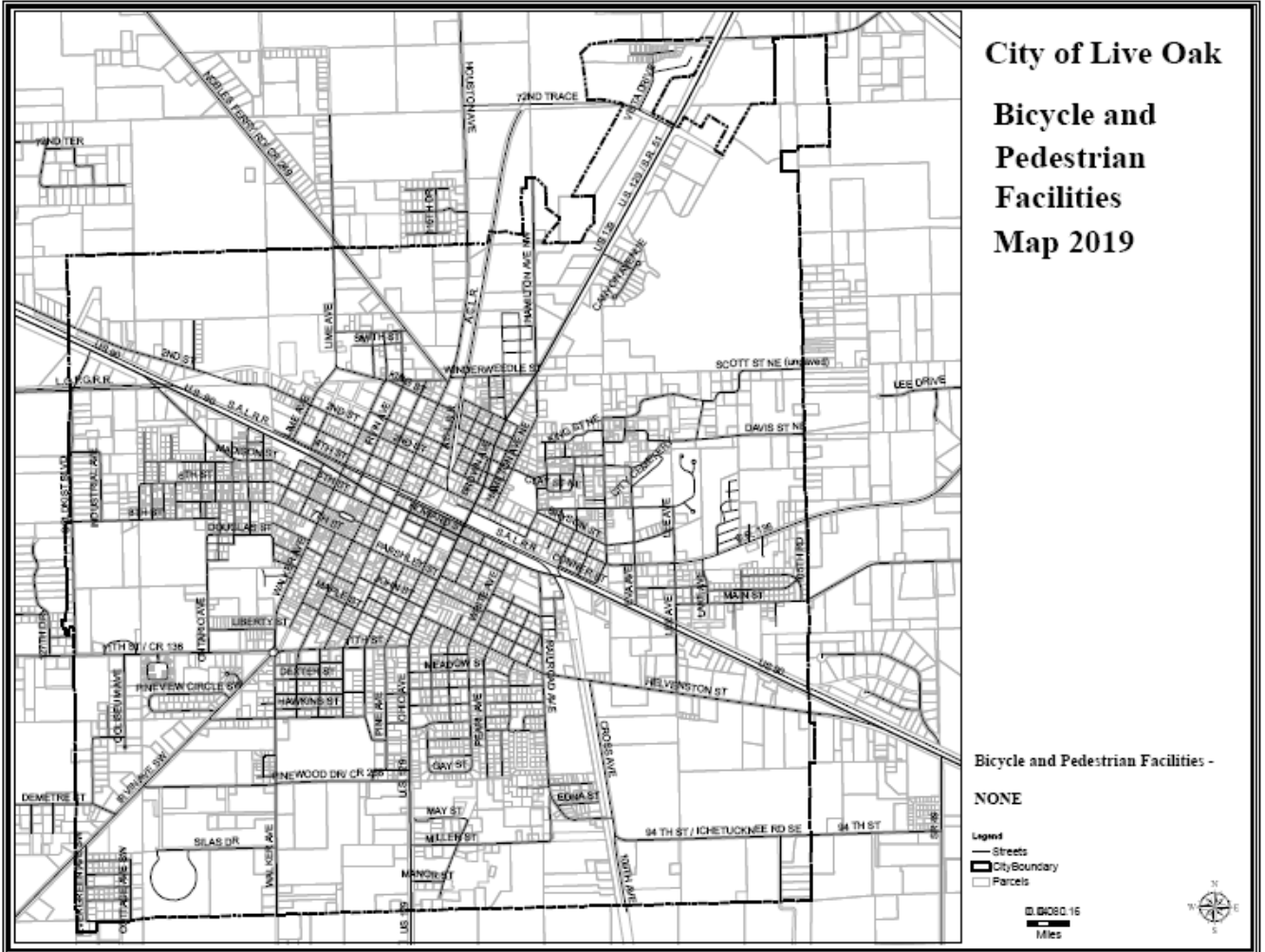


Source: Florida Department of Community Affairs
Division of Emergency Management,
Floridadisaster.org Online Mapping, 2002 2009

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ILLUSTRATION A-IXa

BICYCLE AND PEDESTRIAN FACILITIES MAP 2017 2019

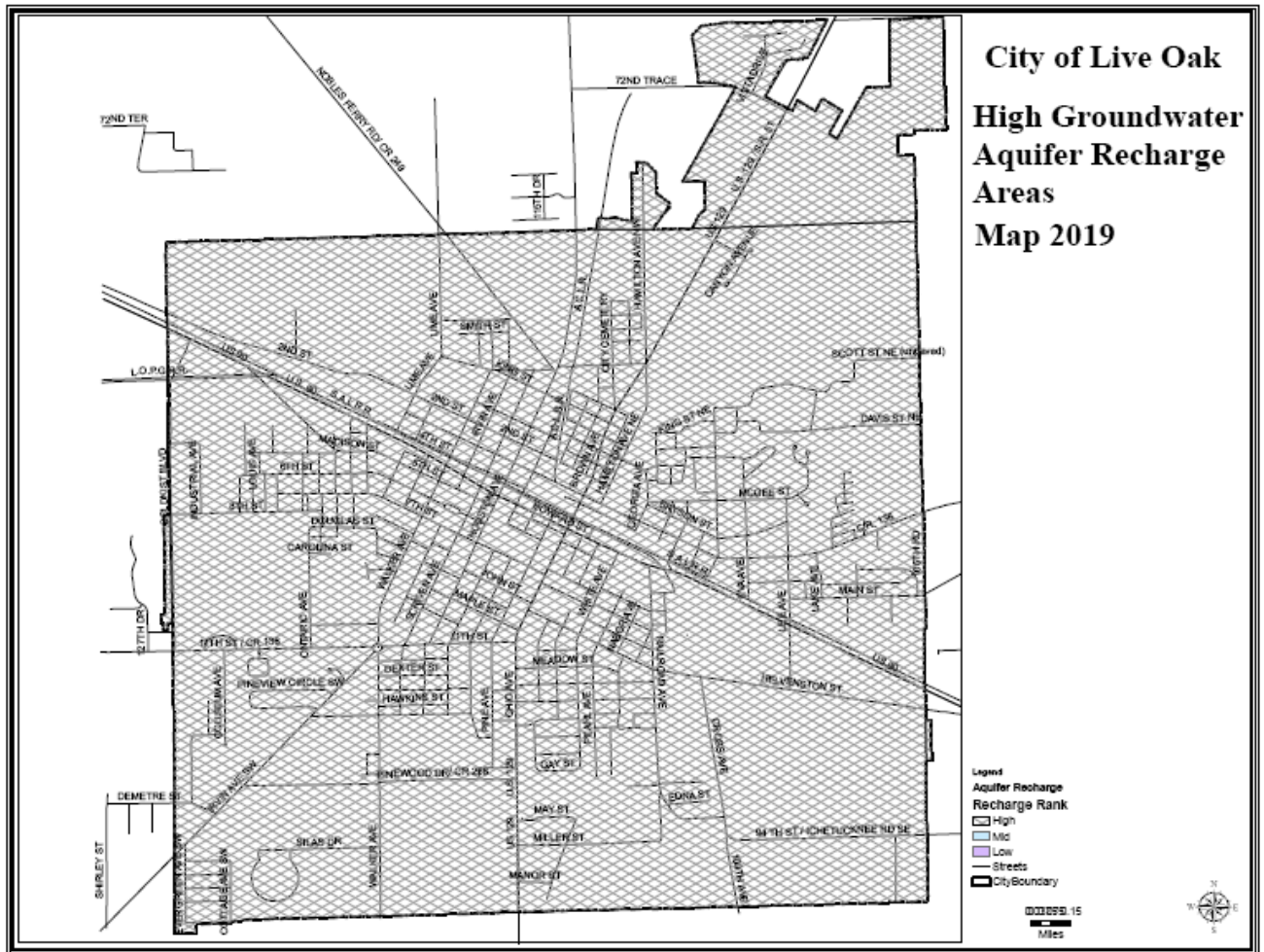


Source: Bicycle Facilities Map
NCFRPC, 1998

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ILLUSTRATION A-X

HIGH PRIME NATURAL GROUNDWATER AQUIFER RECHARGE AREAS MAP 2019

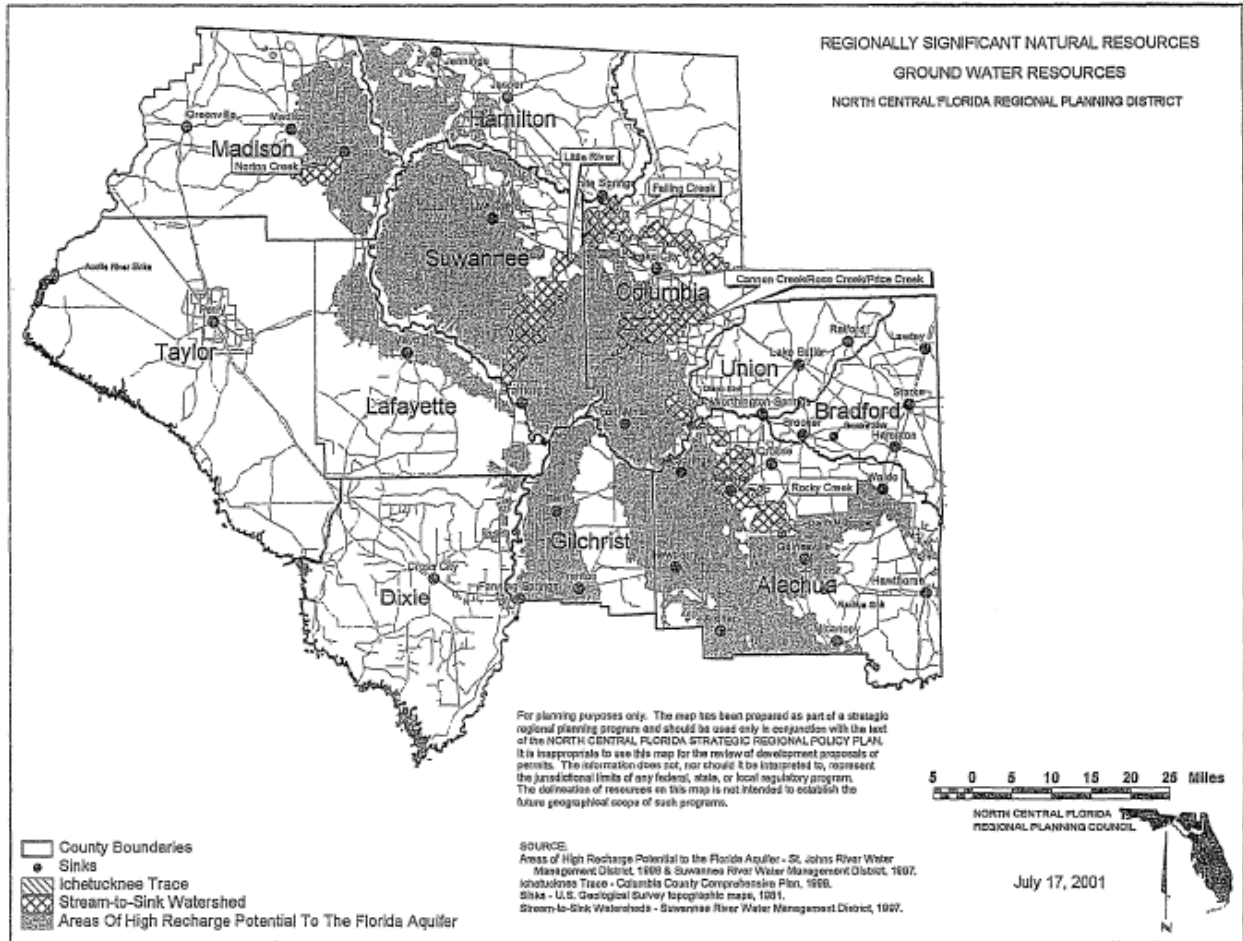


Source: Suwannee River Water Management District Groundwater Aquifer Recharge Data, 2000

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ILLUSTRATION A-XIa

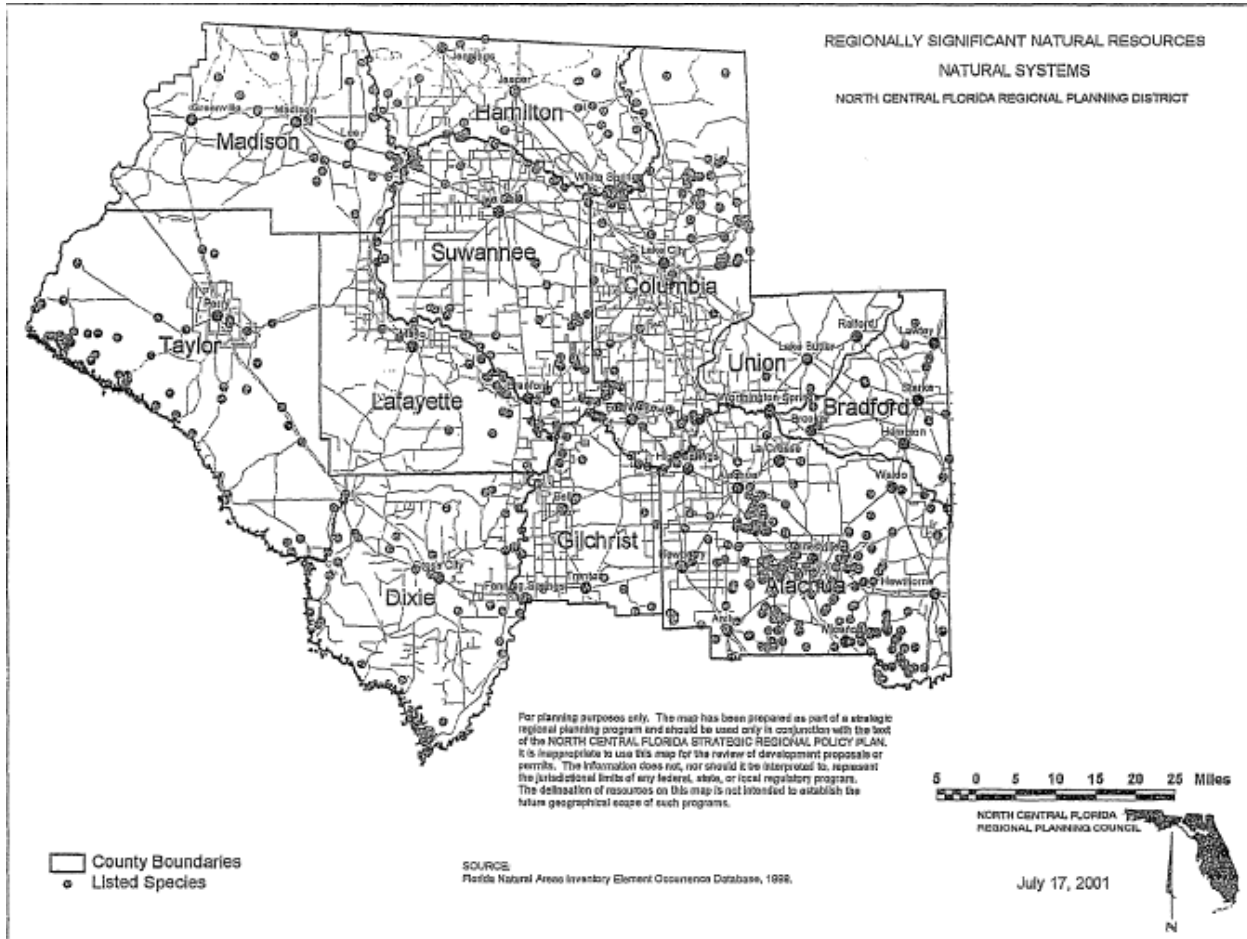
REGIONALLY SIGNIFICANT NATURAL RESOURCES GROUND WATER RESOURCES



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ILLUSTRATION A-XIb

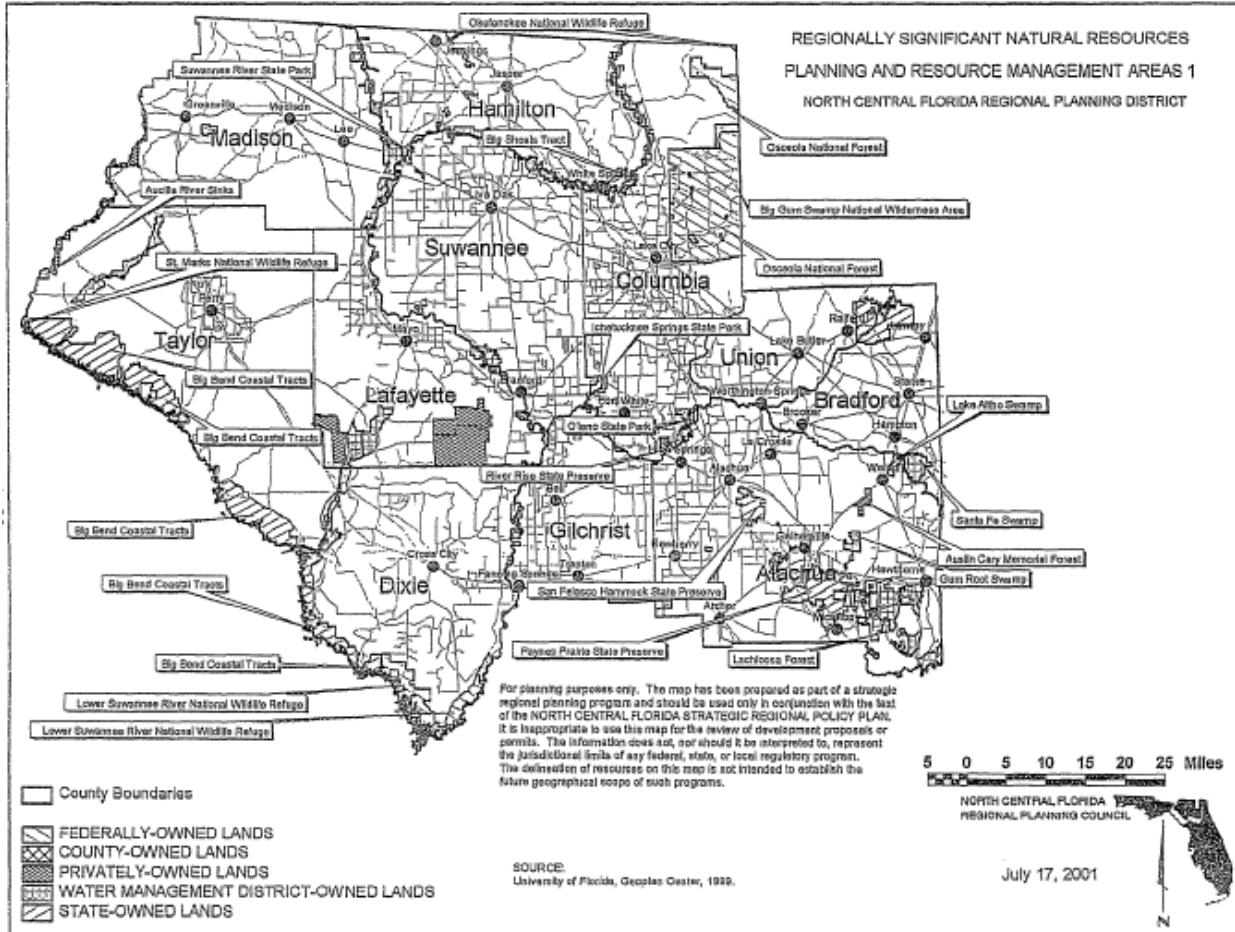
REGIONALLY SIGNIFICANT NATURAL RESOURCES NATURAL SYSTEMS



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ILLUSTRATION A-XIc

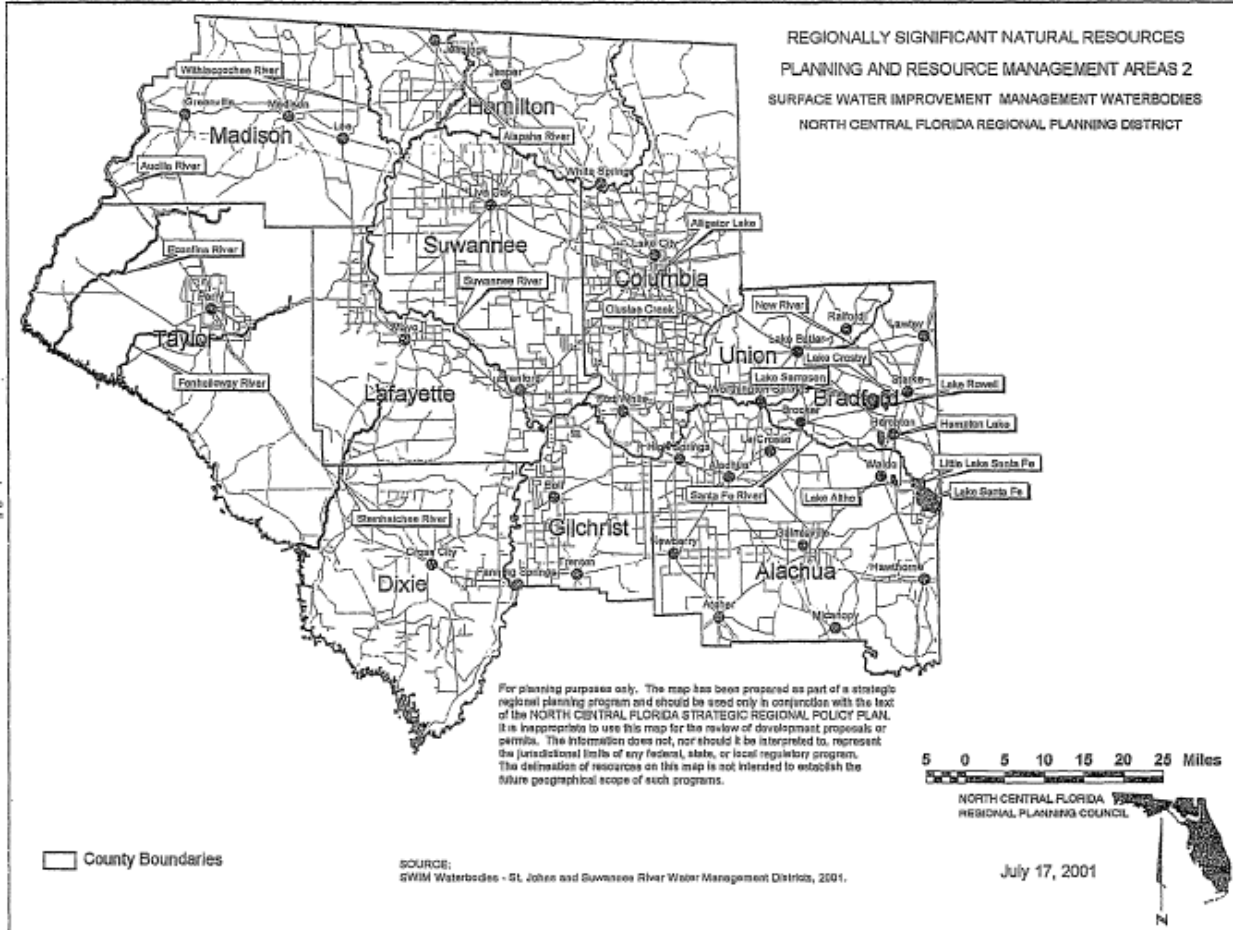
REGIONALLY SIGNIFICANT NATURAL RESOURCES PLANNING AND RESOURCE MANAGEMENT AREAS 1



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ILLUSTRATION A-XId

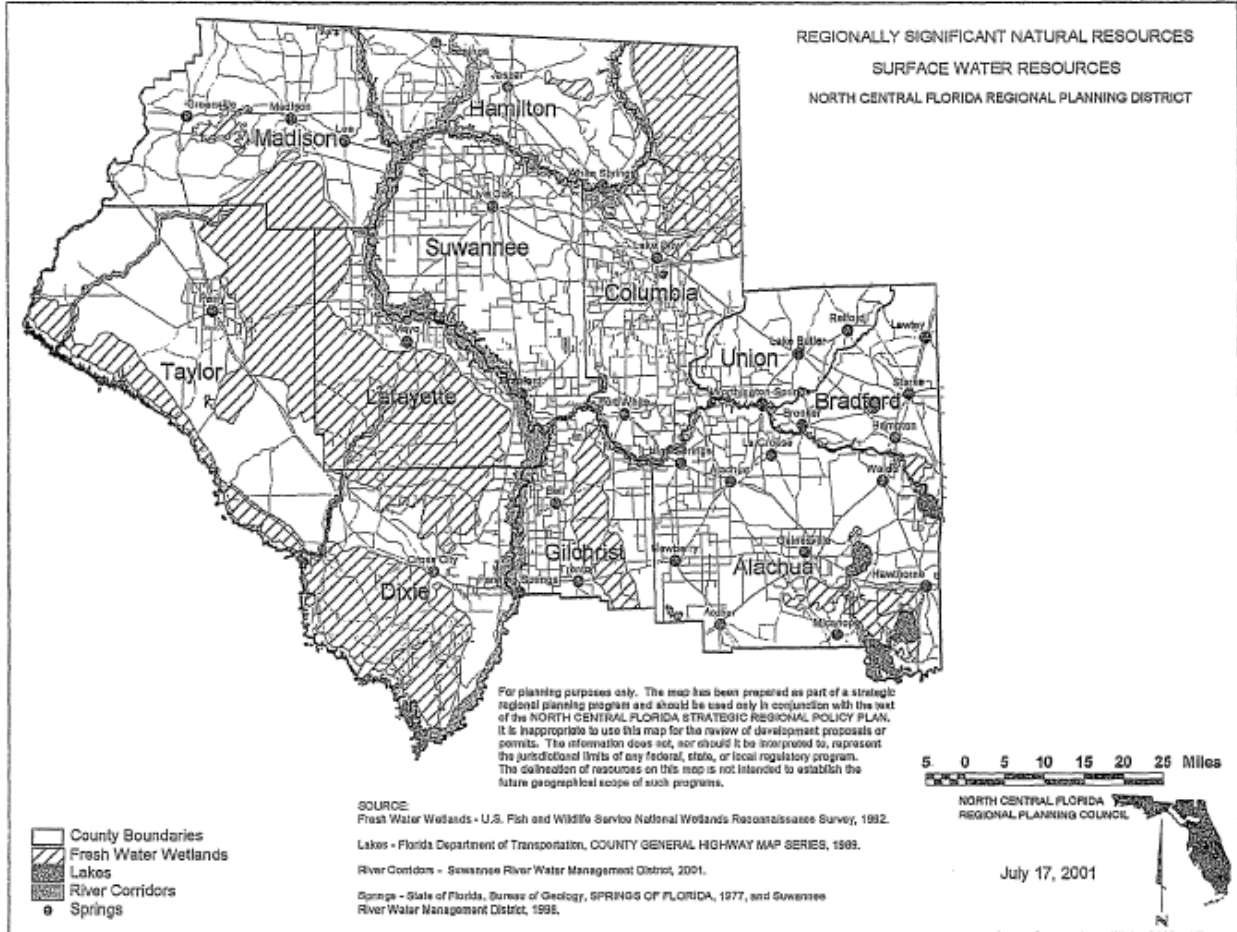
REGIONALLY SIGNIFICANT NATURAL RESOURCES PLANNING AND RESOURCE MANAGEMENT AREAS 2



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ILLUSTRATION A-XId

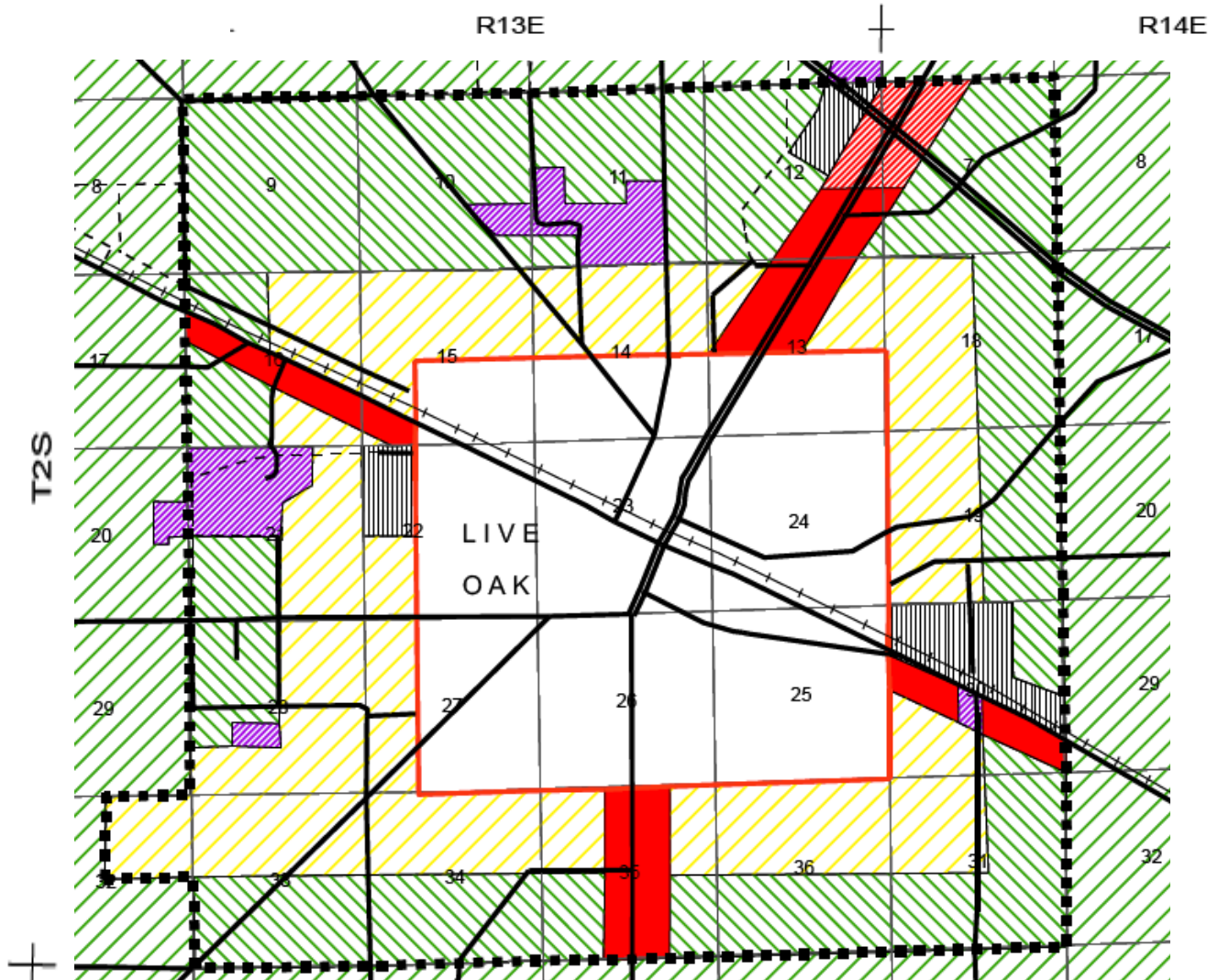
REGIONALLY SIGNIFICANT NATURAL RESOURCES SURFACE WATER RESOURCES



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ILLUSTRATION A-XII

DESIGNATED URBAN DEVELOPMENT AREA 2017 2019



■■■■■ Designated Urban Development Area

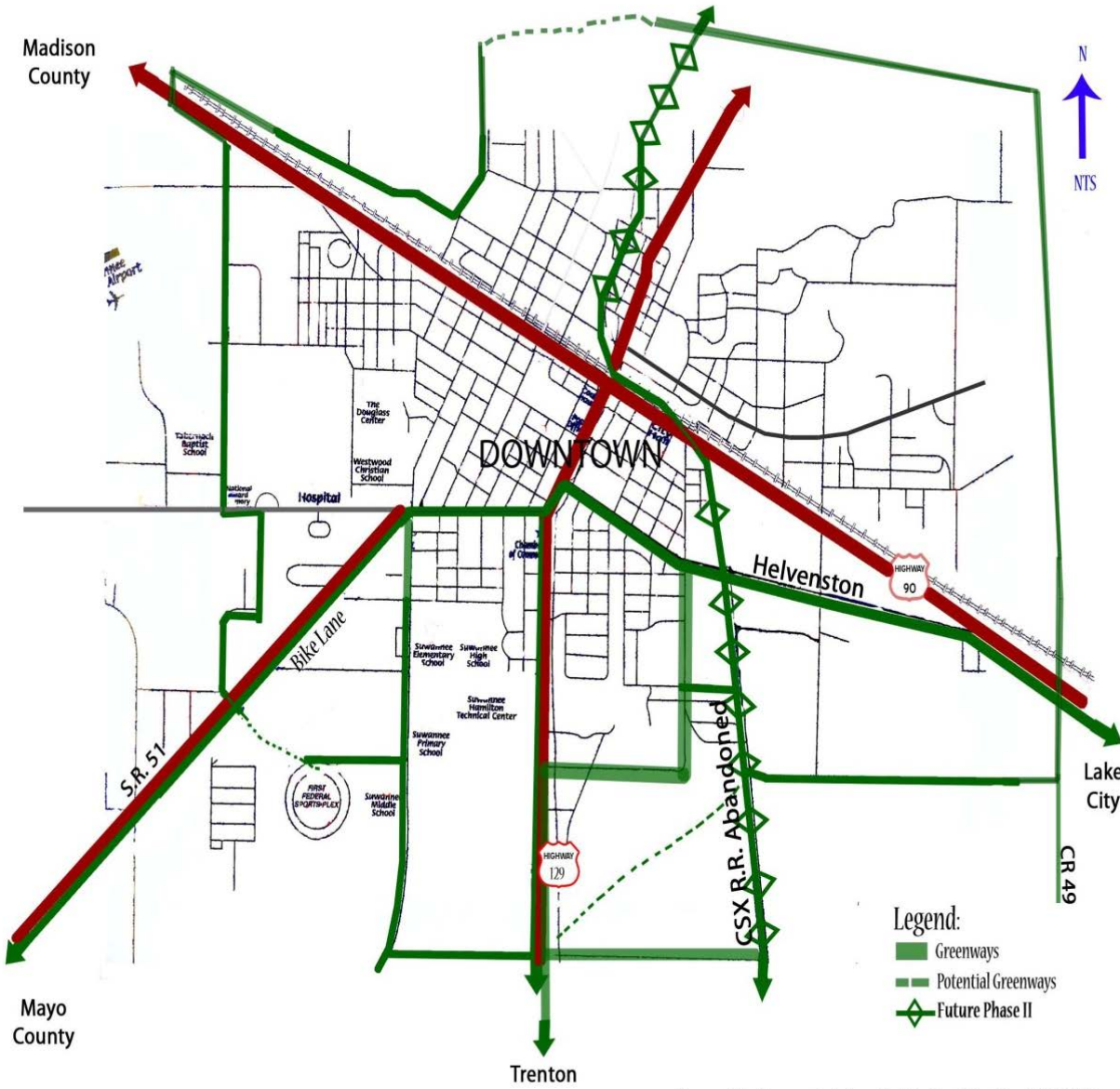
Source: Suwannee County Future Land Use Plan Map

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ILLUSTRATION A-XIII

LIVE OAK MULTI-USE GREENWAY TRAIL SYSTEM

Live Oak Multi-Use Greenway Trails System



Prepared by Synergy Solutions for Florida. Date: March 30, 2008.

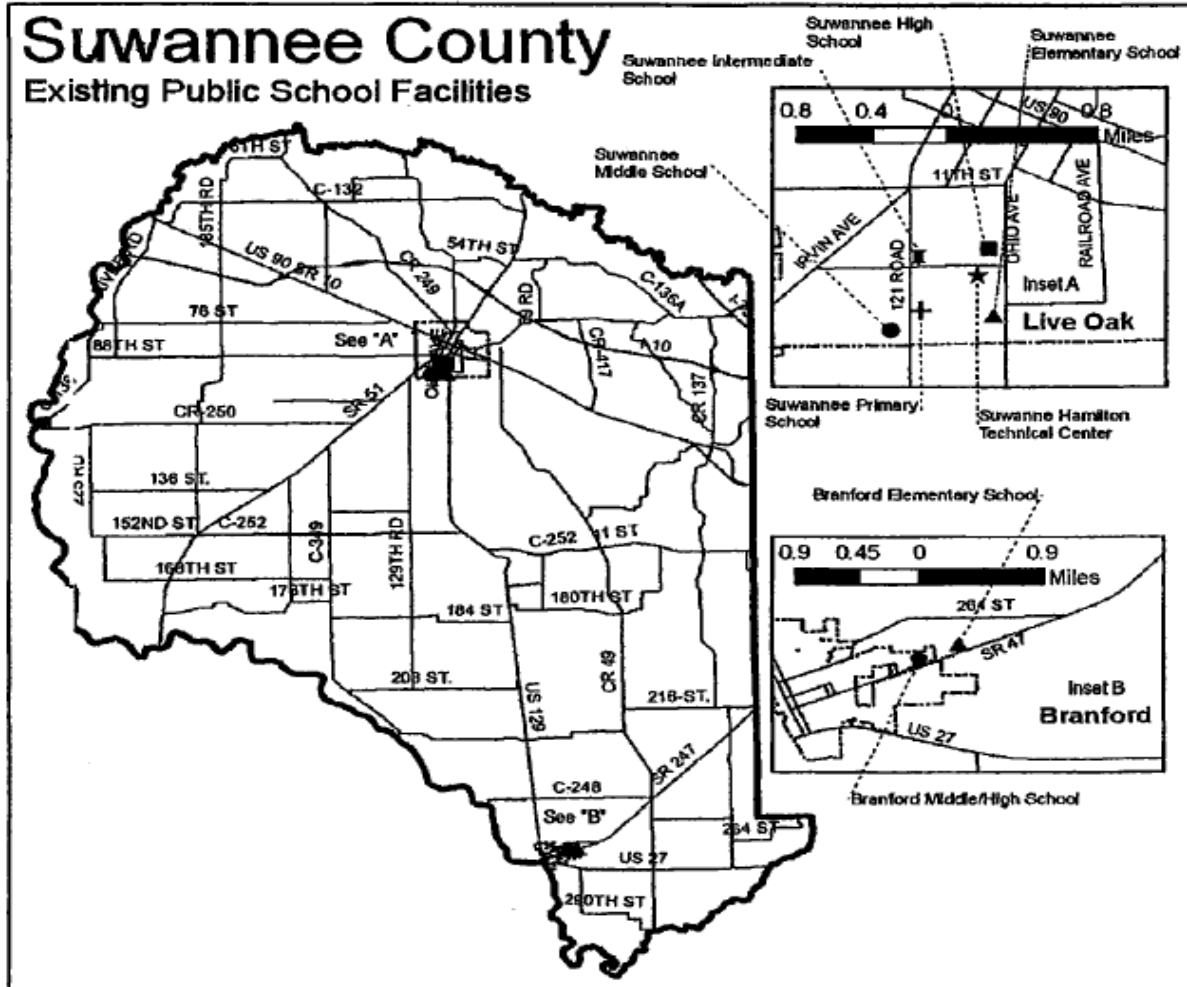
(Amended Ord. 1226, 8-18-08)

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ILLUSTRATION A-XIV

EXISTING PUBLIC SCHOOL FACILITIES - 2009

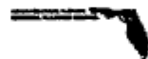
Revised October, 2009



Legend

- + Primary School (K-1)
- ▲ Elementary School (2-3)
- ▤ Intermediate School (4-5)
- Middle School (6-8)
- Middle/High School (6-12)
- High School (9-12)
- ★ Technical Center
- ▭ City Limits
- Roads

CP&G/Map/2009/09/09/Suwannee_Schools/2009

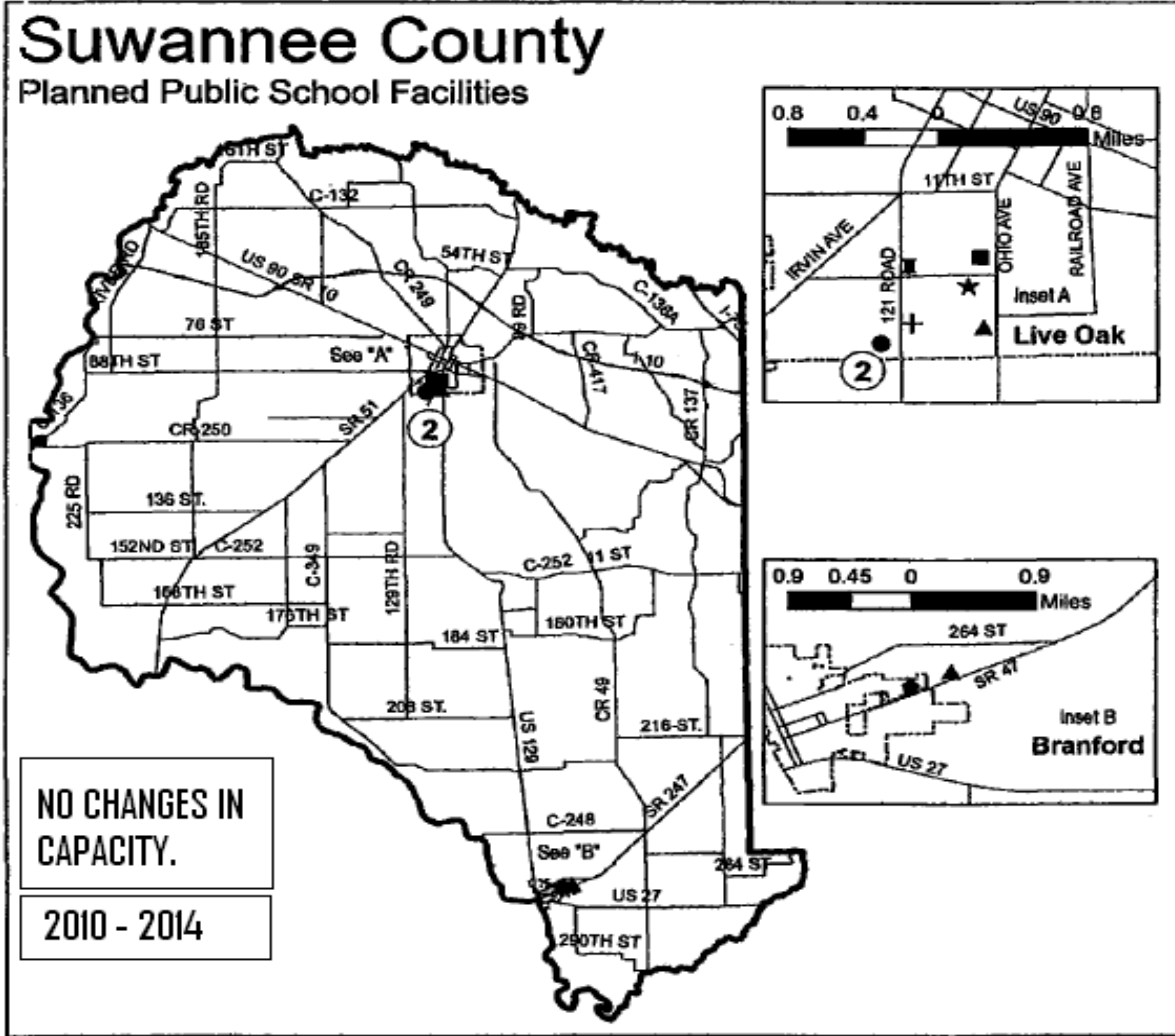


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ILLUSTRATION A-XV

PLANNED PUBLIC SCHOOL FACILITIES 2010 - 2014

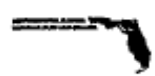
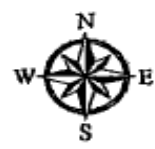
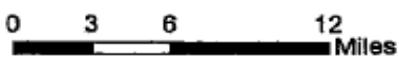
Revised October, 2009 – No changes in capacity



NO CHANGES IN
CAPACITY.
2010 - 2014

Legend

- + Primary School (K-1)
- ▲ Elementary School (2-3)
- ▤ Intermediate School (4-5)
- Middle School (6-8)
- Middle/High School (6-12)
- High School (9-12)
- ★ Technical Center
- City Limits
- Roads

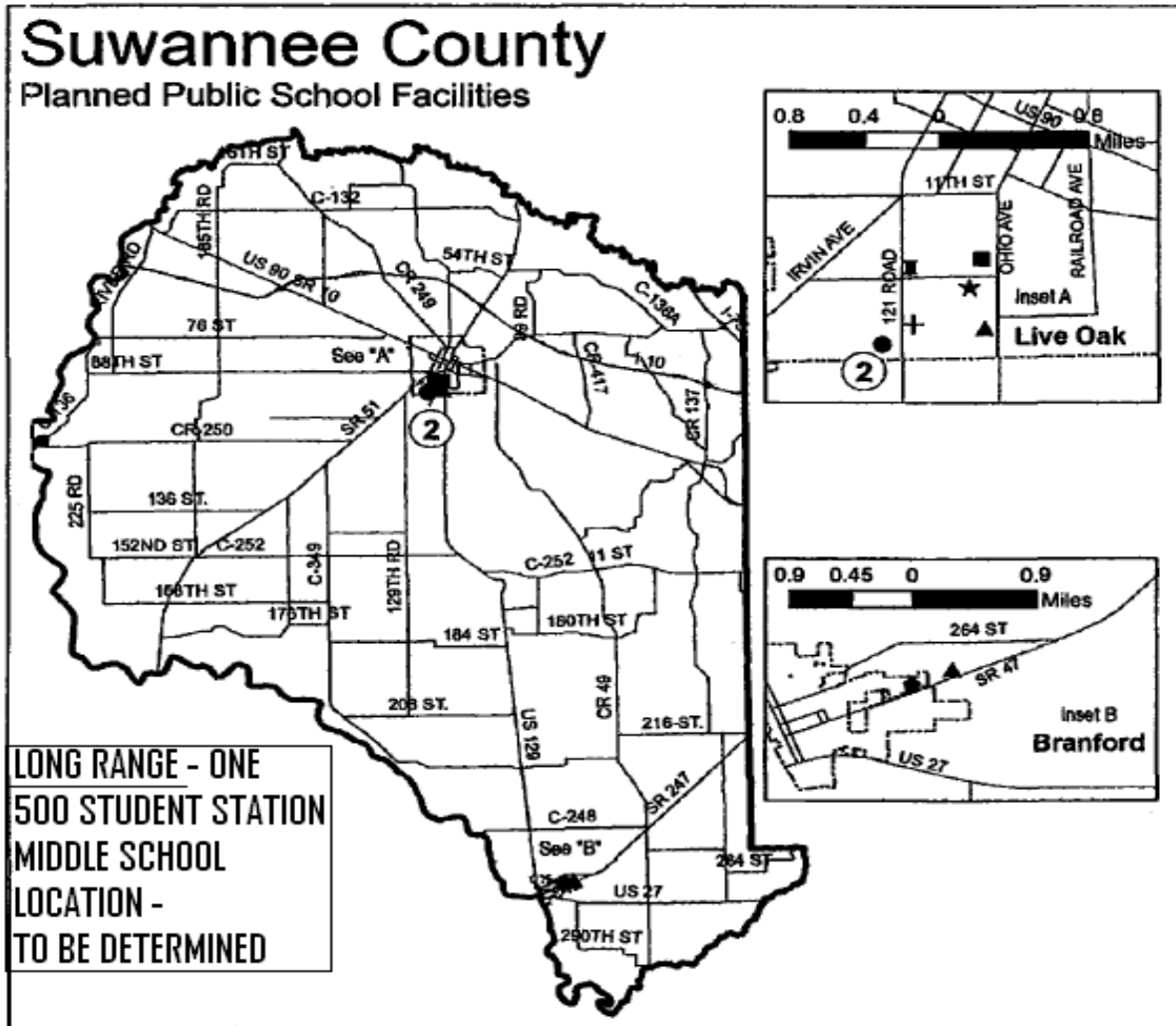


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ILLUSTRATION A-XVI

TEN-YEAR LONG RANGE PLANNED PUBLIC SCHOOL FACILITIES 2019

Revised October, 2009

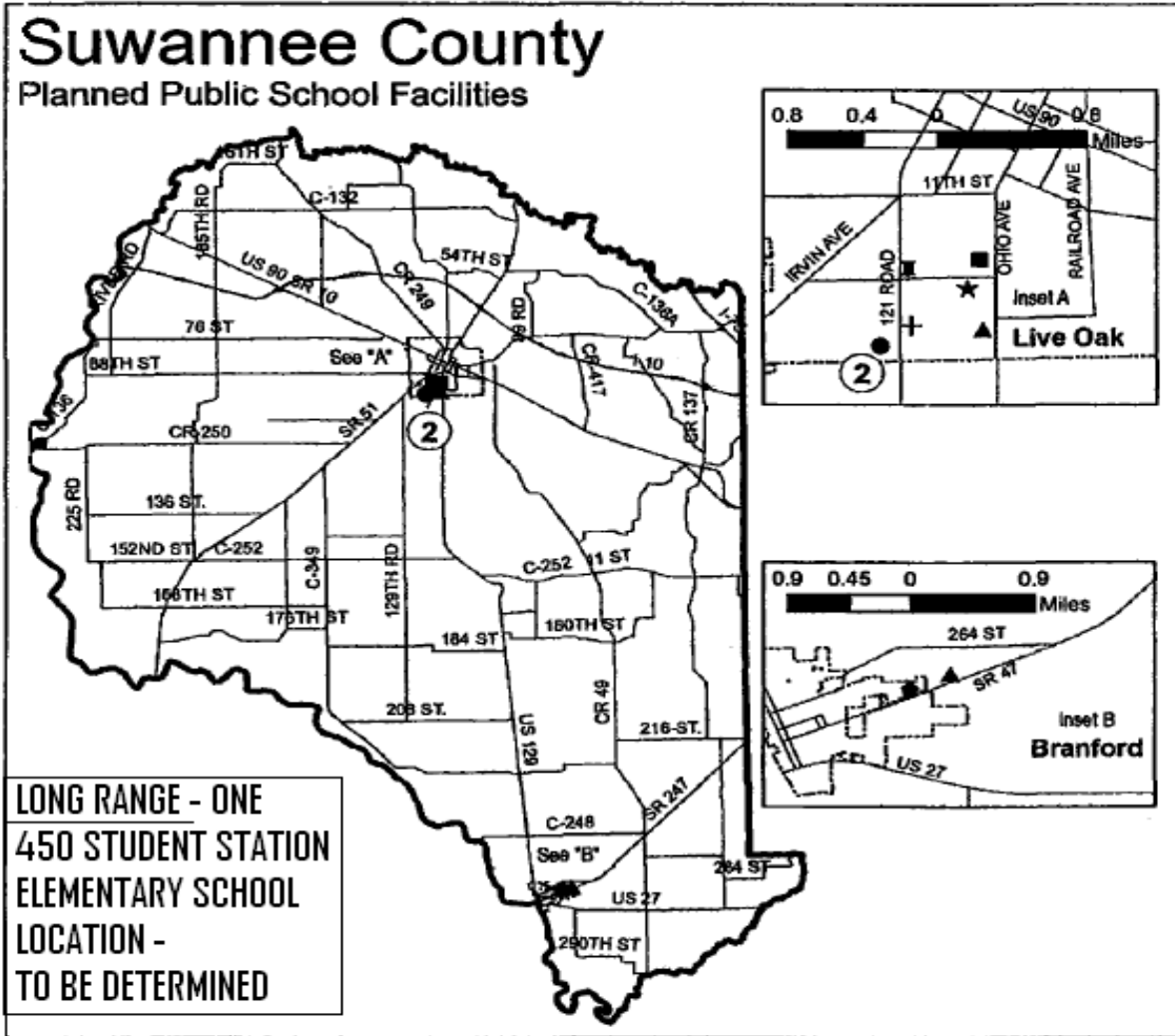


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ILLUSTRATION A-XVII

TWENTY-YEAR LONG RANGE PLANNED PUBLIC SCHOOL FACILITIES 2029

Revised October, 2009



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CREDITS FOR CONTRIBUTING STAFF

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Planning and Zoning Department Administrator