

## **CHAPTER 7 (9J-5.006)**

### **FUTURE LAND USE ELEMENT**

**Section 7.01**            **Purpose:** The purpose of this element (Chapter) is the designation of future land use patterns as reflected in the goals, objectives and policies in this Ordinance.

**Section 7.02**            **Existing Land Use Data:** This element is based upon the data requirements pursuant to 9J-5.005(2) and 9J-5.006 (1), F.A.C. Reference paragraph 5.03 Foundation Documents, 5.06 Data and Analysis and Chapter 4, Foundation Document.

**Section 7.03**            **Land Use Analysis:** This element is also based upon the analysis requirements pursuant to 9J-5.005(2) and 9J-5.006(2), F.A.C. Reference paragraph 5.03 Foundation Documents, 5.06 Data and Analysis and 5.07 Population Projections and Chapter 4, Foundation Documents.

**Section 7.04**            **Goals, Objectives and Policies:** The Goals, Objectives and Policies of this element are as follows:

**Goal 7.A**                Manage the future development of the City in a manner consistent with the ability to provide adequate infrastructure and protect important resources.

**Objective 7.A.1**        Coordinate future land uses with the appropriate topography, soil conditions and the availability of facilities and services by implementing Policies 7.A.1.1 through 7.A.1.3, among others, and by including regulations within the Land Development Code (LDC) and adopting such code within the time frame specified within s.163.3201 (1), F.S.

**Policy 7.A.1.1**         The City shall maintain an adopted Land Development Code pursuant to Chapter 163.3202, F.S.

**Policy 7.A.1.2**         The Land Development Code shall contain specific and detailed provisions to implement this Ordinance including, as a minimum, the following:

- a.        Regulation of the subdivision of land;
- b.        Regulation of the use of land by zoning districts which implement the land-use categories shown on the future land use map (Figure 7-1).
- c.        Ensure compatibility of adjacent land uses pursuant to sub-part b above.
- d.        Provide for open space (reference Chapter 12 of this Ordinance);
- e.        Protect potable water wellfields and sources (reference Policy II.B.2.1);

- f. Regulation of areas subject to seasonal or periodic flooding (reference Policy 7.A.4.3);
- g. Continue to provide for drainage and storm water management (reference Objectives 10.C.1 and 10.C.2);
- h. Protect the environmentally sensitive lands designated within this ordinance (reference Policy II.B.3.3);
- i. Continue the regulation of signage (reference Chapter 23 of the City Code);
- j. Implement the Concurrency Management System described in Chapter 6 of this Ordinance; and
- k. Insure adequate, safe and convenient on-site traffic flow and parking (reference Policy 8.A.1.2).

**Policy 7.A.1.3** The Land Development Code, adopted pursuant to Policy 7.A.1.1 shall include regulations pursuant to Policy 7.A.1.2.(b) with the following densities:

- a. Low density residential development includes 1.0 dwelling units per gross acre up to 6.0 dwelling units per gross acres (reference the City's Zoning Ordinance and the subdivision regulations).
- b. Medium density residential development includes from 5.56 dwelling units per gross acre up to 15.0 dwelling units per gross acre (reference the City's Zoning Ordinance and the subdivision regulations).
- c. Other land use densities shall be regulated pursuant to the height, area and bulk restrictions contained within the City's Zoning Ordinance (also reference the subdivision regulations).
- d. Compatible uses ancillary to the residential land use categories may be allowed under stipulated conditions.

**Policy 7.A.1.4** Public and private schools are considered allowable uses within the Residential, Commercial and Public Lands land use categories.

**Policy 7.A.1.5** The City will coordinate with the Okaloosa County School Board to encourage the location of schools proximate to residential and mixed use areas to the extent possible and shall seek to co-locate public facilities, such as parks, libraries, and community centers, with schools to the extent possible.

**Objective 7.A.2** The City continually shall encourage and support the development and renewal of blighted or under-utilized areas by implementing Policies 7.A.2.1 through 7.A.2.4, among others; and by including provisions within the LDC (reference Policy 7-A.1.1).

**Policy 7.A.2.1** The City shall direct its Community Development Block Grant efforts to those areas within the City demonstrating greatest need.

**Policy 7.A.2.2** The Land Development Code shall contain requirements for new development to utilize existing water, sewer and solid waste collection systems in order to discourage urban sprawl and encourage commercial re-development.

**Policy 7.A.2.3** New development will be located in conformance with the categories shown on the Future Land Use Map (Figure 7-1) and with the following standards:

- a. New general commercial development shall locate on arterial or collector roadways;
- b. New industrial development shall locate on arterial or collector roadways; and
- c. New medium density residential development shall be located on or be connected to arterial or collector roadways or be adjacent to Eglin AFB boundaries.

**Policy 7.A.2.4** The LDC shall contain the standard unsafe building code and the City shall continue to implement the provisions of the unsafe building code (also see Policy 9.A.2.2).

**Objective 7.A.3** The City shall encourage and provide for the elimination or reduction of uses inconsistent with the community's character and future land uses by implementing Policies 7.A.3.1 through 7.A.3.4, among others. Regulations necessary to implement the policy standards shall be included within the LDC (reference Policy 7.A.1.1).

**Policy 7.A.3.1** The LDC shall contain provisions to eliminate expansion of non-conforming land uses which are inconsistent with the Future Land Use Map or the City's Zoning Ordinance.

**Policy 7.A.3.2** The LDC shall contain provisions which ensure that all future development is consistent with accepted planning practices and principles as well as natural area limitations. The provisions (regulations) will address items such as conservation of resources, efficiency of use and development, aesthetic appeal and short and long term impacts of proposed development plans.

**Policy 7.A.3.3** Expansion or replacement of land uses which are inconsistent or incompatible with the Future Land Use Map shall be prohibited (also see Policies 7.A.1.3 and 7.A.2.3).

**Policy 7.A.3.4** The City shall continue enforcement of the limitations placed on non-conforming uses of buildings, non-conforming uses of land, changes in use classifications and districts, and restoration and occupancy of damaged buildings pursuant to Chapter 30 of the Code of Ordinances of the City as a means to eliminate expansion of non-conforming land uses which are inconsistent with the Future Land Use Map and the community's character.

**Objective 7.A.4** The City continually shall insure the protection of natural and historic resources by implementing Policies 7.A.4.1 through 7.A.4.5 upon adoption of the LDC (reference Policy 7.A.1-1).

**Policy 7.A.4.1** The LDC shall contain provisions that promote the natural functions of identified wetlands and wetlands enhancement projects will be encouraged or required where appropriate. Appropriate shall be defined as any time a proposed development impacts a functioning wetland. The City shall promote the protection of identified wetlands by including regulations within the LDC (for example, see Policies 11.A.1.2 and 11.A.2.2).

**Policy 7.A.4.2** The LDC shall include regulations that control the extraction of natural resources and such extraction shall be permitted only where compatible with adjacent land uses and where minimal resource degradation will occur. Further, extraction of natural resources shall be permitted only when in conjunction with construction projects. Such extraction shall be conducted so as to retain the resource upon completion of such construction. Note: The extent of resource retention will be defined within the approved development orders or development permits issued for any particular project or site.

**Policy 7.A.4.3** The City shall use the latest version of the Flood Damage Prevention Ordinance promulgated by the F.E.M.A. to determine the location of the 100 year floodplain and flood prone areas. The City shall include provisions within the LDC to regulate construction within the 100 year floodplain and flood prone areas.

**Policy 7.A.4.4** The LDC shall include provisions which will require identification and preservation of significant archeological and/or historic sites or structures within the City (also, see Policy 7.A.8.2). As a minimum, the provisions will require the identification and protection of any site or resource within the City listed on the Florida Master Site File. The applicants for development or redevelopment of properties containing such sites will be provided guidance by the City upon making application for such development or redevelopment.

**Policy 7.A.4.5** The Land Development Code shall contain regulations which must be followed any time a proposed development impacts an historic or archeological site within the City. Note: The Florida Department of State, Division of Historic Resources has identified five (5) undestroyed sites within the City which have potential historic or archeological significance. Protection of these sites will be accomplished through regulations contained within the LDC (reference Table 4-1, Foundations Documents). The regulations will include protection of the sites referenced in this policy and will be developed in cooperation with the Office of Secretary of State, Division of Historical Resources. The regulations will include provisions which require the cessation of land disturbing activities any time artifacts with potential historical significance are revealed during construction activities on any site with potential historical significance. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. The cessation may be lifted upon such determination. Normally determination will be made by those approved to make such determinations by the Office of the Secretary of State, Division of Historic Resources.

**Objective 7.A.5** Coordinate coastal area population densities with the Okaloosa County Hurricane Evacuation Plan (reference Chapter 11 of this Ordinance) upon adoption of this Ordinance.

**Policy 7.A.5.1** Population density shall be limited to those limitations reflected on the Future Land Use Map (Figure 7-1) and as described in Policy 7.A.1.3.

**Policy 7.A.5.2** The City shall promote, to the extent possible, improvements to the critical roadway segments delineated in the Northwest Florida Hurricane Evacuation Restudy, U.S. Army Corps of Engineers, July 1999 (also see Policy 11.A.7.1).

**Objective 7.A.6** The City shall discourage the proliferation of urban sprawl by encouraging re-development consistent with the Future Land Use Map upon adoption of this Ordinance.

**Policy-7.A.6.1** The City shall prioritize its Capital Improvements funding in a manner that generally assigns first priority to the renewal and replacement of existing obsolete or worn out facilities in order to provide infrastructure capacity necessary to private sector development or re-development activities (reference Policy 14.A.1.3 of this Ordinance).

**Policy 7.A.6.2** The City shall pursue the rehabilitation and reuse of governmental facilities, structures and buildings as the preferred alternative to new construction (reference Policy 14.A.1.4 of this Ordinance).

**Policy 7.A.6.3** The City shall utilize its fiscal resources and stringent land development regulations together with the available, existing and planned infrastructure to allow "infill" development or redevelopment. Note: There is little opportunity for "leap-frog" development in Valparaiso inasmuch as infrastructure needed to serve undeveloped parcels is in place or planned for those areas where development or redevelopment can occur. Thus, infill type development is the only type development anticipated during the planning period within the City.

**Policy 7.A.6.4** Public facilities and services shall be located to minimize their costs, minimize their impacts on the natural environment and maximize their efficiency (reference Table 14-1). Cost alternatives, impacts on the environment and levels of efficiency shall be determined during the design phase and bid process utilized by the City to accomplish the installation or location of public facilities and/or services (reference Policies 8.A.1.6, B.A.1.7, 8.A.5.1, 10.A.2.1, 10.A.2.2, 10.A.2.3, 10.B.1.2, 10.B.1.3, 10.C.2.1, 10.D.2.2, 11.A.1.3, 11.A.1.5 and 11.A.11.3).

**Objective 7.A.7** The City shall insure the availability of suitable land for utility facilities necessary to support proposed development through provisions within the LDC or acquisition of land by the City (reference Policies 7.A.1.1, 8.A.5.1, Table 14-1 and Chapter 6 of this Ordinance).

**Policy 7.A.7.1** The City shall include land acquisition within its Capital Improvements Element (reference Chapter 14) and within its Capital Improvements Program (reference Policy 14.A.5.1) when necessary to provide for public lands for utility facilities.

**Policy 7.A.7.2** The City shall continue to require dedication of adequate rights-of-way pursuant to Chapter 25 of the City Code for use as roadways and by utilities for extensions or improvements.

**Objective 7.A.8** The LDC shall provide for the use of innovative land development techniques including, but not limited to, provisions for planned unit developments and other approaches to mixed-use development upon adoption of the LDC (reference Policy 7.A.1.1).

**Policy 7.A.8.1** The City shall continue to promote and encourage the use of the planned unit development technique enacted within Section 30-10.2 of the City Code. Applicants with projects which might qualify for use of the planned unit development technique shall be advised of the technique and the benefits to the development as well as the community during the site plan or development plan review phase.

**Policy 7.A.8.2** The LDC shall include provisions for the implementation of the HP (Historic Professional) District pursuant to Section 30-8.A of the City Code (reference Objective 7.A.4).

**Policy 7.A.8.3** The LDC shall include provisions which, at a minimum, contain:

- a. Density, lot coverage requirements and height variations through the provision of two or more zoning districts designed to implement the commercial and/or planned unit development categories;
- b. Sight and sound buffers between residential uses and more intensive uses;
- c. Planned unit developments shall be encouraged to include local or neighborhood convenience facilities within such developments; and
- d. The LDC will contain provisions pursuant to Policy 8.A.1.2.

**Section 7.05** **Future Land Use Maps:** The following Future Land Use Map Series is, by reference, made a part of this Ordinance including all future amendments, revisions and updates:

- (1) Map No. 7-1, City of Valparaiso Future Land Use Map, dated January 1990 and as prepared by Barrett, Daffin and Carlan, Inc.
  - a. The following generalized land use categories are shown on the Future Land Use Map:
    1. Residential (low density and medium density);

2. Commercial use;
  3. Industrial use;
  4. Recreational use;
  5. Conservation;
  6. Public lands (includes educational facilities, public buildings and grounds and other public facilities); and
  7. Historic Professional district boundaries.
- b. There are no agriculturally zoned lands within Valparaiso nor are any planned. Therefore, the agricultural land use category has been eliminated from the Future Land Use Map.
  - c. Shores, estuaries, bayous and other water bodies are all shown on the Future Land Use Map (Figure 7-1).
- (2) Wetlands are shown on Figure 7-2 titled, City of Valparaiso Generalized Wetlands as prepared by Barrett, Daffin and Carlan, Inc. and dated January 1990.
  - (3) Soil associations are shown on Figure 7-3 titled, Soil Associations, as prepared by the Florida Department of Administration, Division of State Planning, Bureau of Comprehensive Planning, soil ratings and limitations and features affecting selected uses by soil association, November, 1973.

**Section 7.06**            **Land Use Map Series:** It is the intent of this Ordinance that the maps described in Section 7.05 be the Future Land Use Map Series for the City of Valparaiso.

**Section 7.07**            **Amendments:** The Future Land Use Map Series may be amended by following the requirements in Section 5.13 of this Ordinance. However, it is not necessary to amend the Future Land Use Map when a re-zoning occurs within the same land use category or when a down zoning occurs to lessen density or intensity of development within the same land use category.

**Section 7.08**            **Zoning Maps:** The LDC shall contain the Zoning Ordinance of the City of Valparaiso (Section 30 of the City Code) as well as the Zoning Maps adopted-pursuant to said Ordinance. The Zoning Ordinance and Zoning Maps are designed to implement the Future Land Use Map. Thus, within any given future land use category there may be one or more zoning district designations. For example, the future land use commercial category may include several zoning districts within the category and such districts will be delineated on the Zoning Maps as opposed to the Future Land Use Map (reference Policy 7.A.3.1).

**Section 7.09**                    **Implementation:** The Future Land Use Map Series will be implemented through inclusion within the LDC of the necessary regulatory devices to promote, control and regulate land uses. These devices include, but are not limited to, a zoning ordinance, a subdivision ordinance, a standard building code and the several ordinances necessary to implement Policy 7.A.1.2 as well as other ordinances controlling land development or construction practices.