

Revised 08/08

Draft

**2007 Evaluation and Appraisal Report
Of the
Apalachicola
Comprehensive Plan**

**Prepared by:
Apalachicola Planning Department
Betty Taylor Webb, City Administrator**

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Introduction

Pursuant to Florida law, comprehensive land use planning is a “continuous and ongoing” process – constantly evolving to react to changing conditions. As a planning tool, a comprehensive plan must remain current if it is to be effective in guiding future growth for the benefit of individual property owners as well as the general public. It is with this in mind that the Evaluation and Appraisal Report (EAR) process was created through the adoption of section 163.3191, Florida Statutes, to ensure that all local comprehensive growth management plans are periodically subject to a review process so that they remain relevant to the communities that they serve.

The City of Apalachicola has maintained a comprehensive plan since 1990. In 1999 it undertook its first Evaluation and Appraisal Report Process and in 2004 completed part of the required EAR based amendments. As mandated by state law, Apalachicola was required to submit a 2007 EAR report to the Florida Department of Community Affairs no later than September 1, 2007.

Evaluation of the Apalachicola Comprehensive Plan began in the Spring of 2007 when the Apalachicola City Commission requested that the City’s Planning Consultant undertake the project. This consultant was responsible for working with the City’s Planning and Zoning Board in completing the project.

Two workshops were held in April and May to determine if there were any issues of local importance on which to focus the EAR. Advertisements were published notifying the public of the workshops and the local radio station announced the workshops also. Subsequent to those workshops, the Apalachicola Planning and Zoning Commission held three additional workshops in July, August and September to review the EAR as it progressed.

The Florida Department of Community Affairs and the City agreed to focus this EAR on three major topics: (1) Affordable Housing, (2) Riverfront land use conflicts, (3) traffic congestion and (4) concurrency issues related to stormwater and wastewater availability. Those agreed upon topics were evaluated and appraised throughout a series of public workshops hosted by the City’s Planning and Zoning Commission.

When the EAR was completed, additional workshops were held to ensure that the public had an opportunity to review the report and comment. The notices also provided information on where to send written comments and questions.

Section A. Local Issues

1. AFFORDABLE HOUSING

The issue

There is a lack of affordable housing in the City of Apalachicola. The value of housing in Apalachicola is increasing as historic renovations occur and new expensive houses are built. However, the types of jobs that are being created in the City and County are generally in the lower-paying service sector.

According to figures from the Florida Housing Data Clearinghouse, the 2005 population of Apalachicola was 2486. There were 1091 households. The homeownership rate in Apalachicola was 71.6 percent, marginally better than the state average of 70.3 percent.

Population Projections

- In 2030, Apalachicola is projected to have a population of 2528 - a modest projection estimate increase.
-
- Projected Total Population, Apalachicola, 2005-2030

Place	2005	2010	2015	2020	2025	2030
Apalachicola	2486	2737	2694	2652	2601	2528
Note: Housing Needs Assessment - Population and Household Projection Methodology User Guide .						
Source: Not Available.						

In 2005, 283 Apalachicola households (26%) paid more than 30% of income for housing and 119 households in Apalachicola (11%) paid more than 50% of income for housing. The 2005 HUD-estimated median income for a family of four in Apalachicola was \$36,700.

Apalachicola’s average single family home value in 2005 was \$114,155 compared to the statewide 2005 average of \$201,829.

Census data shows that the value of housing within Apalachicola, indeed throughout the entire County, is increasing. In 2005, the average sales price for a single family home was \$225,775. This is due in part to the entire County’s transition from an agriculture and fishing-based economy to one that is more tourism-based. As larger, more expensive

vacation homes are built, (and historic homes renovated), the types of jobs that are being created are generally in the lower-paying service sector.

This, coupled with the City's historic need for lower-income housing, creates a need for the City to examine closely the ways in which it can encourage the development of affordable housing.

Changes in Conditions since the previous Evaluation and Appraisal Report

The last Evaluation and Appraisal Report (EAR)-based amendments were adopted in October 2005 without fully addressing some issues related to updated data and analysis. That information relating to housing stock and census data is included in this EAR.

In the months since that plan's adoption, there have been no significant changes in the provision of affordable units, although it is noteworthy that the majority of public and assisted housing unit stock for the entire county is within the City limits. Many of the same trends that were examined in the previous EAR-based amendments are still ongoing today.

The previous plan examined the population's demographic and housing characteristics with data from the 1990 Census. Clearly, there is a need to update all data to reflect 2000 census information.

The City lacks the appropriate data and analysis to accurately analyze the extent of the situation. However, for intermediate planning purposes, the County's housing trends can be examined. According to the County figures, the numbers of moderate, middle and high-income households are increasing at a faster rate than the low and very-low income households. With the type of development that is occurring in the County the number of higher income households should increase.

According to data and analysis from the 2000 census, 2,245 households in Franklin County needed housing assistance. These are households whose income is at or below 80% of the area's median income. In Franklin County, the median income levels for the state, rather than the County, are used to determine the income limits for housing assistance. Using the higher state median income to establish income limits for affordable housing has the effect of raising the minimum income, thus making housing assistance programs available to a larger number of people. In 1999 (income levels from this year were used in the EAR-based amendments), the County median family income was \$29,800, and the threshold for housing assistance was \$29,900. The US Department of Housing and Urban Development (HUD) estimates the 2006 Franklin County Median Family Income to be \$37,400, up \$7,600 from 1999. The housing assistance threshold is \$29,920 for 2006. However, there is no income level data for the County for 2006. Therefore, the number of affordable units needed to serve the population in 2020 will be held constant from the previous EAR-based amendments, at 2,276. Of that number, it is anticipated that the Apalachicola population will increase by 166 people by the year

2020. Based on 2.3 persons per household, an additional 72 dwelling units will be needed in Apalachicola.

There are several housing developments within the County that provide affordable housing – most of them are in Apalachicola. These are presented in Table 1.1, below, and provide 174 units.

Table 1.1 Public and Assisted Housing Units in Franklin County, 2006

Development Name	Location	Number of Units
Heritage Villas	Apalachicola	23
Southern Villas Of Apalachicola	Apalachicola	35
Carrabelle Cove	Carrabelle	32
Eastpoint	Eastpoint	30
Housing Authority of the City of Apalachicola	Apalachicola	54
Total		174

Source: Shimberg Center for Affordable Housing, University of Florida, 2006

Several legislative changes have been made to encourage the provision of affordable housing. These include:

- Requiring each county to create an inventory list of all property it owns that is appropriate for use affordable housing.
- Any independent district created to provide urban infrastructure or services may provide housing and housing assistance to its employees whose income does not exceed 140% of the area median income.
- A local government may require that state lands be declared surplus for the purpose of affordable housing.
- Allow Developments of Regional Impact to increase the number of residential units by 50% or 200 units, whichever is greater, provided that 15% of the additional units are dedicated to affordable workforce housing and remain affordable for 20 years, and not be a substantial deviation.
- Modify the required and suggested components of local housing assistance plans to include a list of essential service personnel (teachers, police, and fire personnel) and encourage the development of strategies that seek to retain essential personnel and provide assistance to those displaced by the conversion of a mobile home park.
- Allow school boards to use portions of school sites to provide affordable housing for teachers and other essential service personnel
- Provide a density bonus for land donated to the local government for affordable housing, and allow that density to be transferred to any land within the local government’s jurisdiction provided that residential is an allowable use. The underlying

land use on the property must accommodate the increased density; however, the land use may be changed through a small scale land use amendment.

Existing Comprehensive Plan

There are several objectives that relate to Affordable Housing within the current Comprehensive Plan that meet the intent of the 2006 legislation in so far as the City has the control over such provisions. Many of the 2006 mandates (independent district, state land surplus, DRIs, School board authorization) are beyond the authority of the City or are not realistic considering the small size of the City of Apalachicola.

The current objectives of the current comp plan relating to affordable housing are as follows:

1. Provide or assist the private sector in providing 102 net dwelling units, including low and moderate income housing
2. Rehabilitate at least 289 substandard housing units
3. Eliminate all substandard housing
4. Provisions be made for adequate sites for mobile homes, including development standards for mobile home parks, and for low and moderate income housing.
5. Provide sufficient numbers of housing units to meet the demands of elderly and handicapped persons, including such facilities as group homes and foster care facilities.
6. Provide relocation housing for those persons displaced as a result of federal, state and local programs.
7. Preserve, restore and enhance historic houses and buildings so that no historic structures that are salvageable are lost.

ASSESSMENT OF OBJECTIVES AND POLICIES RELATING TO MAJOR ISSUE

Successes and Shortcomings: Outdated data and analysis in the current comprehensive plan make it difficult to determine whether certain objectives such as the provision of net dwelling units, rehabilitation of substandard housing units, elimination of all substandard housing have been met. It is recommended that updated data, such as that which has been referenced in the discussion above, be incorporated into the comprehensive plan data and analysis section to address the identification of low and very low income families. It is possible that given the relatively slow population increase in the City (census) that technically, these objectives have been met. However, the issue of providing affordable housing in the City is more than making the numbers work on paper. It is also recommended that the City address new statutory requirements relating to affordable housing as identified in F.S. 163

Analysis and Recommended Revisions

The City needs to work to provide affordable housing in order to retain its residents and to provide housing for its workforce. If the City fails to provide enough affordable units,

the workforce will encounter problems finding sufficient housing opportunities. This may eventually result in the City and County having trouble retaining its essential personnel.

The Housing Delivery System within the City relies primarily on the private system for providing housing. With property values in the City escalating and with increases in wages not keeping up, the City faces what most coastal tourism communities face nationwide – a dwindling supply of affordable housing for its workforce.

In developing these incentives and options, the City may wish to work with the County and a recently organized affordable housing group to identify proposed solutions. Some ideas gathered during local workshops include:

- Adopt policies that establish criteria for land that is acceptable for affordable housing including modifying land use regulations in high density residential areas to accommodate affordable housing developments.
- Establish a Community Land Trust to accept donations and to provide land for affordable housing.
- Investigate additional funding sources to increase the number of substandard and dilapidated housing units refurbished each year.
- Include within the Housing Element objectives and polices which allow the City to review its surplus properties and possibly donate land for affordable housing projects.
- Implement those polices within the Housing Element which proactively address affordable housing outlining density bonuses, reduced fees, and streamlined permitting, to provide incentives for the development of affordable housing.
- Explore options for providing affordable housing as suggested by the County Affordable Housing Coalition
- Redevelop existing affordable housing projects that are outdated and increase the density on the land to provide more units.

With regard to the objective that speaks to preservation of historic houses, the City has adopted guidelines for the renovation and repair of such structures in keeping with the historic character of the community. One suggestion for improving the adherence to those guidelines would be for the City to adopt a portion of the guidelines as data and analysis into the Historic Element and to adopt portions as a mandatory part of the land development regulations. Another recommendation might be to amend the regulation provisions which allow for the demolition of a structure after appropriate public notice.

There are a number of issues identified by the State in the 1999 EAR relating to housing which have not yet been addressed. In addition to meeting new state requirements relating to affordable housing, it is recommended that the City's Comprehensive Plan be revised to include those outstanding issues identified in the 1999 evaluation which include the following:

- revise policies to recognize low and very-low income households by referencing updated census information adopted into the data and analysis of the City's Comp plan

along with relevant housing to better outline the demographic picture of the City's housing situation.

- Update census information on housing
- Include Affordable housing information and identification of any surplus, deficit
- Updating dates throughout the policies to reflect amended planning period.
- Include data, analysis and policy addressing affordable housing land donation density incentive bonus (per 163.3209) to provide affordable housing. Provide for recommended adoption of a plan amendment for any such land;

2. LAND USE CONFLICT IN THE RIVERFRONT DISTRICT

The Issue

Land Use and Intensity Standards for property within the City's Riverfront District is currently a source of conflict in the City. As land prices and taxes escalate in the City, there has been some general discussion about allowing more intense type development to occur along the riverfront. Much of that property falls within the Coastal Area which requires lower densities and intensities than land off the riverfront unless such activities are commercial seafood production related. The conflict between the two development ideologies has resulted in a stalemate for much if any development in the district.

The Apalachicola Land Development Code was adopted in 1991, following on the heels of the City's adoption of its first comprehensive plan in 1990. Then as now, the City was designated an Area of Critical State Concern.

At the time of code adoption, the City's riverfront district was made up of primarily seafood processing facilities or vacant land. The comprehensive plan, particularly the Coastal Management Element, placed emphasis on the preservation and accommodation of low intensity and seafood-related or water dependent business along the City's riverfront.

Changes in Conditions since the previous Evaluation and Appraisal Report

The last Evaluation and Appraisal Report (EAR)-based amendments were adopted in October 2005 without fully addressing some issues related to updated data and analysis. That information primarily relates to updated resource-based information and maps and is addressed in this EAR.

On a broader scale, the following conditions have changed. Over the past 20 years and even since the previous EAR, seafood processing businesses on the riverfront have dwindled and the overall emphasis of the downtown district business base has shifted toward the tourism type businesses. It is important to note, however, that the population numbers have not increased significantly over the past years. The City experiences growth mostly in its historic district through restoration and rehabilitation and the only annexation that has occurred in the past 20 years has occurred to accommodate a small charter school.

The County, on the other hand, continues to grow in terms of larger residential developments which cater to tourism and vacation and retirement homes. As a result, the City has felt the impact in terms of increased seasonal population as well. It is becoming evident that the economy is evolving from a small town with only a seafood and resource-based economy to one that is growing increasingly dependent on resource-based tourism. Throughout the downtown district, retail, restaurant and accommodations businesses have been growing in numbers, catering to the increased walking traffic of downtown visitors – visitors that are here because they appreciate the resources, history and charm of the town. This is particularly evident by the recent honor bestowed on the

city by the National Historic Preservation Board that proclaimed Apalachicola in February 2008 to be one its 2008 “Distinctive Destination” for its charm, resources and commitment to preservation.

As this shift in the overall economy of the City has occurred, it has created a perceived “exclusivity” in the area which has driven up land and home prices which, in turn, have resulted in higher property taxes throughout the area. As land prices and taxes elevate, there has grown an urgency among some property owners, particularly waterfront property owners, to increase the intensity of the use of their property to take advantage of the “highest and best economic use” of land.

This issue has resulted in what the City has determined one of its major local issues in its 2007 Evaluation and Appraisal Report – the conflict between commercial land uses especially along the riverfront. There is an ongoing effort by commercial riverfront land owners to develop or at least to change the land use/zoning requirements which currently favor commercial seafood processing and water dependent to accommodate more intense type development.

The conflict is that much of the City’s commercially designated riverfront land falls within the Coastal Area which requires lower densities and intensities than land off the riverfront – unless such activities are commercial seafood production related.

Existing Comprehensive Plan

There are several objectives in the current comprehensive plan that relate to the protection of the resources adjacent to waterfront property, intensity use standards and the preservation of resources. The primary governing objectives fall within the Coastal Management Element and Land Use Element. They are identified below.

Coastal Management Element

Policy 14.2: Properties between designated scenic roads and wetlands or open water shall be zoned the lowest density allowed for their respective future land use categories.

Policy 14.3: Site plan requirements for areas between designated scenic roads and wetlands or open water shall require the use of native vegetation in landscaping, separation of buildings by at least 50 feet along the axis of the road, and the avoidance of fencing or landscaping that would obstruct views of wetlands or open water.

Policy 1.4: Upland areas of native vegetation larger than 40 acres and all wetlands impoundments are designated either the lowest density residential, conservation or low intensity commercial on the future Land Use Map. All marine wetlands are designated as such on the map series. No development will be permitted in coastal wetlands.

Policy 2.2: The City's land use regulations shall prohibit high density development adjacent to sensitive wetlands areas, and shall prohibit destruction of wetlands vegetation without mitigation

Policy 14.1: U.S. Highway 98 within the City, Water Street, and Bay Avenue shall be designated scenic roads

Policy 7.3 (b) non-public use marinas or multislip docking facilities shall be allowed only in medium density residential zoning districts and then only if docking facilities are limited to use by residents.

Objective 12. The amount of public access to coastal resources shall be maintained and not decreased between 1990 and 2000.

Policy 12.1 Existing access for the public to the river and bay shall be maintained by new development. New riverfront development shall show on their site plans existing riverfront access ways and the proposed development shall continue that access way, relocate it on the site, or donate it to the City.

Future Land Use Element

Policy 2.2. This policy defines the density thresholds for residential and commercial. Low density commercial is defined as less than 60% lot coverage.

ASSESSMENT OF OBJECTIVES AND POLICIES RELATING TO MAJOR ISSUE

Success and shortcomings: The existing comp plan objectives and policies do a good job of outlining specific protective measures that the City should take to preserve sensitive coastal areas. However, some of the policies are contradictory with some land development code requirements. Two policies, in particular, 14.2 and 14.3 are not consistent with the current code and should be reviewed and possibly modified to be consistent with the code or, the code should be revised to be consistent with the plan.

Other inconsistencies include the following:

Land Use Element: Policy 2.2. This policy defines the density thresholds for residential and commercial. Low density commercial is defined as less than 60% lot coverage.

Assessment: This intensity standard is currently in effect within the City's land use code. Development pressures suggest this may be one of the flashpoints in the major issue discussion as higher intensity/density standards are sought. Some possible solutions being discussed involve density transfers off the riverfront.

Coastal Management Element: Policy 1.4: Upland areas of native vegetation larger than 40 acres and all wetlands impoundments are designated either the lowest density

residential, conservation or low intensity commercial on the future Land Use Map. All marine wetlands are designated as such on the map series. No development will be permitted in coastal wetlands.

Assessment: The areas of isolated wetlands within the City's Riverfront District are not subject to development and therefore not currently a source of contention.

Coastal Management Element: Policy 2.2: The City's land use regulations shall prohibit high density development adjacent to sensitive wetlands areas, and shall prohibit destruction of wetlands vegetation without mitigation.

Assessment: The areas of isolated wetlands within the City's Riverfront District are not subject to development and therefore not currently a source of contention.

Coastal Management Element: Policy 14.1: U.S. Highway 98 within the City, Water Street, and Bay Avenue shall be designated scenic roads.

Assessment: This policy carries density restrictions with it as referenced in policy 14.2 and may become a source of contention as development pressures increase along the City's riverfront. One suggestion to come up as a result of public workshops could involve moving density off the riverfront in a density transfer to more non sensitive upland areas in the adjacent to the riverfront.

Coastal Management Element: Policy 14.3: Site plan requirements for areas between designated scenic roads and wetlands or open water shall require the use of native vegetation in landscaping, separation of buildings by at least 50 feet along the axis of the road, and the avoidance of fencing or landscaping that would obstruct views of wetlands or open water.

Assessment: This policy carries development restrictions with it and may become a source of contention as development pressures increase along the City's riverfront. One suggestion to come up as a result of public workshops could involve moving density off the riverfront in a density transfer to more non sensitive upland areas in the adjacent to the riverfront.

Coastal Management Element: Policy 14.2: Properties between designated scenic roads and wetlands or open water shall be zoned the lowest density allowed for their respective future land use categories.

Assessment: This policy carries density restrictions with it and may become a source of contention as development pressures increase along the City's riverfront. One suggestion to come up as a result of public workshops could involve moving density off the riverfront in a density transfer to more non sensitive upland areas in the adjacent to the riverfront.

Coastal Management Element: Policy 7.3 (b) non-public use marinas or multislip docking facilities shall be allowed only in medium density residential zoning districts and then only if docking facilities are limited to use by residents.

Assessment: The riverfront district is commercial in land use and zoning. Residential use is currently permitted only in very restricted terms within this district. The inconsistency in this this policy is centered around the term medium density as other policies require the lowest density/intensity restrictions for this property.

Coastal Management Element: Objective 12. The amount of public access to coastal resources shall be maintained and not decreased between 1990 and 2000.

Assessment: The City reserves ownership of several street ends leading to the river which remain public property. Public workshops have suggested incorporating public access requirements into all new commercial riverfront developments.

The City is also actively working to acquire riverfront property as part of its recreational trail and greenway projects (FCT funding) which would link greenways and recreational trails with state and regional parks and privately owned conservation lands for conservation, outdoor recreation, open space and preserved and continued use of the Riverwalk from the existing boardwalk at Battery Park along the water to the Scipio Creek Marina, St. Vincent's Wildlife Refuge and the Apalachicola National Estuarine Research Reserve. The major portion of this trail is proposed along the river and is proposed to would off the river to connect with other trails in the City that that would lead to other recreational sites previously purchased with FCT funds.

Policy 12.1 Existing access for the public to the river and bay shall be maintained by new development. New riverfront development shall show on their site plans existing riverfront access ways and the proposed development shall continue that access way, relocate it on the site, or donate it to the City.

Assessment: The City reserves ownership of several street ends leading to the river which remain public property. Public workshops have suggested incorporating public access requirements into all new commercial riverfront developments.

Analysis

The waterfront conflict issue has been addressed numerous times over the past several years. Some of the past efforts have involved different committees and studies, resulting in recommendations and initiation of some projects. Below are some of the identified efforts addressing this issue to date.

Waterfronts Florida Committee

The Apalachicola Waterfronts committee was created in late 2003 by the City Commission as requested by the Apalachicola Bay Chamber of Commerce, as part of a two-year funded program from Waterfronts Florida Program through the Department of Community Affairs. The City worked with the Chamber in managing the initial \$50,000

grant - half of which was matched by the Chamber.

The Committee adopted a mission statement which included a vision for the Scipio Creek Mooring Basin to provide infrastructure for local seafood workers to ensure their continued existence under projected future development pressures. This vision was further implemented by a second \$50,000 grant received from the Office of Tourism, Trade and Economic Development to develop a feasibility study to outline infrastructure options, priorities and the financial feasibility of the inclusion of infrastructure to compliment the seafood industry's continued existence.

Additional goals established by the initial Waterfronts Committee included the following:

- Enhancement of the Viable Traditional Economy_ - Expanding on an existing City vision to create a waterfront boardwalk the entire length of the city, the Committee focused specifically on upgrading dock design to a commercial-grade structure at Veteran's Park on the Apalachicola Riverfront (between Avenues and D and E). The Waterfronts Steering Committee contracted to have architectural drawings completed for the park which include docks, a landscape plan with educational kiosks, and a public restroom facility. The group also researched mooring agreements for the use of the docks. This group's efforts are connected to the major issue in that the park connects the private riverfront commercial businesses with the public access by providing a user-friendly access to the river and opportunities to view a working waterfront section of the river.
- Cultural Resource Protection and Public Access: - Preserving the historic integrity, unique character and small town atmosphere of Apalachicola were considered very important. To assist in the preservation of these assets the Waterfronts Committee helped city staff and the Planning and Zoning Committee prepare an historic architectural guidelines booklet that defines the city's land development regulations, the review procedures for renovation and new construction, and principles of design. The Waterfronts Steering Committee with a Tallahassee Historic Consulatnt to conduct an architectural materials survey of the focus area. That study provided the factual background on which to base the historic architectural guidelines booklet which is now complete and available online at www.cityofapalachicola.com
- Historic Merchants Association. During the first year the Waterfronts Steering Committee also helped to re-establish the Historic Apalachicola Merchants Association. They have agreed to address issues such as garbage, beautification, parking, safety and

tourist facilities. The Waterfronts Steering Committee assisted in the stabilization of the association by attend their monthly meetings, assisting with clerical needs and promotion of special events.

- Re-establishment of a maritime museum. Consistent with the City's goals to protect and promote historic seafood traditions of the community, the Waterfronts Group furthered research into the possibility of creating an Apalachicola Maritime Heritage Center dedicated to educating the public about the community's maritime heritage and helping the residents to appreciate and use the waterfront. The City is currently working to locate funding to support the location and operation of such a facility.
- CRA. The Waterfronts Committee worked with the City in researching tax increment financing to help city get funds for waterfront area projects.
- Environmental Resource Protection A high priority identified in the environmental arena was storm water management. The Waterfronts Steering Committee addressed this issue by working with the Apalachicola National Estuarine Research Reserve in providing educational resources to city staff and the Planning & Zoning Committee on storm water holding facilities and storm water management.
- Hazard Mitigation_ Apalachicola was chosen to be a part of a case study on Pre and Post Disaster Planning to the Local Level for Florida's for Historic Resources. The Apalachicola Waterfronts Steering Committee arranged for the City of Apalachicola staff, representatives from the local historical society and the Franklin County Emergency Management staff to work with 1000 Friends of Florida to develop a disaster plan that will help protect our historic buildings. The Waterfronts Committee assisted the team in setting up meetings, locating information about our existing emergency management capabilities, locating information about our historic resources and communicating the finished plans.

Riverfront Advisory Group.

As the Waterfronts Committee contract ended in 2005, the City appointed an informal group of City officials, planning members and a planning consultant to form the Riverfront Advisory Group to further the development of compatible land use concepts for the riverfront district. The committee developed the idea of a visioning process complete with architectural plans and land use suggestions for the area. Based on those committee meetings, the City submitted a \$200,000 grant proposal to the State in the Spring of 2007 to conduct an indepth visioning process which would culminate in the

creation of a Riverfront Plan and set of Design Criteria. The grant request was not funded but the City continues to work toward obtaining funds to complete the project through the Area of Critical State Concern Program. In the meantime, the City continues to work on collecting the data necessary for such a visioning plan through an ongoing technical assistance program - data included as part of this report on use and compatible design criteria. That detailed inventory of businesses, along with appropriate presentation materials will be helpful when the larger visioning funds become available. Below is an outline of proposed topics to be addressed in the proposed Vision Plan when funds become available as sought through the Area of Critical State Concern Program.

*Apalachicola Redevelopment
Design Criteria, Development Standards, and Concept Plan
“A Program to Maintain and Enhance the Unique Character of the City of
Apalachicola’s Riverfront District”*

I. Institutional Applications

A. Areas Included

1. Primary Access Corridors
2. Historic District
3. Commercial District
4. Old City
5. Waterfronts

B. Structures

1. External Design
2. Height and Footprint
3. Colors and Materials
4. Outbuildings and Fences
5. Structure Accessories

C. Non-structures

1. Landscaping and Trees
2. Sidewalks and Curbs
3. Street Lighting
4. Parking
5. Signage

D. Public Facilities

1. Parks and Greenspaces
2. Riverwalk
3. Public Buildings
4. Streets & Alleys
5. Exhibits

E. Governance Assessment and Applications

1. Review Special Districts: Scope and Authority
2. Audit Codes & Ordinances for desired effectiveness
3. Evaluate desired level of code enforcement
4. New construction and restoration guidelines
5. Site Plan and Architectural Approval Process

F. Concept Plan Development, Adoption, and Implementation

II. New Facilities & Public Improvements

III. Revenues

Waterfronts Working Committee.

Subsequent to the Riverfront Advisory Group's work, a second working group was appointed by the City Commission. This group is comprised of a seafood harvester, waterfront property owner, riverfront commercial property owner, at large business owner, resident with State agency Interaction and an at large city resident. The committee is responsible for reviewing and analyzing the Scipio Creek Feasibility Study and prioritize the recommended infrastructure improvements included in the Study. The Committee is also responsible for reviewing projects proposed for City-owned waterfront property.

Recommendations

The City is currently coordinating its resources and assembling as much information as possible about the Riverfront District and continues to work toward securing funds to create the overall Design Vision Plan and to seek funds to purchase property directly on the riverfront for preservation purposes. The City may also soon be working with a special interest group of riverfront property owners who have expressed interest in completing an economic study of the riverfront for land planning purposes of privately owned riverfront property.

In the meantime, it is recommended that the City continue to work toward consistency between elements of the comp plan (as identified above) and the Riverfront Land Use regulations, especially as it relates to water access, use and intensity and to continue to work with property owners and state agencies to determine equitable and environmentally responsible uses of riverfront property.

With regard to the enhancement and protection of the riverfront, the following policy is recommended for inclusion in both the Coastal Management Element and Future Land Use Element. "The City will maintain and enhance the waterfront area, integrating

downtown development with the waterfront park system, preserving river and bay views when practical and ensuring that development around the waterfront encourages street level pedestrian activity for residents and visitors. The City will continue to apply for grant funds for acquisition and development of recreation facilities to further the plans for the waterfront park system and riverwalk.”

3. DECLINING LEVEL OF SERVICE STANDARD ON HWY 98 THROUGH DOWNTOWN

The Issue

In their Annual LOS Report for State Roadways, the Apalachee Regional Planning Council pointed out that the one downtown section of State Highway 98 within the City of Apalachicola was currently operating at a Level D with projections that it be at a level F by 2012. The City has adopted Level of Service Standards that are C or better. In order not to be in violation of concurrency requirements, it is suggested that the City work with DOT and the RPC to resolve the concurrency issue and traffic congestion problem along this section of highway.

The major transportation route within Apalachicola is U.S. Highway 98 (State Road 30). U.S. 98, Market Street and Avenue E within the city limits is the primary route through Apalachicola leading to Tallahassee on the east or Panama City, to the west. This two-lane arterial road includes a left turn lane (going West) in the center of Apalachicola at the corner of Market Street and Avenue E. A left turn lane exists at Market and Avenue D going East. With these exceptions, the rest of the roads are only two lanes. The first four blocks of Market Street leading to Gome Bridge and Avenue E make up the main through-route within the city proper. The primary north to south circulation pattern occurs on 12th Street. There is one four way lighted intersection in Apalachicola at the corner of Hwy 98 and 12th Street. Apalachicola streets are set in a grid pattern. The newer streets of Apalachicola were laid out in a grid pattern but have been set at a slightly different angle. The avenues run east to west in alphabetical order. The streets run north to south in numerical- order. Water, Commerce, and Market street represent first, second, and third street and these streets are laid out north to south. When Circuit Court meets, there is some congestion around the courthouse. Additional vacant land around the Courthouse has also been allocated for parking.

In their 2006 Annual LOS Report for State Roadways, the Apalachee Regional Planning Council pointed out that this one downtown section of State Highway 98 within the City of Apalachicola was currently operating at a Level D with projections that it be at a level F by 2012.

According to the ARPC, the City should work with FDOT to determine if there is a congestion problem on US 98 between CR 384 and the Apalachicola Bridge and how

serious this condition will become in the future. The analysis presented in their report is based on generalized data. The City should consider conducting a more specific analysis to better define the problem.

The traffic impacts of any proposed development should continue to be evaluated, as well as any reasonable potential for reducing future impacts through transportation alternatives, such as sidewalk connections and bikeways. Also, the need for turn lanes should be evaluated with each proposed development.

That section of Hwy 98 is not scheduled for improvement in FDOT's 5 year plan.

Existing Comprehensive Plan

OBJECTIVE 1. Existing roadway levels of service will be maintained at LOS C or better through the year 2020.

It is clear the City is unable to adhere to this adopted Level of Service. This is the simple conflict of this issue as it relates to the section of Highway 98 in question.

ASSESSMENT OF OBJECTIVES RELATING TO MAJOR ISSUE

Success and Shortcomings: The traffic element has been relatively successfully implemented by the city with the exception of the failing LOS on the one section of Hwy 98. In their Annual LOS Report for State Roadways, the Apalachee Regional Planning Council pointed out that the one downtown section of State Highway was currently operating at a Level D with projections that it be at a level F by 2012. As was pointed out in the discussion, the City needs to modify their LOS standards in order not to be in violation of concurrency standards. However, it is important to note that the city in their meetings with FDOT and RPC, there needs to be an assurance by the State and RPC that in lowering the LOS, the City is not "accepting failure" and therefore jeopardizing any future transportation grant opportunities to remedy the situation.

Recommendations

The ARPC recommends the City work with FDOT to determine if there is a congestion problem on US 98 between CR 384 and the Apalachicola Bridge and how serious this condition will become in the future. The analysis presented in their report is based on generalized data. The City should consider conducting a more specific analysis in cooperation with the Department of Transportation, Regional Planning Council and City Traffic Safety committee to better define the problem. Some suggestions that have been discussed at the public workshops as well as during Traffic Safety meetings have included traffic lights, road widening, relocation of parking along the highway and better signage to satellite parking areas.

The traffic impacts of any proposed development should continue to be evaluated, as well as any reasonable potential for reducing future impacts through transportation alternatives, such as sidewalk connections to a recently completed satellite parking area and bikeways. Also, the need for turn lanes should be evaluated with each proposed development.

In order not to be in violation of concurrency requirements, the City should consider modifying its LOS standards on this section of road to accommodate the lower standard that the roadway is operating under or to petition the DOT for an LOS variance on this issue. Prior to do such, however, the City is encouraged to have the FDOT assure them that lowering the LOS will not endanger the City's chances of future funding.

Lowering the LOS may resolve the concurrency issue but the City may wish to explore additional measure to reduce traffic congestion within the City downtown area.

The City faces a related traffic issue in that there is a perceived lack of parking in the downtown district. Development standards mandate onsite parking which has proven to be difficult to achieve given the small lots and restrictive lot coverages in some areas. Some methods to explore may include reviewing parking on Hwy 98, better identifying existing parking resources than be used and review and revise existing parking regulations.

With regard to unresolved issues from the 1999 EAR, the following is recommended:

- Update Level of Service Standards on existing local and state roads
- Identify Regional Evacuation Routes
- Update Traffic Circulation maps showing LOS (peak hour) and better identify facilities both for existing and future land use maps.

4. INFRASTRUCTURE IMPROVEMENTS

The Issue

Stormwater and Wastewater Improvements are critically needed in the City – to such a degree that the City may not be able to meet its concurrency requirements in some areas until such improvements are made or at least planned for. The City's antiquated stormwater collection lines are in serious disrepair and in some cases, allow water to back up into the lines from the river and flood certain areas. Portions of the City's Wastewater collection system is also in need of repair and expansion.

Wastewater Collection

There are four areas within the City limits that are not currently served by sewer. Septic tanks remain in these areas or the areas are currently undeveloped. A 1995 Collection System Study for Apalachicola identified the areas. Subsequent to the report, some areas have since been added to the system. The following areas remain unserved.

Area 2 - 25th Avenue, between 10th and 12th Streets.

Currently has 8 septic tanks. This is an area with potential to service up to approximately 20 customers (8 existing septic tanks and approx. 8-10 unserved lots.)

Area 3 - 19th - 23rd Avenue, Greater Apalachicola.

Currently has no development now, but has potential to serve 15 homes.

Area 4 - 20th, 21st Streets and Avenue M, near 12th Street.

Currently has approximately 20 homes on septic tanks. Currently built out.

Area 5 - 2nd, 3rd Avenue, South of Magnolia Cemetery.

Currently has approximately 4 homes on septic tanks, with potential for Up to 8 service connections. (Existing 4 homes plus four additional unserved lots)

Lift Station Repair

There are currently four lift stations that are in need of repair/overhaul in the City's sewer service area. All identified list stations are near capacity and overdue for retrofitting or replacement. Those stations include the following:

1. Avenue M
2. Ellis Van Fleet
3. 25th Avenue (behind IGA)
4. 24th and Bobby Cato

Wastewater Recommendation

Addition of these isolated areas to the City's central sewer system is included in the City's Wastewater Facilities Plan under the categories of future growth and/or conversion of residences with on-site septic tanks to central sewer. The City should continue to seek priority funding to accomplish these projects. The City should also require hookups in those areas once the wastewater improvements have been completed.

Stormwater:

Continued growth of the City of Apalachicola (City) and public realization of the importance of stormwater management for public safety, protection of public property and private property, and the protection of the environment and the City's need to meet Florida Department of Community Affairs (DCA) mandate prompted the City to create a Stormwater Master Plan. In 2005, the City contracted with engineering consultant Baskerville-Donovan, Inc. to develop the Plan. The Master Plan evaluates the City's stormwater quantity; identified drainage problems; and recommending treatments to minimize chemical and biological pollution of the City's surrounding waters.

The purpose of the document was to develop a Stormwater Master Plan for the City of Apalachicola that presents a comprehensive engineering plan for the identification,

prioritization and funding of the needed infrastructure improvements to resolve continuing stormwater quantity and quality problems. The prioritized improvements may be adopted by the City, and serve as the basis for enacting a Stormwater Utility to fund the improvements.

Watershed Descriptions

The first step in evaluating a stormwater system involved delineating the basins and collecting information about the basins. Basin information is needed to estimate the performance of the City's stormwater infrastructure. Various maps were collected, including: prior City maps; current City Zoning Map (updated by Baskerville-Donovan, Inc.); USGS maps and topographic maps. Field inspections were performed to locate drainage structures such as pipes, inlets, headwalls, etc., thus creating a stormwater map. The maps were then used to divide the City and surrounding areas into drainage basins. Basins usually are divided by naturally occurring ridgelines or highways. Each basin is uniquely comprised of varying features such as drainage area, stormwater infrastructure, soil type, slope, permeability and land use.

The City of Apalachicola is a medium density urban residential community. The soils in Apalachicola are highly permeable, with a saturated hydraulic conductivity of approximately 6.0 in/hr. The watersheds are very flat with slopes ranging from 0.001 feet per foot to 0.06 feet per foot. Ten major drainage basins were identified;

Soggy Bottom Basin - This basin is located in the northern quadrant of Apalachicola. This basin was divided into 9 sub-basins. The total drainage area is approximately 186 acres. Base flow from this basin is routed northward to tributaries of the Apalachicola River. It should be noted that this basin is adjacent to and hydraulically connected to the 23rd Street Basin. Under extreme rainfall events, or in the case when open ditches are inundated, runoff from each basin may commingle and seek the best available route. The Soggy Bottom Basin contains depressional storage area and wetlands along its outfall.

23rd Street Basin - This basin is located in the southwest quadrant of Apalachicola. This basin delineated into 7 sub-basins. The total drainage area is approximately 143 acres. Base flow from this basin is routed south to a large open ditch drainage system that flows to the Bay. As noted above, this basin is adjacent to and hydraulically connected to the Soggy Bottom Basin. Under extreme rainfall events or in the case when open ditches are inundated, runoff from each basin can commingle and seek the best available route north or south. Outfall for this basin is under US 98.

Scipio Basin - This basin is located in the north central region of the City and was delineated into 16 sub-basins. The total drainage area is approximately 138 acres. Base flow from this basin is routed north to Market Street and Avenue I, where a large double-culvert cross drain transfers runoff under the road. Discharge is to Scipio Creek.

Most of this basin is developed with residential homes and local two-lane roads. Closed drainage systems and open ditch drainage systems transport runoff to Scipio Creek. The Scipio Basin contains depressional storage areas and wetlands along the outfall.

12th Street Basin - This basin is located in the central region of the City and was delineated into 5 sub-basins. The total drainage area is approximately 119 acres. The 12th Street basin drains runoff from the north side of US 98 in complex closed stormwater system. Discharge is routed by closed conduit (south) at 16th Street and over to 12th where discharge is to the Bay.

This basin appears to be completely developed with residential homes and local two-lane roads. A complex closed drainage system transports runoff to the Bay. This system is drastically undersized. Local residents are impacted during most rainfall events.

Battery Park Basin - This basin is located in the east central region of the City and was delineated into 4 sub-basins. The total drainage area is approximately 37 acres. Battery Park Basin drains runoff in complex closed stormwater system. Discharge is routed by closed conduit east through Battery Park to Water Street near the bridge. Discharge is to the Apalachicola River.

This basin appears to be completely developed with residential homes and local two-lane roads. A complex closed drainage system transports runoff to the river. This system provides no appreciable water quality treatment, other in-line natural isolated low areas and roadside swales. Local residents are impacted during rainfall events with localized nuisance flooding.

Bayside Basin - This basin is located in the southern quadrant of the City, between US 98 and the Bay. This basin has a drainage area of approximately 86 acres and was delineated with 10 sub-basins. There are many small outfalls in this basin. Drainage is by sheet flow, shallow concentrated flow, and by closed conduit. The land area is mostly developed with single family residential lots and local roads. Some commercial land use is found near US 98. This basin has not water quality facilities and development appears to have occurred prior to the implementation of stormwater regulations.

Water Street Basin - This basin is located in the east central quadrant of the City. Flow is generally from west to east. The Water Street Basin includes most of the downtown area which contains light commercial and river front development. Closed pipe drainage systems are found in the center of each east/west roadway. These pipe systems are old and have experienced breaks and siltation problems. This basin has a drainage area of approximately 48 acres and was delineated with 5 sub-basins. Drainage is by curb flow to inlets and several closed conduit systems. This basin has no water quality facilities and was developed prior to the implementation of stormwater regulations. Discharge is to the Apalachicola River.

Prado Basin - The Prado Basin is due south of a small ridge line that runs east and west along 6th Street (Ellis Van Fleet). This basin has a drainage area of approximately 46.8

acres and was delineated as one large basin and one outfall. North of Prado, the land is relatively flat. Drainage is by sheet flow, shallow concentrated flow, road-side swales and closed conduit. Upstream, the land is mostly developed with single family residential lots and local roads. Some commercial land use is found near US 98. Flow is southward to a small cross drain on Prado. Due to inadequate cross drain capacity, runoff pools in yards and driveways until the drainage system can recover. Residents have documented localized flooding on several occasions. In 2004, the City replaced approximately 160 linear feet corrugated metal pipe conveyance. The remaining pipe outfall is in desperate need of additional improvements. It should also be noted that an enlarged and upgraded outfall could accommodate and resolve flooding issues in the 12th Street Basin and in the 23rd Street Basin.

Magnolia Basin - This basin is located in the northwest quadrant of the City. This basin was divided into 2 sub-basins. The total drainage area is approximately 41 acres. Base flow from this basin is routed northward to tributaries of the Apalachicola River. Drainage is by sheet flow, shallow concentrated flow, road-side swales and closed conduit. Upstream (south), the land area is mostly developed with single family residential lots and local roads. Flow is north to cross drains on 12th Street. Most of the land north of 12th Street is relatively undeveloped and include Magnolia Cemetery. The Magnolia Basin contains isolated depressional storage area and wetlands along its water course. Wetlands and an open ditch system filter runoff prior to discharge into tributaries of the Apalachicola River.

Scipio Boat Basin - The Scipio Boat Basin includes approximately 52.68 acres of land area. It has been delineated into 3 sub-basins, Two sub-basins surround the boat basin, one each side, and the third sub-basin includes the tributary to a small 18” cross drain west of Scipio Creek Marina.

The two sub-basins near the boat basin are developed with commercial land use and a shellfish nourishment program storage area. Scipio Creek Basin is also home to the majority of the area’s commercial fishing fleet. Natural wetlands are found west and north of these basins. The third basin is relatively undeveloped at the time of this report. Upstream (west), of Market Street, the land area is mostly developed with single family residential lots and local roads. Drainage is by sheet flow, shallow concentrated flow, road-side swales and open ditch. Most of these basins empty directly into the Apalachicola River or indirectly into Apalachicola Bay and the Gulf of Mexico.

Table 2 Identified Drainage Problems

Map No.	Location of Problem Area	Comments	Cost Estimate
1	13th and Avenue I	Drainage infrastructure improvement project.	\$10,000

2	41 25th Avenue (Mr. Dykes)	Neighbors filled low area, causing localized nuisance flooding. Maintenance required.	\$2,000
3	US 98 and 16th Street	Major drainage conveyance pipe is reportedly clogged. This drainage system drains US 98 and an extensive upstream pipe system. Major maintenance required.	\$5,000
4	195 Avenue F (Brent Mabry)	Drainage infrastructure improvement project.	\$15,000
5	164 8th Street	Drainage infrastructure improvement project.	\$10,000
6	150 9th Street (New Drain)	Drainage infrastructure improvement project.	\$10,000
7	9th and Avenue I (New Drain)	Drainage infrastructure improvement project.	\$10,000
8	Alley, Block 39 between 10th Street and 11th Street (Gibson)	Drainage infrastructure improvement project: Add inlets and pipe.	\$25,000
9	102 5th Street	Zingarelli Maintenance	\$500
10	Avenue F, 17th Street and 16th Street. Area	Major redesign and construction of the 12th Street Basin closed conveyance system. Extremely large and expensive project for City. Routine maintenance schedule will help tremendously. Cost includes maintenance only.	\$10,000
11	Conveyance improvements: 7th and 8th / Avenue C and Avenue D	Drainage infrastructure improvement project: Replace existing (vcp), add inlet and improve upstream open ditch.	\$35,000
12	Myrtle Avenue and Center Street	Residential flooding. Drainage infrastructure improvement project: Add inlets and improve upstream downstream conveyance.	\$25,000
13	36 Myrtle Ave (Drew Morgan)	Residential flooding. Drainage infrastructure improvement project: Add inlets and improve upstream downstream conveyance. Cost Included above.	\$0
14	Ave F at 9th Street and 10th Street	Several properties experience nuisance flooding. Roadway side ditch maintenance may resolve a large part of the problem. Old pipe on Ave F may be collapsed or completely silted.	\$2,000
15	Prado Outfall	Downstream conveyance requires replacement. Two Options: Major improvement to resolve 12th Street flooding. Relatively minor to replace existing dilapidated corrugated metal pipe.	\$85,000

16	Poloronis /Butler Area	Improve and restore drainage way to historical flow direction. Several options. Cost beside is for the lowest cost.	\$20,000
17	Scipio Boat Basin and Bay Avenue	Drainage infrastructure improvement project: Add inlets and piping to improve roadway drainage. Current problem will destroy roadway pavement.	\$10,000
18	Apalachicola Chamber of Commerce Parking Lot	Property flooding. Drainage infrastructure improvement project: Add inlets and piping to convey off-site drainage.	\$10,000
19	101 6th Street (Schroeder)	Property flooding. Drainage infrastructure improvement project: Add inlets and piping to redirect roadway and off-site drainage. Owner has stated that he is willing to donate drainage easement.	\$50,000
20	17th Street and Ave G (Bryce Ward)	Property flooding. Drainage infrastructure improvement project: Add inlets and piping to improve roadway and off-site drainage.	\$25,000
21	8th and Avenue G (Louis Van Fleet)	Periodic maintenance required. Problems may be resolved when Item 11 is implemented.	\$2,000
Total - This Page			\$361,500

**Table (Continued)
Identified Drainage Problems**

Map No.	Location of Problem Area	Comments	Cost Estimate
23	Water Street and Avenue G	Drainage infrastructure improvement project: Add inlets and piping to improve roadway drainage. Current problem will destroy roadway pavement.	\$100,000
24	103 21 st Street (Mr. Dick White)	Drainage conveyance improvement project: Add inlets and piping to improve drainage. Periodic maintenance will help the problem. This problem may be resolved with a substantial Prado outfall improvement.	\$25,000
25	Sunset Park	Drainage infrastructure improvement project: Add inlets and piping to improve drainage. Periodic maintenance will help the problem. This problem may be resolved with a substantial	\$20,000

		Prado outfall improvement.	
26	Water Street and Avenue F	Existing outfall is below tide line. System is undersized for tidal influence. Extensive maintenance required. Survey complete.	\$7,000
27	Water Street and Forbes	County recently designed and constructed a French drain system for this area. To date the flooding problem is not resolved. Survey complete. County is slated to provide a remedy when they repave Water Street.	\$0
28	17 th Street Open Drainage Ditch (High School)	Safety hazard. Drainage infrastructure improvement project: Add inlets and piping to enclose large open ditch. Other options are available and discussed at City Commission Meeting.	\$205,000
29	Bobby Cato, 25 th Avenue and Ellis Van Fleet Street	Drainage and roadway infrastructure improvement project: Add inlets and piping ensure positive drainage to 23rd Street ditch. Paving will reduce erosion and maintenance. Design plans complete.	\$300,000
30	Avenue I / Scipio Basin Outfall	Frequent maintenance of existing baffle box. Consider additional water quality improvements.	\$3,000
31	Bay Colony Outfall	City to ensure that the existing open conveyance ditch remains clean and operational. Upstream residential properties have experienced flooding.	\$2,000
Total -This Page			\$662,000
Total - Previous Page			\$361,500
GRAND TOTAL			\$1,023,500

Structural Improvements to Stormwater Facilities

Ten projects **are prioritized as follows** and recommended for evaluation as potential stormwater capital improvement projects:

- Ball Field Stormwater Park
- Water Street and Avenue F
- Water Street and Avenue G

Avenue I Water Quality
 Scipio Boat Basin Drainage Improvements
 US 98 and 16th Street (12th Street Basin Outfall)
 Poloronis / Butler Drainage Improvements
 Prado Outfall Drainage Improvements (Two Options)
 Bobby Cato / 25th Street / Ellis Van Fleet Drainage Improvements
 6th Street (Schroeder) Drainage Improvements

In addition, a number of maintenance improvements projects are required for ditch cleaning, sediment removal, etc..

**Table 3
High Priority Drainage Projects**

Map No.	Improvements / Additions and Location	Comments	Cost Estimate
101	Ball Field Stormwater Park	Construct stormwater park for water quality in Battery Park Basin.	\$600,000
102	Water Street and Avenue F	Replace a section of existing outfall pipe system that is old and apparently undersized.	\$105,000
103	Water Street and Avenue G	Add inlets, pipe, water quality vault, and reconstruct (crown) Water Street	\$525,000
104	Avenue I Water Quality Improvements	Drainage infrastructure and Water Quality Improvement project.	\$650,000
105	Scipio Boat Basin Drainage Improvements	Add inlets, pipe, and reconstruct (crown) roadway.	\$45,000
106	US 98 and 16th Street (12th Street Basin Conveyence)	Reconstruct the conveyance system to drain to bay and add water quality improvements	\$1,500,000
107	Poloronis / Butler Drainage Improvements	Drainage infrastructure improvement project.	\$20,000
108	Prado Outfall Drainage Improvements	Option 1: Outfall improvement to include upstream basin flooding issues.	\$150,000

108	Prado Outfall Drainage Improvements	Option 2: Outfall from alley to downstream roadway (only)	\$85,000
109	Bobby Cato / 25th Street / Ellis Van Fleet Roadway and Drainage Improvements	Major redesign and construction of the 12th Street Basin closed conveyance system. Extremely large and expensive project for City. Routine maintenance schedule will help tremendously.	\$300,000
110	6th Street (Schroeder) Drainage Improvements	Construct roadway drainage conveyance system to alley (Zingarelli paved drainage way). Mr. Schroeder has stated that he will donate a drainage easement.	\$50,000
		* Total	\$3,945,000

Stormwater Analysis and Recommendations

The Plan recommends several alternative methods to reduce flooding and improve water quality. These methods may be used singularly or collectively. One method is to utilize undeveloped property near existing conveyances for the construction of stormwater management facilities. These facilities are typically upstream of wetlands and streams and provide treatment prior to discharging into downstream watercourses. They are designed as detention facilities that provide water quality treatment and flood control.

The second method is to retrofit existing closed pipe systems with treatment vaults and baffle boxes. Typically, these systems are planned for the downstream end of existing closed pipe systems that transport runoff from heavily urbanized areas and discharge directly into watercourses. These structural retrofits are placed near the end of the line prior to discharge and aid in the removal of trash, sediments, suspended solids, and oils and greases from runoff.

The third method is to construct flood control facilities upstream of flood-prone areas to allow the system to recover, reduce flow rates. These structures would reduce velocities and flow-rates while not affecting the hydro-period of the area. Sediments and trash are removed from down stream watercourses.

The fourth method is to utilize swales and ditch blocks in areas such as roadways with relatively flat topography and sandy soil groups. This improvement reduces localized flooding while improving water quality through infiltration, lowering runoff velocities, and promoting groundwater recharge.

The estimated construction cost for priority stormwater retrofit projects is \$3,945,000.

The Recommended Action Plan:

Approve and adopt the Master Plan.

- A. Continue to utilize professional assistance for review of proposed development activities.
- B. Initiate non-structural actions
- C. Prepare a yearly maintenance schedule and budget for City stormwater infrastructure and include it in the City's Capital Improvements Element
- D. Budget or seek funding assistance to implement structural improvements recommended in Section 6.1.
- E. Construct the most beneficial and cost-effective stormwater improvement alternatives as funds become available.

Recommendations

In general, the City follows the intent of the policies identified in the comprehensive plan relating to infrastructure. The inclusion of up to date information in the element is lacking however and should be updated more frequently to keep better control over the adherence to Level of Service Standards. It is also recommended that the City prepare an annual update of capacity and demand for each infrastructure and include as part of the annual capital improvements element amendment.

Water and Sewer: With regard to data and analysis of the plan, the City should update facility capacity figures, usage indicating gallons per day and update its level of service information. In the goals, objectives and policies, the City should update policy 1.1 for level of service information for each facility.

Groundwater: In the data and analysis section, the City should update data on ground water quality and surface water quality. In the GOPs, the City should add a policy to address water quality standards for stormwater discharge as per newer state requirements. The City should adopt an objective and policies that direct the City to coordinate with the Water Management District in implementing the regional water system and to implement the district's water supply plan.

Stormwater: In the data and analysis of the plan, the City should update its stormwater management section to include data from the 2007 Stormwater Management Plan prepared by Baskerville Donovan. In the GOPs, the City should update recharge policy 8.1.1, based on data and revised stormwater management grant status. The City should

incorporate policies to implement recommendations from the Stormwater Management Plan (as identified herein).

Capital Improvements Schedule: In the data in the data and analysis, the City should identify individual projects by type, year of implementation and source of funding (indicating financial feasibility) . In the GOPs, the City should amend dates on the following policies: 6.1, 8.1, 8.2, 4.1, 3.22, 4.13, 5.1, 3.1, 3.1.5, 3.2.1, 1.1, 2.1. The City should adopt a Concurrency Management System to ensure that public facilities are available concurrent with the impacts of development and includes evacuation times and shelter spaces. Additionally, the City should adopt a policy requiring that the CIS be updated annually.

Section B

Summary of Each Element of the Comprehensive Plan

Future Land Use Element

The Future Land Use Element contains a single goal, which is to “ensure that the character and types of land uses in the city of Apalachicola are compatible with the natural resources, historical nature consistent with available infrastructure and minimize the threat to the natural environment and public health, safety, and welfare while respecting individual property rights.” Eleven (11) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The Future Land Use Element objectives include:

- Requiring all future development activities be in appropriate areas as depicted on the Future Land Use Maps and that soil conditions, topography, and drainage are suitable for development with adequate public facilities available;
- Manage future growth and development through the implementation and enforcement of land development regulations and provide for innovative land uses and development patterns;
- Direct future development and redevelopment into the City’s vacant/undeveloped areas as identified on the existing land use map where the provision of services and public facilities are available and require that current utility facilities, with adequate land for expansion, will meet projected needs.
- Require that all development applications include plans which will ensure the protection of natural and historic resources prior to approval.
- Encourage or require, through the use of land development regulations, redevelopment and renewal of blighted areas;
- Increase and broaden the economic base through planning and development activities which attract new environmentally compatible business and expand existing businesses while maintaining current marine and seafood-related activities.
- Require that all development orders and permits for future development and redevelopment activities shall be issued only if the infrastructure necessary to meet level of service standards are available concurrent with the impacts of the development.
- Limit, through Land Development Regulations, development density and intensity with the Coastal Area and to mitigate the impact of natural hazards in this area to coordinate with hurricane evacuation plans.
- Eliminate existing land uses which are incompatible or inconsistent with the Future Land Use Plan
- Improve coordination with affected governments and agencies to maximize their input into the development process and mitigate potential adverse impacts of future development and redevelopment activities.
- Improve coordination with affected and appropriate governments and agencies to maximize their input into the development process and mitigate potential adverse impacts of future development and redevelopment activities.

Analysis

The City of Apalachicola is, for the most part, completely platted; therefore all development within the City since the original plan adoption in 1990 has been infill. With the exception of a minor modification to the land use element and maps in 2004 to accommodate an existing mixed use commercial development pattern downtown, little has been changed in the Future Land use element since its original adoption.

At the time of plan adoption there were 242 acres of land within the City currently being used for residential; 31 acres for commercial, 14 for recreation, 200 for conservation, 302 for public facilities and 188 acres that were designated as undeveloped/vacant.

At the time of plan adoption in 1990, subsequent EAR adoption in 1999 and EAR-based amendments in 2004, population projections for the City were modest. Based on the minimal projection population increase and the surplus acres of vacation residential and commercial land in the City, the comp plan and subsequent EAR report generally agreed that there is an adequate supply of land to accommodate projected population increases.

As the County continues to grow in terms of larger residential developments which cater to tourism and vacation and retirement homes, the City has felt the impact in terms of increased seasonal population as well. Citywide, the economy is shifting from a small town with only a seafood and resource-based economy to one that is growing increasingly dependent on tourism. Throughout the downtown district, retail, restaurant and accommodations businesses have been growing in numbers, catering to the increased walking traffic of downtown visitors.

This shift in economies has resulted in what the City has determined one of its major local issues – the conflict between commercial land uses especially along the riverfront. There is an ongoing effort by commercial riverfront land owners to develop or at least to change the land use/zoning requirements which currently favor commercial seafood processing and water dependent to accommodate more intense type development.

The conflict arises in that much of the City's commercially designated riverfront land falls within the Coastal Area which requires lower densities and intensities than land off the riverfront – unless such activities are commercial seafood production related.

ASSESSMENT OF SUCCESSES AND SHORTCOMINGS

Generally, the Future Land Use Element continues to do a good job in guiding the growth within the City to appropriate locations while protecting the natural areas within the City. Given the nature of the major issues which can all be tied to a changing of the fabric of the city's and county's economy (see local issues) it is suggested that existing Objective and policies can be augmented to address these issues, including:

RECOMMENDATIONS

- Adopt an objective and policies that establish criteria for land that is acceptable for affordable housing.
- Explore options for providing affordable housing,
- Explore options for providing innovative solutions for resolving commercial land use conflicts while preserving the natural areas and growth management directives.
- Adopt a policy that supports the City's ongoing efforts to purchase sensitive riverfront property for the purpose of developing a comprehensive greenways and recreational trail. The following specific policy is recommended: “The City will maintain and enhance the waterfront area, integrating downtown development with the waterfront park system, preserving river and bay views when practical and ensuring that development around the waterfront encourages street level pedestrian activity for residents and visitors. The City will continue to apply for grant funds for acquisition and development of recreation facilities to further the plans for the waterfront park system and riverwalk.”

With regard to generally outdated data, it is recommended that all data which has been updated since 2004 be incorporated into the comprehensive plan data and analysis section. With regard to unresolved issues from the 1999 EAR, it is recommended specific data to be updated include the following:

Population figures and projections through amended timeframe and update Table 11.

Provide table by land use category and map

Vacant Lands Analysis and tables

Show adjacent lands on maps

Show planned uses for adjacent lands on FLUM

Confirm information on soils, confirm natural resources and confirm redevelopment information

Potential land use problems: update information about riverfront development, redevelopment and western development areas

Obtain and update Coastal High Hazard Area information and map

Update historic resources

Update wellhead protection information and cones of influence information

With regard to legislative changes, the following is recommended:

- Update timeframes to all applicable goals, objectives and policies and future land use map
- Revise land use map to show categories defined in plan.
- Add policy to identify uses allowed prohibited in wellhead protection areas and add new map to show wells and wellhead protection areas associated with policy
- Revise appropriate CHHA policy to follow statute and rule directive regarding directing populations away from the CHHA and maintaining or reducing evacuation clearance times.

Traffic Circulation Element

The Traffic Circulation Element contains a single goal, which is to “provide a safe and efficient multi-modal transportation system”. Four (4) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The Traffic Circulation Element objectives include:

Facilitating the safe flow of motorized and non-motorized traffic by enforcing its adopted standards;

Maintaining adopted Levels of Service for all roadways as new growth and development occur consistent with Future Land Use Map;

Coordinate transportation system improvements with the intent of Chapter 380.0555, Florida Statutes (Apalachicola Bay Area Protection Act), the future land uses shown on the future land use map of this plan, and with the plans of the Apalachee Regional Planning Council and the Florida Department of Transportation's Five-Year Transportation Plan; and

Working with landowners to encourage protection of the right-of-way of existing and future transportation corridors through the adoption of a right-of-way protection ordinance or other methods.

ASSESSMENT OF SUCCESSES AND SHORTCOMINGS

Most of Apalachicola’s roads are currently operating at or above a Level of Service of C and generally the city operates consistent with the objectives and policies established in this element. In their Annual LOS Report for State Roadways, the Apalachee Regional Planning Council pointed out that the one downtown section of State Highway was currently operating at a Level D with projections that it be at a level F by 2012.

RECOMMENDATIONS

In order not to be in violation of concurrency requirements, the City should modify its LOS standards on this section of road to accommodate the lower standard that the roadway is operating under. Lowering the LOS may resolve the concurrency issue but the City may wish to explore additional measure to reduce traffic congestion within the City downtown area.

The City faces a related traffic issue in that there is a perceived lack of parking in the downtown district. Development standards mandate onsite parking which has proven to be difficult to achieve given the small lots and restrictive lot coverages in some areas. Some methods to explore may include reviewing parking on Hwy 98, better identifying existing parking resources than be used and review and revise existing parking regulations. Another suggestion would be to maximize visibility of the satellite parking area three blocks from the downtown district which has ample parking spots.

With regard to unresolved issues from the 1999 EAR, the following is recommended:

Update Level of Service Standards on existing local and state roads
Identify Regional Evacuation Routes

Update Traffic Circulation maps showing LOS (peak hour) and better identify facilities both for existing and future land use maps.

HOUSING ELEMENT

The Housing Element contains a single goal, which is to “provide safe, decent housing at a level to meet the needs of the existing and future population of the City, especially those groups such as low to moderate income households, the elderly and the handicapped. Seven (7) objectives were formulated in order to specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The Housing Element objectives include:

1. Provide or assist the private sector in providing 102 net dwelling units, including low and moderate income housing
2. Rehabilitate at lest 289 substandard housing units
3. Eliminate all substandard housing
4. Provisions be made for adequate sites for mobile homes, including development standards for mobile home parks, and for low and moderate income housing.
5. Provide sufficient numbers of housing units to meet the demands of elderly and handicapped persons, including such facilities as group homes and foster care facilities.
6. Provide relocation housing for those persons displaced as a result of federal, state and local programs.
7. Preserve, restore and enhance historic houses and buildings so that no historic structures that are salvageable are lost.

ASSESSMENT OF SUCCESSES AND SHORTCOMINGS

Outdated data and analysis in the current comprehensive plan make it difficult to determine whether certain objectives such as the provision of net dwelling units, rehabilitation of substandard housing units, elimination of all substandard housing have been met.

RECOMMENDATIONS

It is recommended that updated data, such as that which has been referenced in the discussion above, be incorporated into the comprehensive plan data and analysis section to address the identification of low and very low income families. It is possible that given the relatively slow population increase in the City (census) that technically, these objectives have been met. However, the issue of providing affordable housing in the City is more than making the numbers work on paper.

With property values in the City escalating and with increases in wages not keeping up, there is a potential for a major affordable housing crisis. There are newly formed housing coalition groups in the county that may be able to help. The City may wish to work with the existing county housing coalition to formulate options for dealing with the issue. The City does not currently know the extent of the situation because it does not currently have updated data on which to base an analysis. Pooling resources with existing groups may help consolidate resources and produce more viable options. Additional suggestions may include the following:

- Adopt an objective and policies that establish criteria for land that is acceptable for affordable housing.
- Establish a Community Land Trust to accept donations and to provide land for affordable housing.
- Investigate additional funding sources to increase the number of substandard and dilapidated housing units refurbished each year.
- Include within the Housing Element objectives and polices which allow the City to review its surplus properties and possibly donate land for affordable housing projects.
- Implement those polices within the Housing Element which proactively address affordable housing outlining density bonuses, reduced fees, and streamlined permitting, to provide incentives for the development of affordable housing.
- Explore options for providing affordable housing as suggested by the County Affordable Housing Coalition

There are a number of issues identified by the State in the 1999 EAR relating to housing which have not yet been addressed. It is recommended that the City's EAR-based amendments be revised to include the following:

- revise policies to recognize low and very-low income households
- Update census information on housing
- Include Affordable housing information and identification of any surplus, deficit
- Updating dates throughout the policies to reflect amended planning period.

In accordance with legislative requirements, the city should adopt policies that address affordable housing land donation density incentive bonuses.

PUBLIC FACILITIES ELEMENT

The Public Facilities Element contains eight goals addressing organized growth, adequate water and sewer facilities, stormwater facilities and hazardous waste elimination.

The first of the goals addresses organized management of public facilities and states “needed public facilities shall be provided in a manner which protects investments in existing facilities and promotes orderly, compact urban growth.” Two (2) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The Public Facilities Element objectives include:

1. that local ordinances will require that adequate facility capacity is available at the time a development order is issued, or will be available at the time impacts from the development occur. This may occur through agreements with developers to provide necessary services when development occurs.
2. The City will maintain a five year schedule of capital improvement needs for public facilities, to be updated annually in conformance with the review process for the Capital Improvement Element

The second goal addresses planned funding for public facilities in that “Apalachicola will provide sanitary sewer, solid waste, drainage and potable water facilities and service to meet existing and projected demands identified. One (1) multi-part objective was formulated to address deficiencies relating to I&I, storm drains, reduce septic tank use, reduce solid waste production, install backflow valves and improve potable water quality.

The third goal addresses stormwater and requires “adequate stormwater drainage will be provided to afford reasonable protection from flooding and to prevent degradation of quality of receiving waters.” Three (3) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

Implementing a stormwater management plan and adopting a manual of practices to protect the Apalachicola bay from stormwater pollution.

Protecting the quality of water on the Apalachicola River and Bay to the extent that all waters maintain existing classifications

Prohibit development which would result in the water quality of Apalachicola Bay, River and aquifers being degraded below the current classification of “good.”

The fourth goal addresses hazardous waste through elimination. The one (1) objective formulated to meet this goal requires “decreasing the amount of unmanaged hazardous waste sites by 50 percent.”

The fifth goal addresses the provision solid waste services in “providing solid waste services to meet existing and projected demands identified.” The sole objective formulated to meet this goal involves coordinating with the County in that “projected demands will be met by maintaining the landfill in accordance with permit requirements.

The sixth goal addresses better utilization of existing capacity of wastewater treatment plant. The specific objective formulated to meet that goal requires “ increasing the number of sewer hookups.”

The seventh goal of this element addresses intergovernmental coordination by requiring that “public facility planning shall be an integral part of local planning and growth management in the region.” The objective formulated to meet this goal requires “increasing the number of interlocal agreements between the City and Carrabelle, the County and other utility districts.”

The eighth goal addresses groundwater and mandates that “the function of natural groundwater aquifer recharge areas within the City will be protected and maintained.” The two (2) objectives formulated to meet this goal include:

Requesting assistance from the Northwest Florida Water Management District to identify and map prime natural groundwater aquifer recharge areas.

Require that the City Land Development Code provide for maintenance of aquifer recharge area functions.

ASSESSMENT OF SUCCESSES AND SHORTCOMINGS

In general, the City follows the intent of the policies identified in the comprehensive plan relating to infrastructure. The inclusion of up to date information in the element is lacking however and should be updated more frequently to keep better control over the adherence to Level of Service Standards. The specific recommendations for this element are identified as part of the earlier Local Issue Discussion. Those recommendations are repeated here.

Recommendations

Water and Sewer: With regard to data and analysis of the plan, the City should update facility capacity figures, usage indicating gallons per day and update its level of service information. In the goals, objectives and policies, the City should update policy 1.1 for level of service information for each facility. Additional analysis and recommendations are identified in the local issues section.

Groundwater: In the data and analysis section, the City should update data on ground water quality and surface water quality. In the GOPs, the City should add a policy to address water quality standards for stormwater discharge as per newer state requirements. The City should adopt an objective and policies that direct the City to coordinate with the Water Management District in implementing the regional water system and to implement the district’s water supply plan.

Stormwater: In the data and analysis of the plan, the City should update its stormwater management section to include data from the 2007 Stormwater Management Plan prepared by Baskerville Donovan. In the GOPs, the City should update recharge policy

8.1.1, based on data and revised stormwater management grant status. Additional analysis and recommendations are identified in the local issues section.

Capital Improvements Schedule: In the data in the data and analysis, the City should identify individual projects by type, year of implementation and source of funding (indicating financial feasibility) and should run at least five years from 2004. In the GOPs, the City should amend dates on the following policies: 6.1, 8.1, 8.2, 4.1, 3.22, 4.13, 5.1, 3.1, 3.1.5, 3.2.1, 1.1, 2.1. In addition, the City should adopt a Concurrency Management System to ensure that public facilities are available concurrent with the impacts of development and includes evacuation times and shelter spaces. Additionally, the City should adopt a policy requiring that the CIS be updated annually.

COASTAL MANAGEMENT ELEMENT

The Coastal Management Element contains four goals.

The first goal addresses the balancing of growth and coastal resources. The natural and historic resources of the coastal area shall be preserved, protected or enhanced as the development proposed in the future land use element occurs. Seven (7) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

1. The wetlands of Apalachicola shall be conserved and protected such that no net loss (after mitigation) shall occur.
2. The City will support the conservation and protection of native vegetation, ecological communities, fish and wildlife habitat to the extent that the City will prohibit development which can be proved to damage the City's natural resources.
3. The City shall maintain the estuarine water quality surrounding Apalachicola's coastal resources such that there shall be no loss of any approved shellfish harvesting classifications.
4. Estuarine water quality of Apalachicola Bay and River shall remain classified as "good".
5. The City shall, adopt a floodplain drainage basin program which will address development restrictions for floodplain drainage areas, a work plan for correcting drainage facility deficiencies and the creation of a stormwater manual outlining stormwater systems appropriate for use with the coastal area.
6. The City shall establish land use criteria which give priority to the siting and development of water-dependent uses within the Coastal Area, as compared with other shoreline uses.
7. The City shall prohibit any water dependent or water related land-use which will lower the water quality standards below State water quality standards for River and Bay.

The second goal addresses reducing the vulnerability to hurricanes. People and property in Apalachicola will be protected from the effects of hurricane storm damage. Public

expenditures shall be limited. Seven (7) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

(8) The City shall adopt Land Development Regulations to restrict development within coastal high-hazard areas and budget policies shall restrict public funding for facilities within coastal high-hazard areas.

(9) The City shall through its Land Development Regulations, limit development density and intensity within the Coastal High Hazard Area and direct it outside of the Coastal High Hazard Area, to mitigate the impact of natural hazards in this area.

(10) The City's hurricane evacuation time for a Level A storm shall be the minimum of the range as identified else where in this plan (Tables 19 thru 23).

(11) The City shall amend where necessary the natural disaster preparedness technical data, as well as the Goals, Objectives and Policies of the Coastal Management Element to be consistent with an updated version of the Regional Planning Council's Hurricane Preparedness Plan when it becomes available.

(12) The amount of public access to coastal resources shall be maintained and not decreased.

(13) The City will identify all historic resources within the Coastal Area and establish development standards for the protection, preservation and sensitive reuse of historic resources throughout the City.

(14) The City will establish a scenic road program in order to help preserve the area's natural beauty.

The third goal addresses infrastructure. The public facilities shall be adequate and available to serve the residents and visitors to the City's coastal area. Two (2) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

1. (15) The level of service standards adopted elsewhere in this Comprehensive Plan for facilities in the coastal area and the additional standards under this objective shall be applied whenever development orders or permits are requested. The evacuation times established by objective 3(10) shall also be considered levels of service standards for roads.

2. (16) Required Improvements, Timing, and Funding. All public facilities shall be available at least by the time they are needed to serve new development.

The fourth goal addresses intergovernmental coordination to protect coastal resources. Coastal resource management will address natural systems on a systemwide basis regardless of Political boundaries. One (1) objective was formulated that provides an intergovernmental coordination program to be established in order to manage coastal resources affecting or effected by governments other than the City. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objective of this Element.

ASSESSMENT OF SUCCESSES AND SHORTCOMINGS

This existing comp plan element objectives and policies do a very good job of outlining specific protective measures that the City should take to preserve sensitive coastal areas. However, some of the policies are contradictory with some land development code requirements.

ANALYSIS AND RECOMMENDATIONS

Two specific policies that contradict the existing land development code include the following:

POLICY 14.2: Properties between designated scenic roads and wetlands or open water shall be zoned the lowest density allowed for their respective future land use categories.

POLICY 14.3: Site plan requirements for areas between designated scenic roads and wetlands or open water shall require the use of native vegetation in landscaping, separation of buildings by at least 50 feet along the axis of the road, and the avoidance of fencing or landscaping that would obstruct views of wetlands or open water.

These two policies are not consistent with the current code and should be reviewed and possibly modified to be consistent with the code or, the code should be revised to be consistent with the plan.

The policy 14.1 carries density restrictions with it as referenced in policy 14.2 and may become a source of contention as development pressures increase along the City's riverfront. One could involve moving density off the riverfront in a density transfer to more non sensitive upland areas adjacent to the riverfront.

Policy 14.3 addresses site plan requirements for areas between designated scenic roads and wetlands or open water mandating separation of buildings by at least 50 feet along the axis of the road. This policy carries development restrictions with it and may become a source of contention as development pressures increase along the City's riverfront. One could involve moving density off the riverfront in a density transfer to more non sensitive upland areas in the adjacent to the riverfront.

Policy 14.2 requires that properties between designated scenic roads and wetlands or open water shall be zoned the lowest density allowed for their respective future land use categories. This policy carries density restrictions with it and may become a source of contention as development pressures increase along the City's riverfront. One suggestion to come up as a result of public workshops could involve moving density off the riverfront in a density transfer to more non sensitive upland areas in the adjacent to the riverfront.

Policy 7.3 (b) requires non-public use marinas or multislip docking facilities be allowed only in medium density residential zoning districts and then only if docking facilities are limited to use by residents. The riverfront district is primarily commercial in land use and only provides for limited low density residential. This policy should be revised to be consistent with other densities identified for this area.

Objective 12 requires the amount of public access to coastal resources shall be maintained and not decreased between 1990 and 2000. The City reserves ownership of several street ends leading to the river which remain public property. Public workshops have suggested incorporating public access requirements into all new commercial riverfront developments.

The City is also actively working to acquire riverfront property as part of its recreational trail and greenway projects (FCT funding) which would link greenways and recreational trails with state and regional parks and privately owned conservation lands for conservation, outdoor recreation, open space and preserved and continued use of the Riverwalk from the existing boardwalk at Battery Park along the water to the Scipio Creek Marina, St. Vincent's Wildlife Refuge and the Apalachicola National Estuarine Research Reserve. The major portion of this trail is proposed along the river and is proposed to would off the river to connect with other trails in the City that that would lead to other recreational sites previously purchased with FCT funds.

With regard to the enhancement and protection of the riverfront, the following policy is recommended for inclusion in the Coastal Management Element "The City will maintain and enhance the waterfront area, integrating downtown development with the waterfront park system, preserving river and bay views when practical and ensuring that development around the waterfront encourages street level pedestrian activity for residents and visitors. The City will continue to apply for grant funds for acquisition and development of recreation facilities to further the plans for the waterfront park system and riverwalk."

Policy 12.1 requires that existing access for the public to the river and bay shall be maintained by new development. New riverfront develop shall show on their site plans existing riverfront access ways and the proposed development shall continue that access way, relocate it on the site, or donate it to the City. The City reserves ownership of several street ends leading to the river which remain public property. Public workshops have suggested incorporating public access requirements into all new commercial riverfront developments.

In addition to the above, there are issues identified by the State in the 1999 EAR relating to coastal management which have not yet been addressed. It is recommended that the City's EAR-based amendments address those issues which include the following:

Update CHHA map and any information relating to hazard mitigation
Update information on sheltering
Update maps relating to water dependent uses and water classification
Update evacuation routes and make sure they are consistent with data in elements

Update objective 10 – Level A definition
Update dates on the following policies: Objectives 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 17 and policies 1.2, 7.1, 11.5, and 16.1

In accordance with 163.3178(2)(h), the City should amend its Future Land Use Map and coastal management element to include the new definition of the CHHA and to depict the CHHA on the FLUM.

In accordance with 163.3178(2)(g) the City should include information and strategies that can be used to preserve recreational and commercial working waterfronts.

In accordance with 163.3177(6)(g)2. The City should consider adopting surface water use policies.

In accordance with 163.3178(9)(b) The City should include a discussion in its data and analysis section to clarify that the City currently directs its population concentrations away from the CHHA through its low density/intensity zoning regs for this district.

INTERGOVERNMENTAL COORDINATION ELEMENT

The Intergovernmental Coordination Element contains one goal that addresses the establishing and maintaining of an efficient, effective and convenient program to address multi – jurisdictional, comprehensive planning issues for the purpose of achieving the goals of the Comprehensive Plans for Apalachicola and Franklin County, and resolving inconsistencies between the Plan and units of local government providing services. Four (4) objectives were formulated to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

1. Coordination with Franklin County and the Franklin County School Board. The City of Apalachicola should maintain existing mechanisms, which are effective and enhance or revise existing mechanisms that are ineffective or establish new mechanisms for issues not addressed by the existing mechanisms. This will be accomplished by a review and recommendation made by the Planning Department.
2. A designated person from the city shall represent the City with other governmental entities to coordinate the establishing, implementing and modifying any level of service standards for shared facilities with state, regional and local entities. The LOS standards adopted in this plan shall be maintained.
3. Establish flexible mechanisms for use by all local governments in the area of concern, other units of government providing services but not having regulatory authority over the use of land, and state and federal agencies which have been identified as interested parties. A review of action taken to accomplish this objective will be made by the planning department.
4. Adoption of alternative policies to address special issues or issues which have not been covered by any of the above mechanisms.

ASSESSMENT OF OBJECTIVES

There are a couple of issues identified by the State in the 1999 EAR relating to intergovernmental coordination which have not yet been addressed including the updating of mechanisms relating to dredge spoil and general interlocal agreements.

ANALYSIS AND RECOMMENDED REVISIONS

It is recommended that the City's EAR-based amendments be revised to update/confirm information and mechanisms relating to dredge spoil and general interlocal agreements. Goals, objectives and policies should include reference to school siting, dredge spoil and update dates in objectives 1.1 and 1.3.

CONSERVATION ELEMENT

The Conservation Element contains one goal that addresses the conserving and protection of environmental resources such as scenic areas, wildlife, clean air and water to maintain a desirable quality of life. Ten (10) objectives were formulated to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

Apalachicola shall maintain ambient air quality standards which are equal to, or more stringent than the State and Federal National ambient air quality standards. The City shall protect the quality of water on the Apalachicola River and Bay to the extent that all water maintain existing classifications for water quality as established by the Florida Department of Environmental Regulation.

The City shall, through its' land development regulations prohibit development which would result in the water quality of Apalachicola Bay, River and aquifers being degraded below the current classification of "good".

The City shall adopt mechanisms to conserve current and projected water sources within Apalachicola. In the interim, conservation steps will be taken through educational and stop-loss means.

The City shall adopt and enforce aquifer protection measures to ensure the protection of the City's potable water source and to safeguard public health.

The City shall, through its land use regulations, protect and conserve soil resources by controlling the encroachment of urbanization on land poorly suited for structural development.

The wetlands of Apalachicola shall be conserved and protected such that no net loss (after mitigation) shall occur.

The City will support the conservation and protection of native vegetation, ecological communities, fish and wildlife habitat to the extent that the City will prohibit development which can be proved to damage the City's natural resources.

The City shall maintain the estuarine water quality surrounding Apalachicola's coastal resources such that there shall be no loss of any approved shellfish harvesting classifications.

The City, in conjunction with Franklin County will develop and implement a hazardous waste management program.

ASSESSMENT OF OBJECTIVES

There are a couple of issues identified by the State in the 1999 EAR relating to conservation which have not yet been addressed including updating data and analysis on fish and shellfish communities, water quality and wetlands.

ANALYSIS AND RECOMMENDED REVISIONS

It is recommended that the City's EAR-based amendments be revised to update/confirm information on fish and shellfish communities, water quality and wetlands (map update). Specific goals, objectives and policies should be revised to meet new policy requirements for water quality protection from land uses as applicable and review plan policies to see if they meet new policy requirements with regard to protection and quality and natural functions of wetlands.

With regard to ongoing plans to purchase riverfront property for public use, the City should consider adopting the policy to support that program: "The Future Land Use map and Conservation Element depicts conservation land resources as environmentally sensitive natural resources that require long-term protection in order to provide for a conservation greenway. The natural resource areas requiring protection to be included in this conservation greenway may include riverine, creek and bay shoreline areas, and upland and wetland vegetative communities that provide habitat for endangered or threatened species. All such conservation lands in public ownership shall either remain undeveloped or be subject to "restricted development based on the adopted land use categories and the restrictions in the adopted City Land Development Code. Passive recreation and limited active recreation uses that futher the plan to protect the natural

resources and provide for a conservation greenway shall be uses that are allowed within the Conservation land use designation.

RECREATION AND OPEN SPACE ELEMENT

The Recreation and Open Space Element contains one goal that addresses the adequate provision of recreational facilities for all segments of the population, including those with special needs. Five (5) objectives were formulated to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element.

The specific objectives include:

Parks and recreation facilities will meet and maintain the adopted LOS standards.

Lands designated as recreational open space, as designated on the Future Land Use map series, will be protected from incompatible land uses, lights, sound and activities and will remain functionally intact. New developments both public and private, over five acres will provide designated open spaces in the proposed site plan.

Existing public recreation facilities shall have automobile, bicycle and pedestrian access which supports the adopted LOS standards. New facilities, both public and private, will show these provisions in site plans reviewed for approval.

Each of the nine (9) City streets, which end at the riverfront, will provide pedestrian access to the Apalachicola River.

The City will improve coordination with the County and school district and with the private sector through specific points of contact to provide improvements in recreational opportunities and facilities.

ASSESSMENT OF OBJECTIVES

The 1999 EAR review recommended updating inventory map based on the outdated age of the map and confirming level of service for the City recreational facilities.

Additionally, there is a perceived need for additional boat launch and docking facilities as evidenced through public hearings.

Analysis and Recommended Revisions

It is suggested that the City update its inventory map, confirm its LOS standards for recreational facilities and also identify boat launches.

It is also suggested that the incorporate public land acquisition documentation into the comprehensive plan. The City has been actively pursuing FCT funds over the past few years to purchase land for public use. The purpose of the ongoing project is to provide additional City owned waterfront land on the Apalachicola River and interior upland acres for conservation, outdoor recreational use, and to enhance/restore Apalachicola's historical sites and to improve water quality by preventing any negative environmental impacts on the adjacent waterbodies. The most recent project site is located just off Water Street and adjacent to City owned land acquired under FCT Grant # 07-110-FFF7.

Apalachicola Riverwalk Phase IV, and the state owned Orman House Park. This site is Phase V of the existing Riverwalk and will provide an important connector between City owned recreation land and State owned land. This site will connect with previously purchased riverfront and water street lots via sidewalks and the historic walkways. This site is located within in the city limits of Apalachicola.

Once the land is acquired, the City of Apalachicola will develop and manage the park as an addition to the FCT funded Riverwalk Park, Phases I, II, III, and IV and Battery Park. Battery Park is a City park with a boat launch, dock and 40 public boat slips, picnic tables, a playground and ball fields, located in Apalachicola on Bay Avenue between 4th and 6th Streets. Riverwalk Park is located on Water Street and the Apalachicola River. The project sites together create a series of linked outdoor recreational areas that preserve the historic riverfront of the City. They provide for a variety of recreational opportunities and preserve the historic fishing heritage of Apalachicola as well as stabilize the shoreline of the river.

The project site is in close proximity to the nationally designated Apalachicola Historic District. The vacant property will be improved with landscaping and a stormwater retention pond, the exotic vegetation and debris will be removed and the slough which flows into the Apalachicola River will be restored. The City will work with local residents to obtain recreational facility grant funds to develop the park facilities.

The project site is located within the boundaries of the Apalachicola National Estuarine Research Reserve (NERR) and the Apalachicola Bay Aquatic Preserve. The River and Bay are also designated as Outstanding Florida Waters, a shellfish harvesting area and the Man and the Biosphere Reserve.

Community benefits are many. Acquisition of this site will benefit both the City of Apalachicola and Franklin County by providing resource-based and user-oriented outdoor recreation to serve the surrounding commercial and residential areas. It will further the City's stated vision to protect and restore the historic waterfront and provide for the long-term management and protection of public land for wildlife management, environmental protection, and resource-based recreation.

Specifically, the following policy should be adopted. "The City will continue to apply for grant funds for acquisition and development of recreation facilities to further the plans for the waterfront park system and riverwalk."

CAPITAL IMPROVEMENTS ELEMENT

The Capital Improvements Element contains one goal that addresses the actions necessary to adequately provide needed public facilities to all residents within its jurisdiction in a manner which protects investments in existing facilities, maximizes the use of existing facilities, and promotes orderly compact urban growth. These actions

should also provide for a health environment with facilities for recreation and play as well as an economic environment for financial well being and growth. Five (5) objectives were formulated to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

Capital improvements will be provided to correct existing deficiencies to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the 5–Year Schedule of improvements of this Element.

Public expenditures that subsidize development in high hazard coastal areas will be limited to those improvements included in the Coastal Management Element

Future developments will bear their full proportionate cost of facility improvements necessitated by the development in order to maintain adopted LOS standards. Proportion of cost will be determined by the City’s facilities staff and made a part of the permitting records.

The City will manage its’ fiscal resources so that funds are available for needed capital improvements for approved development orders and for future development and redevelopment.

Issuance of development orders and permits will be based upon coordination of the development requirements included in this plan, the land development regulations, and the availability of necessary public facilities needed to support such development at the time needed.

ASSESSMENT OF OBJECTIVES

There are several issues identified by the State in the 1999 EAR relating to capital improvements which have not yet been addressed relating to inventory updates, confirming financing mechanisms and updating capital improvement projects and schedules.

Recommendations

It is recommended that the City’s EAR-based amendments be revised to update inventory information, financing mechanisms and schedules. Recommended goals should include updating level of services objectives, adopting updated capital improvements schedule and reviewing concurrency measures to ensure that current provisions meet those requirements.

It is recommended that the City adopt a 5 year schedule of capital improvements in which outside or other funding sources will be guaranteed in the form of a development agreement or interlocal agreement.

It is recommended that the City adopt a policy requiring the schedule of capital improvements to be updated annually via a plan amendment.

HISTORIC PRESERVATION ELEMENT

The Historic Preservation Element contains one local goal that addresses increasing the recognition of and access to historical and cultural resources and programs in Apalachicola through improvement, redevelopment, increasing public awareness and other related actions. Six (6) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

To provide that ordinances and regulations are in place, which provide specific regulations to direct and guide the maintenance and improvement of the Historic District facilities.

developing a program that requires handicapped access on all rehabilitations of commercial and public historic structures.

Working with the private sector to acquire and /or rehabilitate three historically significant structures.

Developing a working waterfront museum.

Acquiring two (2) historic structures for use as public buildings.

Applying for and supporting others in applying for grants and other available funds to acquire and/or improve historical structures, spaces and other actions that will enhance the Historical District.

ASSESSMENT

In 2005, The City produced an Historic Design Guidelines Manual which is available on the City's website as a guide when building or renovating within the Historic District.

This was a good step forward in meeting the objective of this element

Recommendation

The City may wish to explore expanding the guidelines to carry more regulatory authority. The preservation of the City-owned blocks as dedicated open spaces has also been suggested.

ECONOMIC DEVELOPMENT ELEMENT

The Economic Development Element contains one goal that provides an enhanced and diverse economic base which affords Apalachicola and its' residents a maximal amount of economic opportunity. Six (6) objectives were formulated in order to provide specific methods and standards for meeting this goal. Policies were then formulated to serve as guiding principals that define specific actions to meet the goal and objectives of this Element. The specific objectives include:

Encourage the conservation and enhancement of those natural and cultural resources, which represent the foundations of the city's seafood, recreation and tourist oriented economy.

The Apalachicola City Commission will establish an Economic Development Commission whose chief mission shall be to ensure that the principles and guidelines for economic growth and prosperity set forth in this plan are achieved.

The City shall ensure that land is allocated for future commercial / light industrial land uses, to allow for a viable economy.

The City, in coordination with the county government, shall protect the integrity of existing infrastructure and promote the development of appropriate new infrastructure within designated growth areas to facilitate economic development.

The City shall implement the objectives and policies of this Economic Element through appropriate techniques, which include careful evaluation of proposed city actions for conformance with the policies in this element. All objectives and policies within the Comprehensive Plan shall be considered when making growth management decisions.

Ensure that the types of new business and industry locating in Apalachicola (and the expansion of existing business the industry) will contribute towards maintaining a clean environment. Each employer shall be a good neighbor by preventing adverse impacts on the environment. Particular emphasis should be given to the Coastal and Conservation Elements of the Comprehensive Plan.

Analysis and Recommended Revisions

The basic guidelines and objectives of this element should continue to be implemented.

Section C

Statutory Requirements for the EAR

Chapter 163.3191(2)

(a) Population growth and changes in land area, including annexation, since the adoption of the original plan or the most recent update amendments.

The Comprehensive Plan needs to be updated as it relates to population.

The City has not annexed any property since the last plan adoption.

(b) The extent of vacant and developable land

There have been approximately 200 development permits issued per year since January 2004 for new development. These include residential permits and permits for commercial development. There has been no large-scale Future Land Use Map changes in the past two years, and only one few small-scale Future Land Use Map changes. Generally, the development in the past two years has occurred in the areas already designated for development.

(c) The financial feasibility of implementing the comprehensive plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities.

The City obtains funds to support the Comprehensive Plan from advalorem taxes, sales and use taxes, impact and franchise fees, licenses and permits, charges for services, fines, and federal and State grants, potable water and sewer. Waste Management provides solid waste service through a contract with the City. Waste is collected by Waste Management, which collects waste and then takes it to Bay County's incinerator. The incinerator is projected to reach capacity in 2025. The contract places no limit on the amount of waste that can be collected, and charges by the ton.

The City has not yet adopted a Concurrency Management System. These should be adopted as part of the EAR-based amendments.

(d) The location of existing development in relation to the location of development as anticipated in the original plan, or in the plan as amended by the most recent evaluation and appraisal report update amendments, such as within areas designated for urban growth.

The layout of the City limits the development to infill within vacant areas. Development is only anticipated in this area, and only occurs in this area.

(e) An identification of the major issues for the jurisdiction and where pertinent, the potential social, economic, and environmental impacts.

This information can be found in Section A.

(f) Relevant changes to the state comprehensive plan, the requirements of this part, the minimum criteria contained in chapter 9J-5, Florida Administrative Code, and the appropriate strategic regional policy plan since the adoption of the original plan or the most recent evaluation and appraisal report update amendments.

This information can be found in Section D.

(g) An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved. The report shall include, as appropriate, an identification as to whether unforeseen or unanticipated changes in circumstances have resulted in problems or opportunities with respect to major issues identified in each element and the social, economic, and environmental impacts of the issue.

This assessment can be found within Section A.

(h) A brief assessment of successes and shortcomings related to each element of the plan.

This assessment can be found in Section B.

(i) The identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections, new revised planning timeframes, a revised future conditions map or map series, an updated capital improvements element, and any new and revised goals, objectives, and policies for major issues identified within each element. This paragraph shall not require the submittal of the plan amendments with the evaluation and appraisal report.

This information can be found at the end of each major issue, at the end of Section B, and in Section D. They are also compiled and summarized in Section E.

(j) A summary of the public participation program and activities undertaken by the local government in preparing the report.

The public has been invited to attend two scoping meetings and 2 public hearings conducted by the Apalachicola City Commission to comment on the EAR.

(k) The coordination of the comprehensive plan with existing public schools and those identified in the applicable educational facilities plan adopted pursuant to s.1013.35. The assessment shall address, where relevant, the success or failure of the coordination of the future land use map and associated planned residential development with public schools and their capacities, as well as the joint decision making processes engaged in by the local government and the school board in regard to establishing appropriate population projections and the planning and siting of public school facilities. For those counties or municipalities that do not have a public schools interlocal agreement or public school facilities element, the assessment shall determine whether the local government continues to meet the criteria of s.163.3177(12). If the county or municipality determines that it no longer meets the criteria, it must adopt appropriate concurrency goals, objectives, and policies in its plan amendments pursuant to the requirements of the public school facilities element, and enter into the existing interlocal agreement required by ss.163.3177(6)(h)2 and 163.31777 in order to fully participate in the school concurrency system.

The City has adopted into its Comprehensive Plan an Objective and Policies that address the requirements of 163.3177(6)(h)2 and 163.31777. However, the school age population of the City is decreasing, as young people leave the City and County in search of job opportunities elsewhere and as older retirees move in. The City is therefore exempt from this requirement.

The School Board of Franklin County has plans to consolidate its four schools into one school located in Eastpoint. The consolidated school is scheduled for partial completion in the fall of 2007. It has been proposed by the County that the vacated school sites be converted to affordable housing for teachers. As the price of housing increases in the County, many teachers are encountering problems finding appropriate affordable housing. Providing affordable housing to teachers may help the School Board retain its personnel.

(l) The extent to which the local government has been successful in identifying alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in s.373.0361(2)(a) within the local government's jurisdiction. The report must evaluate the degree to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in the element as necessary to serve existing and new development.

The Northwest Florida Water Management District has allocated money to study the feasibility of a Regional Waster System that would provide water to citizens and private water companies. Supply wells for the Regional Water System would be located within the interior portion of the county, away from the coast. The purpose of the system would be to avoid saltwater intrusion into water supply wells that are currently located along the coast.

(m) If any of the jurisdiction of the local government is located within the coastal high-hazard area, an evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster. The property rights of current residents shall be balanced with public safety considerations. The local government must identify strategies to address redevelopment feasibility and the property rights of affected residents. These strategies may include the authorization of redevelopment up to the actual built density in existence on the property prior to the natural disaster or redevelopment.

There have been no changes in density within the CHHA since 2005. Future evaluation of coastal high hazard impacts will be governed by chapter 2006-68, Laws of Florida.

(n) An assessment of whether the criteria adopted pursuant to s.163.3177(6)(a) were successful in achieving compatibility with military installations.

There are no military installations within the City.

(o) The extent to which a concurrency exception area designated pursuant to s.163.3180(5), a concurrency management area designated pursuant to s.163.3180(7), or a multimodal transportation district designated pursuant to s.163.3180(15) has achieved the purpose for which it was created and otherwise complies with the provisions of s.163.3180.

There are no concurrency exception areas, concurrency management areas, or multimodal transportation districts within the City.

(p) An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties, as appropriate pursuant to s.163.3180(10).

The analysis of the Florida DOT recommendations is outlined in the Major Issues Section as it relates to transportation in the city

The City should include a mechanism for coordinating on transportation impacts with neighboring local governments when it adopts a concurrency management system, should it be needed in the future.

	<p>(4)(a): Provides that the act does not limit the powers of a county under certain circumstances.</p> <p>(4)(b): Clarifies that a farm operation may not expand its operations under certain circumstances.</p> <p>(4)©: Provides that the act does not limit the powers of certain counties.</p> <p>(4)(d): Provides that certain county ordinances are not deemed to be a duplication of regulation.</p>		N/A		
			N/A		
			N/A		
			NA		
133	Changes “State Comptroller” references to “Chief Financial Officer.”	163.3167(6)	N/A		
134	Provides for certain airports to abandon DRI orders.	163.3177(6)(k)	N/A		
135	Amended to conform to the repeal of s. 235.185 and the enactment of similar material in s. 1013.35.	163.31776(1)(b)(2)-(3)	N/A		
136	Amended to conform to the repeal of ch. 235 and the enactment of similar material in	163.37111(1)©, (2)(e)-(f), (3)©, (4), (6)(b)	N/A		

	ch. 1013.				
2004: [Ch. 04-5, s. 11; ch. 04-37, s. 1; ch. 04-230, ss. 1-4; ch. 04-372, ss. 2-5; ch. 04-381, ss. 1-2; ch. 04-384, s. 2, Laws of Florida					

137	<p>(10): Amended to conform to the repeal of the Florida High-Speed Rail Transportation Act, and the creation of the Florida High-Speed Rail Authority Act.</p> <p>Created to require local governments to identify adequate water supply sources to meet future demand.</p> <p>(14): Created to limit the effect of judicial determinations issued subsequent to certain development orders pursuant to adopted land development regulations.</p>	<p>163.3167(10)</p> <p>163.3167(13)</p> <p>163.3167(14)</p>	<p>N/A</p> <p>N/A</p>	<p>Infrastructure Element, Potable Water Policies</p>	
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138	Provides legislative findings on the compatibility of development with military installations.	163.3175(1)	N/A		
	Provides for the exchange of information relating to proposed land use decisions between counties and local governments and military installations.	163.3175(2)	N/A		
	Provides for responsive comments by the commanding officer or his/her designee.	163.3175(3)	N/A		
	Provides for the county or affected local government to take such comments into consideration.	163.3175(4)	N/A		
	Requires the representative of the military installation to be an ex-officio, nonvoting member of the county's or local government's land planning or zoning board.	163.3175(5)	N/A		
	Encourages the commanding officer to provide information on community planning assistance grants.	163.3175(6)	N/A		

	the transfer of development rights and urban infill and redevelopment; requires DCA to provide technical assistance to local governments.	163.3177(11)(f)			
				Future Land Use Element	
140	Provides legislative findings with respect to the shortage of affordable rentals in the state. Provides definitions. Authorizes local governments to permit accessory dwelling units in areas zoned for single family residential use based upon certain findings. An application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to a very-low-income, low-income, or moderate-income person or persons.	163.31771(1) 163.31771(2) 163.31771(3) 163.31771(4)	N/A N/A N/A N/A		

	<p>Provides for certain accessory dwelling units to apply towards satisfying the affordable housing component of the housing element in a local government’s comprehensive plan.</p> <p>Requires the DCA to report to the Legislature.</p>	163.31771(5)	N/A		
		163.31771(6)	N/A		
141	Amends the definition of “in compliance” to add language referring to the Wekiva Parkway and Protection Act.	163.3184(1)(b)	N/A		
142	<p>Created to provide that amendments to address criteria or compatibility of land uses adjacent to or in close proximity to military installations do not count toward the limitation on frequency of amending comprehensive plans.</p> <p>Created to provide that amendments to establish or implement a rural land stewardship area do not count toward the limitation on</p>	163.3187(1)(m)	N/A		
		163.3187(1)(n)	N/A		

	frequency of amending comprehensive plans.				
143	Created to provide that evaluation and appraisal reports evaluate whether criteria in the land use element were successful in achieving land use compatibility with military installations.	163.3191(2)(n)		There are no military installations within the City	
2005 [Ch. 2005-157, ss 1, 2 and 15; Ch. 2005-290; and Ch. 2005-291, ss. 10-12, Laws of Florida]					
144	Added the definition of "financial feasibility."	Creates ss. 163.3164(32)	N/A		
145	Required comprehensive plans to be "financially" rather than "economically" feasible. Required the comprehensive plan to include a 5-year schedule of capital improvements. Outside funding (i.e., from developer, other	163.3177(2) 163.3177(3)(a)5.			YES. The city should adopt policies requiring this. YES. A 5-year schedule of capital improvements in which outside or other funding will be guaranteed in the form

	<p>government or funding pursuant to referendum) of these capital improvements must be guaranteed in the form of a development agreement or interlocal agreement.</p> <p>Required plan amendment for the annual update of the schedule of capital improvements. Deleted provision allowing updates and change in the date of construction to be accomplished by ordinance.</p> <p>Added oversight and penalty provision for failure to adhere to this section's capital improvements requirements.</p>	<p>163.3177(3)(a)6.b.1.</p> <p>163.3177(3)(a)6.c.</p>	<p>N/A</p>		<p>of a development agreement or interlocal agreement should be adopted as part of the EAR-based amendments,</p> <p>\</p> <p>YES. A policy requiring the schedule of capital improvements to be updated annually via a plan amendment should be adopted as part of the EAR-based amendments.</p>
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	<p>Required a long-term capital improvement schedule if the local government has adopted a long-term concurrency management system.</p>	163.3177(3)(a)6.d.	NA		
	<p>Deleted date (October 1, 1999) by which school-siting requirements must be adopted.</p>	163.3177(6)(a)	NA		
	<p>Add requirement that future land use element of coastal counties must encourage the preservation of working waterfronts, as defined in s.342.07, F.S.</p>	163.3177(6)(a)		<p>Land Use Element Historic Preservation Element</p>	
	<p>Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the alternative water supply projects selected by the local government to meet its water supply needs.</p>	163.3177(6)(c)			
		163.3177(6)(e)	NA		<p>The Northwest Florida Water Management District anticipates updating its RWSP. When this happens, the The infrastructure Element should be amended within 18 months to reflect the</p>

<p>Added waterways to the system of sites addressed by the recreation and open space element.</p>	<p>163.3177(11)(d)4.c.</p>	<p>N/A</p>		<p>updated WSP accordingly.</p>
<p>Required rural land stewardship areas to address affordable housing.</p>	<p>163.3177(11)(d)5.</p>			
<p>Required a listed species survey be performed on rural land stewardship receiving area. If any listed species present, must ensure adequate provisions to protect them.</p>		<p>NA</p>		
<p>Must enact an ordinance establishing a methodology for creation, conveyance, and use of stewardship credits within a rural land stewardship area.</p>	<p>163.3177(11)(d)6.</p>	<p>NA</p>		
<p>Revised to allow open space and agricultural land to be just as important as environmentally</p>	<p>163.3177(11)(d)6.j.</p>	<p>NA</p>		

<p>sensitive land when assigning stewardship credits</p>	<p>163.3177(12)</p>	<p>NA</p>		
<p>Must adopt public school facilities element. A waiver from providing this element will be allowed under certain circumstances.</p>	<p>163.3177(12)(a) and (b)</p>	<p>NA</p>		
<p>Expanded list of items to include colocation, location of schools proximate to residential areas, and use of schools as emergency shelters.</p>				
<p>(12)(h): Required local governments to provide maps depicting the general location of new schools and school improvements within future conditions maps.</p>	<p>163.3177(12)(g)</p>	<p>NA</p>		
<p>Required DCA to establish a</p>	<p>163.3177(12)(h)</p>	<p>NA</p>		

	<p>schedule of adoption of the public school facilities element.</p> <p>Established penalty for failure to adopt a public school facility element.</p> <p>163.3177(12)(i)</p> <p>163.3177(12)(j)</p> <p>Encourages local governments to develop a “community vision,” which provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources.</p> <p>Encourages local governments to develop a “urban service boundary,” which ensures the area is served (or will be served) with adequate public facilities and services over the next 10 years. See s. 163.3184(17).</p>		N/A		
			N/A	Economic Element	The city may consider including a “community vision” within its EAR-based amendments.
146	163.31776 is repealed	163.31776 [Now: Repealed]	N/A		
147	(2): Required the public schools	163.31777(2)		The city has a	NO.

	<p>interlocal agreement (if applicable) to address requirements for school concurrency. The opt-out provision at the end of Subsection (2) is deleted.</p> <p>(5): Required Palm Beach County to identify, as part of its EAR, changes needed in its public school element necessary to conform to the new 2005 public school facilities element requirements.</p> <p>(7): Provided that counties exempted from public school facilities element shall undergo re-evaluation as part of its EAR to determine if they continue to meet exemption criteria.</p>	<p>163.31777(5)</p> <p>163.31777(7)</p>	<p>N/A</p>	<p>school interlocal agreement in place.</p> <p>Franklin County has a school interlocal agreement in place and has applied for exemption which will cover the city.</p>	<p>NO.</p>
148	<p>Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in s.342.07, F.S.</p>	<p>163.3178(2)(g)</p>		<p>Future Land Use Coastal Management</p>	<p>Yes. The Coastal Management and Future Land Use Element of the 2020 Plan will be amended to include strategies</p>

					that will be used to preserve recreational and commercial working waterfronts.
149	Added “schools” as a required concurrency item.	163.3180(1)(a)	N/A		
	Required consultation with water supplier prior to issuing building permit to ensure “adequate water supplies” to serve new development is available by the date of issuance of a certificate of occupancy.	163.3180(2)(a)	N/A		

	<p>Required all transportation facilities to be in place or under construction within 3 years (rather than 5 years) after approval of building permit.</p>	<p>163.3180(2)©</p>	<p>N/A</p>		
	<p>Allowed concurrency requirement for public schools to be waived within urban infill and redevelopment areas (163.2517).</p>	<p>163.3180(4)©</p>	<p>NA</p>	<p>The city has not established an urban infill and redevelopment area.</p>	<p>NO.</p>
	<p>Required guidelines for granting concurrency exceptions to be included in the comprehensive plan.</p>	<p>163.3180(5)(d)</p>	<p>NA</p>		
	<p>If local government has established transportation exceptions, the guidelines for implementing the exceptions must be “consistent with and support a comprehensive</p>	<p>163.3180(5)(e) – (g)</p>	<p>N/A</p>	<p>There are no concurrency exception areas within the County.</p>	

<p>strategy, and promote the purpose of the exceptions.” Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data and analysis. FDOT must be consulted prior to designating a transportation concurrency exception area. Transportation concurrency exception areas existing prior to July 1, 2005 must meet these requirements by July 1, 2006, or when the EAR-based amendment is adopted, whichever occurs last.</p>				
<p>Required local government to maintain records to determine whether 110% de minimis transportation impact threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de minimis exceptions.</p>	<p>163.3180(6)</p>	<p>N/A</p>	<p>There are no concurrency management areas within the County.</p>	
	<p>163.3180(7)</p>		<p>Transportation</p>	<p>No. The City does not have a Strategic</p>

<p>Required consultation with the Department of Transportation prior to designating a transportation concurrency management area (to promote infill development) to ensure adequate level-of-service standards are in place. The local government and the DOT should work together to mitigate any impacts to the Strategic Intermodal System.</p>			<p>Element</p>	<p>Intermodal System but does plan to confer with FDOT about its one section of failing LOS in the City.</p>
<p>Allowed adoption of a long-term concurrency management system for schools.</p>	<p>163.3180(9)(a)</p>	<p>N/A</p>		
<p>Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a long-term concurrency management system.</p>	<p>163.3180(9)©</p>	<p>NA</p>		
<p>Required evaluation in EAR of progress in improving levels of service.</p>	<p>163.3180(9)(d)</p>	<p>N/A</p>		
<p>Added requirement that level of</p>	<p>163.3180(10)</p>		<p>Transportation Element</p>	<p>The city does plan to confer with FDOT about its one section of</p>

<p>service standard for roadway facilities on the Strategic Intermodal System must be consistent with FDOT standards. Standards must consider compatibility with adjacent jurisdictions.</p>	<p>163.3180(13)</p>	<p>NA</p>		<p>failing LOS in the City.</p>
<p>Required school concurrency (not optional).</p>	<p>163.3180(13)©1.</p>	<p>NA</p>		
<p>Requires school concurrency after five years to be applied on a “less than districtwide basis” (i.e., by using school attendance zones, etc).</p>	<p>163.3180(13)©2.</p>	<p>N/A</p>		
<p>Eliminated exemption from plan amendment adoption limitation for changes to service area</p>				

<p>boundaries.</p> <p>No application for development approval may be denied if a less-than-districtwide measurement of school concurrency is used; however the development impacts must to shifted to contiguous service areas with school capacity.</p>	<p>163.3180(13)©3.</p>	<p>N/A</p>		
<p>Allowed school concurrency to be satisfied if a developer executes a legally binding commitment to provide mitigation proportionate to the demand.</p>	<p>163.3180(13)(e)</p>	<p>N/A</p>		
<p>Enumerated mitigation options for achieving proportionate-share mitigation.</p>	<p>163.3180(13)(e)1.</p>	<p>N/A</p>		
<p>If educational facilities funded in one of the two following ways, the local government must credit this amount toward any impact fee or exaction imposed on the community: contribution of land</p>	<p>163.3180(13)(e)2.</p>	<p>N/A</p>		

	<p>The fact that school concurrency has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p>	163.3180(13)(h)	N/A		
	<p>Prior to adopting Multimodal Transportation Districts, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government and the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p>	163.3180(15)	N/A		
	<p>Required local governments to adopt by December 1, 2006 a method for assessing proportionate fair-share mitigation options. FDOT will</p>	163.3180(16)	N/A		

	develop a model ordinance by December 1, 2005.				
150	<p>If local government has adopted a community vision and urban service boundary, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p> <p>If a municipality has adopted an urban infill and redevelopment area, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p>	<p>163.3184(17)</p> <p>163.3184(18)</p>	<p>NA</p> <p>NA</p>		
151	Allowed approval of residential land use as a small-scale development amendment when the proposed density is equal to or less than the existing future	163.3187(1)©1.f.	N/A		

	<p>land use category. Under certain circumstances affordable housing units are exempt from this limitation.</p> <p>If the small-scale development amendment involves a rural area of critical economic concern, a 20-acre limit applies.</p> <p>An amendment to a rural area of critical economic concern may be approved without regard to the statutory limit on comprehensive plan amendments.</p>	<p>163.3187(1)©4.</p> <p>163.3187(1)(o)</p>	<p>N/A</p> <p>N/A</p>		
152	<p>Required local governments that do not have either a school interlocal agreement or a public school facilities element, to determine in the EAR whether the local government continues to meet the exemption criteria in s.163.3177(12).</p> <p>The EAR must determine</p>	163.3191(2)(k)	NA		

	<p>whether the local government has met its various water supply requirements, including development of alternative water supply projects.</p>	163.3191(2)(l)	NA		
	<p>The EAR must evaluate whether its Multimodal Transportation District has achieved the purpose for which it was created.</p>	163.3191(2)(o)	NA		
	<p>The EAR must assess methodology for impacts on transportation facilities.</p>	163.3191(2)(p)	NA		

	The EAR-based amendment must be adopted within a single amendment cycle. Failure to adopt within this cycle results in penalties. Once updated, the comprehensive plan must be submitted to the DCA.	163.3191(10)	N/A		
153	(10) New section designating Freeport as a certified community.	163.3246(10)	N/A		
	(11) New section exempting proposed DRIs within Freeport from review under s.380.06, F.S., unless review is requested by the local government.	163.3246(11)	N/A		
2006 [Ch. 2006-68, Ch. 2006-69, Ch. 2006-220, Ch. 2006-252, Ch. 2006-255, Ch. 2006-268, Laws of Florida]					
154	Establishes plan amendment procedures for agricultural enclaves as defined in s.163.3164(33), F.S. Ch. 2006-255, LOF.	163.3162(5)	NA		
155	Defines agricultural enclave. Ch. 2006-255, LOF.	163.3164(33)	NA		

156	Adds new paragraph encouraging local governments with a coastal management element to adopt recreational surface water use policies; such adoption amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions. Ch. 2006-220, LOF.	163.3177(6)(g)2.		Coastal Management	Appropriate policy should be adopted to address this
157	Allows the effect of a proposed receiving area to be considered when projecting the 25-year or greater population with a rural land stewardship area. Ch. 2006-220, LOF.	163.3177(11)(d)6.	NA		
158	Recognizes “extremely-low-income persons” as another income groups whose housing needs might be addressed by accessory dwelling units and defines such persons consistent with s.420.0004(8), F.S. Ch. 2006-69, LOF.	163.31771(1), (2) and (4)		Housing Element	NO.
159	Assigns to the Division of Emergency Management the responsibility of ensuring the preparation of updated regional hurricane evacuation plans. Ch. 2006-68, LOF.	163.3178(2)(d)		Coastal management Element	
160	Changes the definition of the	163.3178(2)(h)		Coastal	Revised maps to be

	Coastal High Hazard Area (CHHA) to be the area below the elevation of the category 1 storm surge line as established by the SLOSH model. Ch. 2006-68, LOF.			Management Element	adopted.
161	Adds a new section allowing a local government to comply with the requirement that its comprehensive plan direct population concentrations away from the CHHA and maintains or reduces hurricane evacuation times by maintaining an adopted LOS Standard for out-of-county hurricane evacuation for a category 5 storm, by maintaining a 12-hour hurricane evacuation time or by providing mitigation that satisfies these two requirements. Ch. 2006-68, LOF.	163.3178(9)(a)		Coastal management Element	yes
162	Adds a new section establishing a level of service for out-of-county hurricane evacuation of no greater than 16 hours for a category 5 storm for any local government that wishes to follow the process in s.163.3178(9)(a) but has not established such a level of	163.3178(9)(b)		Coastal management Element	yes

	service by July 1, 2008. Ch. 2006-68, LOF.				
163	Requires local governments to amend their Future Land Use Map and coastal management element to include the new definition of the CHHA, and to depict the CHHA on the FLUM by July 1, 2008. Ch. 2006-68, LOF.	163.3178(2)©		Future Land Use Coastal Management	New definitions and maps to be adopted
164	Allows the sanitary sewer concurrency requirement to be met by onsite sewage treatment and disposal systems approved by the Department of Health. Ch. 2006-252, LOF.	163.3180(2)(a)		Public Facilities	
165	Changes s.380.0651(3)(i) to s.380.0651(3)(h) as the citation for the standards a multiuse DRI must meet or exceed. Ch. 2006-220, LOF.	163.3180(12)(a)	NA		
166	Deletes use of extended use agreement as part of the definition of small scale amendment. Ch. 2006-69, LOF.	163.3187(1)©1.f.	NA		
167	Creates a new section related to electric distribution substations; establishes criteria addressing land use compatibility of substations; requires local governments to permit	163.3208	NA	Already permitted in land use code.	

	substations in all FLUM categories (except preservation, conservation or historic preservation); establishes compatibility standards to be used if a local government has not established such standards; establishes procedures for the review of applications for the location of a new substation; allows local governments to enact reasonable setback and landscape buffer standards for substations. Ch. 2006-268, LOF.				
168	Creates a new section preventing a local government from requiring a permit or other approval for vegetation maintenance and tree pruning or trimming within an established electric transmission and distribution line right-of-way. Ch. 2006-268, LOF.	163.3209	NA		
169	Community Workforce Housing Innovation Pilot Program; created by Ch. 2006-69, LOF, section 27. Establishes a special, expedited adoption process for any plan amendment that implements a pilot program			Housing	

	project.				
170	Affordable housing land donation density incentive bonus; created by Ch. 2006-69, LOF, section 28. Allows a density bonus for land donated to a local government to provide affordable housing; requires adoption of a plan amendment for any such land; such amendment may be adopted as a small-scale amendment; such amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions.			Housing	Discussion and possible amendment to be included providing for this.
171	(26) Expands the definition of “ urban redevelopment ” to include a community redevelopment area. Ch. 2007-204, LOF. (32) Revises the definition of “ financial feasibility ” by clarifying that the plan is financially feasibility for transportation and schools if level of service standards are achieved and maintained by the end of the planning period even if in a particular year such	163.3164	NA		

	standards are not achieved. In addition, the provision that level of service standards need not be maintained if the proportionate fair share process in s.163.3180(12) and (16), F.S., is used is deleted. Ch. 2007-204, LOF.				
172	<p>(2) Clarifies that financial feasibility is determined using a five-year period (except in the case of long-term transportation or school concurrency management, in which case a 10 or 15-year period applies). Ch. 2007-204, LOF.</p> <p>(3)(a)6. Revises the citation to the MPO's TIP and long-range transportation plan. Ch. 2007-196, LOF.</p> <p>(3)(b)1. Requires an annual update to the Five-Year Schedule of Capital Improvements to be submitted by December 1, 2008 and yearly thereafter. If this date is missed, no amendments are allowed until the update is adopted. Ch.</p>		NA	Capital Improvements	yes

<p>2007-204, LOF.</p> <p>(3)(c) Deletes the requirement that the Department must notify the Administration Commission if an annual update to the capital improvements element is found not in compliance (retained is the requirement that notification must take place is the annual update is not adopted). Ch. 2007-204, LOF.</p> <p>(3)(e) Provides that a comprehensive plan as revised by an amendment to the future land use map is financially feasible if it is supported by (1) a condition in a development order for a development of regional impact or binding agreement that addresses proportionate share mitigation consistent with s.163.3180(12), F.S., or (2) a binding agreement addressing proportionate fair-share mitigation consistent with s.163.3180(16)(f), F.S., and the property is located in an urban infill, urban redevelopment, downtown revitalization, urban</p>				
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<p>infill and redevelopment or urban service area. Ch. 2007-204, LOF.</p> <p>(6)(f)1.d. Revises the housing element requirements to ensure adequate sites for affordable workforce housing within certain counties. Ch. 2007-198, LOF.</p> <p>(6)h. and i. Requires certain counties to adopt a plan for ensuring affordable workforce housing by July 1, 2008 and provides a penalty if this date is missed. Ch. 2007-198, LOF.</p>	<p>(New)</p>			
<p>(4)(b) Expands transportation concurrency exceptions to include airport facilities. Ch. 2007-204, LOF.</p> <p>(5)(b)5 Adds specifically designated urban service areas</p>	<p>163.3180</p>			

<p>173</p>	<p>to the list of transportation concurrency exception areas. Ch. 2007-204, LOF.</p> <p>(5)(f) Requires consultation with the state land planning agency regarding mitigation of impacts on Strategic Intermodal System facilities prior to establishing a concurrency exception area. Ch. 2007-204, LOF.</p> <p>(12) and (12)(a) Deletes the requirement that the comprehensive plan must authorize a development of regional impact to satisfy concurrency under certain conditions. Also, deletes the requirement that the development of regional impact must include a residential component to satisfy concurrency under the conditions listed. Ch. 2007-204, LOF.</p> <p>(12)(d) Clarifies that any proportionate-share mitigation by development of</p>	<p>(New)</p>	<p>NA</p>		
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	<p>regional impact, Florida Quality Development and specific area plan implementing an optional sector plan is not responsible for reducing or eliminating backlogs. Ch. 2007-204, LOF.</p> <p>(13)(e)4. A development precluded from commencing because of school concurrency may nevertheless commence if certain conditions are met. Ch. 2007-204, LOF.</p> <p>(16)(c) and (f) Allows proportionate fair-share mitigation to be directed to one or more specific transportation improvement. Clarifies that such mitigation is not to be used to address backlogs. Ch. 2007-204, LOF.</p> <p>(17) Allows an exempt from concurrency for certain workforce housing developed consistent with s.380.061(9) and s.380.0651(3). Ch. 2007-198, LOF.</p>	<p>(New)</p> <p>(New)</p>			
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174	Allows a local government to establish a transportation concurrency backlog authority to address deficiencies where existing traffic volume exceeds the adopted level of service standard. Defines the powers of the authority to include tax increment financing and requires the preparation of transportation concurrency backlog plans. Ch. 2007-196, LOF and Ch. 2007-204, LOF.	163.3182 (New)	NA		
175	Allows plan amendments that address certain housing requirements to be expedited under certain circumstances. Ch. 2007-198, LOF.	163.3184(19) (New)	NA		
176	Exempts from the twice per year limitation on the frequency of adoption of plan amendments any amendment that is consistent with the local housing incentive strategy consistent with s.420.9076. Ch. 2007-198, LOF.	163.3187(1)(p) (New)	NA		
177	Add an amendment to integrate a port master plan into the	163.3191(14) (New)	NA		

	coastal management element as an exemption to the prohibition in ss.163.3191(10). Ch. 2007-196, LOF and Ch. 2007-204, LOF.				
178	Extends the duration of a development agreement from 10 to 20 years. Ch. 2007-204, LOF.	163.3229	NA		
179	Establishes an alternative state review process pilot program in Jacksonville/Duval, Miami, Tampa, Hialeah, Pinellas and Broward to encourage urban infill and redevelopment. Ch. 2007-204, LOF.	163.32465 (New)	NA		
180	If a property owner contributes right-of-way and expands a state transportation facility, such contribution may be applied as a credit against any future transportation concurrency requirement . Ch. 2007-196, LOF.	339.282 (New)	NA		
181	Establishes an expedited plan amendment adoption process for amendments that implement the Community Workforce Housing Innovation Pilot Program and exempts such amendments from the twice per	420.5095(9)	NA		

	year limitation on the frequency of adoption of plan amendments. Ch. 2007-198, LOF.				
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Section E

Recommended Changes to the Comprehensive Plan

Future Land Use Element

- Adopt an objective and policies that establish criteria for land that is acceptable for affordable housing.
- Explore options for providing affordable housing,
- Explore options for providing innovative solutions for resolving commercial land use conflicts while preserving the natural areas and growth management directives.

With regard to generally outdated data, it is recommended that all data which has been updated since 2004 be incorporated into the comprehensive plan data and analysis section. With regard to unresolved issues from the 1999 EAR, it is recommended specific data to be updated include the following:

Population figures and projections through amended timeframe and update Table 11.

Provide table by land use category and map

Vacant Lands Analysis and tables

Show adjacent lands on maps

Show planned uses for adjacent lands on FLUM

Confirm information on soils, confirm natural resources and confirm redevelopment information

Potential land use problems: update information about riverfront development, redevelopment and western development areas

Obtain and update Coastal High Hazard Area information and map

Update historic resources

Update wellhead protection information and cones of influence information

With regard to legislative changes, the following is recommended:

- Update timeframes to all applicable goals, objectives and policies and future land use map
- Revise land use map to show categories defined in plan.
- Add policy to identify uses allowed prohibited in wellhead protection areas and add new map to show wells and wellhead protection areas associated with policy
- Revise appropriate CHHA policy to follow statute and rule directive regarding directing populations away from the CHHA and maintaining or reducing evacuation clearance times.

Traffic Circulation Element

In order not to be in violation of concurrency requirements, the City should modify its LOS standards on this section of road to accommodate the lower standard that the roadway is operating under. Lowering the LOS may resolve the concurrency issue but the City may wish to explore additional measure to reduce traffic congestion within the City downtown area.

The City faces a related traffic issue in that there is a perceived lack of parking in the downtown district. Development standards mandate onsite parking which has proven to be difficult to achieve given the small lots and restrictive lot coverages in some areas. Some methods to explore may include reviewing parking on Hwy 98, better identifying existing parking resources than be used and review and revise existing parking regulations. Another suggestion would be to maximize visibility of the satellite parking area three blocks from the downtown district which has ample parking spots.

With regard to unresolved issues from the 1999 EAR, the following is recommended:

Update Level of Service Standards on existing local and state roads

Identify Regional Evacuation Routes

Update Traffic Circulation maps showing LOS (peak hour) and better identify facilities both for existing and future land use maps.

Housing Element

It is recommended that updated data, such as that which has been referenced in the EAR discussion, be incorporated into the comprehensive plan data and analysis section to address the identification of low and very low income families. It is possible that given the relatively slow population increase in the City (census) that technically, these objectives have been met. However, the issue of providing affordable housing in the City is more than making the numbers work on paper.

With property values in the City escalating and with increases in wages not keeping up, there is a potential for a major affordable housing crisis. There are newly formed housing coalition groups in the county that may be able to help. The City may wish to work with the existing county housing coalition to formulate options for dealing with the issue. The City does not currently know the extent of the situation because it does not currently have updated data on which to base an analysis. Pooling resources with existing groups may help consolidate resources and produce more viable options. Additional suggestions may include the following:

- Adopt an objective and policies that establish criteria for land that is acceptable for affordable housing.

- Establish a Community Land Trust to accept donations and to provide land for affordable housing.
- Investigate additional funding sources to increase the number of substandard and dilapidated housing units refurbished each year.
- Include within the Housing Element objectives and polices which allow the City to review its surplus properties and possibly donate land for affordable housing projects.
- Implement those polices within the Housing Element which proactively address affordable housing outlining density bonuses, reduced fees, and streamlined permitting, to provide incentives for the development of affordable housing.
- Explore options for providing affordable housing as suggested by the County Affordable Housing Coalition

There are a number of issues identified by the State in the 1999 EAR relating to housing which have not yet been addressed. It is recommended that the City's EAR-based amendments be revised to include the following:

- revise policies to recognize low and very-low income households
- Update census information on housing
- Include Affordable housing information and identification of any surplus, deficit
- Updating dates throughout the policies to reflect amended planning period.

In accordance with legislative requirements, the city should adopt policies that address affordable housing land donation density incentive bonuses.

Public Facilities Element

Water and Sewer: With regard to data and analysis of the plan, the City should update facility capacity figures, usage indicating gallons per day and update its level of service information. In the goals, objectives and policies, the City should update policy 1.1 for level of service information for each facility.

Groundwater: In the data and analysis section, the City should update data on ground water quality and surface water quality. In the GOPs, the City should add a policy to address water quality standards for stormwater discharge as per newer state requirements. The City should adopt an objective and policies that direct the City to coordinate with the Water Management District in implementing the regional water system and to implement the district's water supply plan.

Stormwater: In the data and analysis of the plan, the City should update its stormwater management section to include data from the 2007 Stormwater Management Plan prepared by Baskerville Donovan. In the GOPs, the City should update recharge policy 8.1.1, based on data and revised stormwater management grant status. Additional analysis and recommendations are identified in the local issues section.

Capital Improvements Schedule: In the data in the data and analysis, the City should identify individual projects by type, year of implementation and source of funding (indicating financial feasibility) and should run at least five years from 2004. In the GOPs, the City should amend dates on the following policies: 6.1, 8.1, 8.2, 4.1, 3.22, 4.13, 5.1, 3.1, 3.1.5, 3.2.1, 1.1, 2.1. In addition, the City should adopt a Concurrency Management System to ensure that public facilities are available concurrent with the impacts of development and includes evacuation times and shelter spaces. Additionally, the City should adopt a policy requiring that the CIS be updated annually.

COASTAL MANAGEMENT ELEMENT

This existing comp plan element objectives and policies do a very good job of outlining specific protective measures that the City should take to preserve sensitive coastal areas. However, some of the policies are contradictory with some land development code requirements. It is recommended that the City review those inconsistencies and, in cooperation with state agencies and land owners, resolve the inconsistencies.

In addition to the above, there were issues identified by the State in the 1999 EAR relating to coastal management which have not yet been addressed. It is recommended that the City's EAR-based amendments address those issues which include the following:

Update CHHA map and any information relating to hazard mitigation
Update information on sheltering
Update maps relating to water dependent uses and water classification
Update evacuation routs and make sure they are consistent with data in elements

Update objective 10 – Level A definition
Update dates on the following policies: Objectives 2, 3, 4, 5 6, 8, 11, 12, 13, 14, 17 and policies 1.2, 7.1, 11.5, and 16.1

In accordance with 163.3178(2)(h), the City should amend its Future Land Use Map and coastal management element to include the new definition of the CHHA and to depict the CHHA on the FLUM.

In accordance with 163.3178(2)(g) the City should include information and strategies that can be used to preserve recreational and commercial working waterfronts.

In accordance with 163.3177(6)(g)2. The City should consider adopting surface water use policies.

In accordance with 163.3178(9)(b) The City should include a discussion in its data and analysis section to clarify that that the City currently directs its population concentrations away from the CHHA through its low density/intensity zoning regs for this district.

INTERGOVERNMENTAL COORDINATION ELEMENT

It is recommended that the City's EAR-based amendments be revised to update/confirm information and mechanisms relating to dredge spoil and general interlocal agreements. Goals, objectives and policies should include reference to school siting, dredge spoil and update dates in objectives 1.1 and 1.3.

CONSERVATION ELEMENT

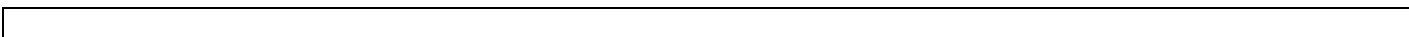
It is recommended that the City's EAR-based amendments be revised to update/confirm information on fish and shellfish communities, water quality and wetlands (map update). Specific goals, objectives and policies should be revised to meet new policy requirements for water quality protection from land uses as applicable and review plan policies to see if they meet new policy requirements with regard to protection and quality and natural functions of wetlands.

RECREATION AND OPEN SPACE ELEMENT

The 1999 EAR review recommended updating inventory map and confirming level of service for the City recreational facilities. In addition, there is a perceived need for additional boat launch and docking facilities. It is suggested that the City explore additional funding for additional recreation services.

CAPITAL IMPROVEMENTS ELEMENT

It is recommended that the City's EAR-based amendments be revised to update inventory information, financing mechanisms and schedules. Recommended goals should include updating level of services objectives, adopting updated capital improvements schedule and reviewing concurrency measures to ensure that current provisions meet those requirements.



It is recommended that the City adopt a 5 year schedule of capital improvements in which outside or other funding sources will be guaranteed in the form of a development agreement or interlocal agreement.

It is recommended that the City adopt a policy requiring the schedule of capital improvements to be updated annually via a plan amendment.

HISTORIC PRESERVATION ELEMENT

The City may wish to explore expanding the guidelines to carry more regulatory authority. The preservation of the City-owned blocks as dedicated open spaces has also been suggested.

- preserve City-owned blocks as dedicated open spaces

Economic Development Element

Recommendations

- update data and analysis
- work with state and local interest groups to seek funding and technical assistance in drafting a economic vision for city.