

# CITY OF LYNN HAVEN COMPREHENSIVE PLAN

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## **FUTURE LAND USE ELEMENT**

**PURPOSE:** The City of Lynn Haven desires to retain the small-town atmosphere oriented to families that has been its tradition. The City's intent is to maintain the traditional town development pattern and historical appearance of its architecture; to promote infill development within the core residential and commercial areas of the City and to allow a mixture of uses within the areas adjacent to the commercial districts; to provide land use strategies that allow new development to accommodate living spaces and work places within close proximity to each other; and, to provide adequate public services and facilities for new residential and economic development resulting from projected population increases (amended by Ordinance 858; Adopted:10/24/06).

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**GOAL 1: Efficiently manage and regulate land-use types, locations, and densities that are compatible with natural and man-made resources in order to provide the residents of Lynn Haven with an aesthetically pleasing, economically beneficial, and socially adequate environment** (amended by Ordinance 858; Adopted:10/24/06).

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### **Land Use Districts**

**OBJECTIVE 1:** The City shall implement the single-map approach to land development regulation. This means that allowable uses shall be established in the Comprehensive Plan and on the Future Land Use Map (FLUM), without need for a separate zoning map. When the single-map approach is enacted, the following policies shall guide the implementation of this approach (amended by Ordinance 858; Adopted:10/24/06).

**Policy 1-1:** Development of land shall be allowable in compliance with the use, location, and design requirements of this Comprehensive Plan. Development shall be regulated, in part, through adoption and maintenance of a Unified Land Development Code (ULDC) that contains detailed standards consistent with the requirements of this Plan (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-2:** The FLUM and associated text shall be:

- (1) The means of establishing the allowable use of land;
- (2) The means of setting the maximum density and intensity of allowable uses of land; and,
- (3) Designed to provide for economic development that is compatible with the City's character and natural resources and that does not create infrastructure needs in excess of those which the City can provide while maintaining the adopted levels of service (amended by Ordinance 858; Adopted:10/24/06).

**OBJECTIVE 2:** The following land use districts are hereby established. Each land use category is depicted as a land use district on the FLUM. The term "land use category" refers to the text description of a land

use, while the term “land use district” refers to the geographic area shown on the FLUM where the activities and uses of a category are able. The land use districts shall be as follows:

- (1) Low Density Residential (LDR)
- (2) Medium Density Residential (MDR)
- (3) High Density Residential (HDR)
- (4) Recreation/Open Space (R/OS)
- (5) Mixed Use (MU)
- (6) Neighborhood Commercial (C-1)
- (7) Commercial (C)
- (8) Industrial (IND)
- (9) Public/Institutional (P/I)
- (10) Conservation (CON)
- (11) Traditional Neighborhood Development (TND)
- (12) Overlay Districts
  - (a) Community Redevelopment Area (CRA)
  - (b) Planned Unit Development (PUD)  
(amended by Ordinance 858; Adopted:10/24/06)

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**Policy 2-1: Residential Uses.** The following densities and uses shall be permissible within residential land use districts, and shall be implemented in the ULDC (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-1-01: Low Density Residential (LDR).** The purpose of this district is to provide locations limited to single-family detached units as well as customary residential accessory uses incidental to the primary residential uses on the site. Residential density shall be less than five (5) units per acre (amended by Ordinance 858; Adopted:10/24/06.)

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**Policy 2-1-02: Medium Density Residential (MDR).**  
The purpose of this district is to provide locations for single-family detached units and multiple-family residential developments as well as customary residential accessory uses incidental to the primary residential uses on site. Density shall be from four (4.0) units to ten (10.0) units per acre (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-1-03: High Density Residential (HDR).** The purpose of this district is to provide locations for multiple-family residential development and customary residential accessory uses that are incidental to the primary residential uses on site. Density shall be from eight (8.0) to twenty (20.0) units per acre. (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-1-04:** Within all residential land use districts, the following specific uses, may be allowable, subject to additional development and design standards:

- (1) Public elementary and secondary schools;
- (2) Public parks;
- (3) Religious facilities;
- (4) Transit stops and rights-of-way; and,

(5) Essential utilities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2: Mixed Use and Non-Residential Uses.** The following mixed-use and nonresidential uses and intensities shall be permissible and implemented in the ULDC (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2-01: Mixed Use (MU).** The intent of this district is to create an urban center within the City of Lynn Haven and to serve as a transition between the major highways and residential areas:

- (1) Residential-only projects with a maximum density of up to ten (10.0) units per acre, as well as customary residential accessory uses incidental to the primary residential uses on site;
- (2) Mixed use projects may have a maximum residential density of up to twenty (20.0) units per acre subject to compatibility standards, architectural standards, and location requirements;
- (3) Small scale commercial, general commercial, and office uses shall be located along arterial or collector roadways, subject to additional development and design standards;
- (4) Specific uses such as public parks, public elementary and secondary, trade and post-secondary schools, religious facilities, transit stops and rights-of-way, and essential utilities may be allowable, subject to additional development and design standards.
- (5) Non-residential development may include any combination of commercial, office, civic, institutional, and recreation uses;
- (6) Mixed use development shall meet the following standards: a. Residential, minimum of forty-five (45) percent; b. Commercial or office, maximum of forty-five (45) percent; and c. Civic, institutional, or recreation, minimum of ten (10) percent
- (7) Impervious surface shall not exceed seventy-five (75) percent.
- (8) Floor area ratio shall be as assigned for each individual category.
- (9) The City may establish incentives in its land development code to implement the Mixed Use land use category as consistent with the Community Redevelopment Plan (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 2-2-02: Neighborhood Commercial (NC).** The purpose of the neighborhood commercial district is to provide areas for low-intensity commercial uses that primarily offer goods and services to nearby or surrounding residential areas. Residential uses included within this district shall have a maximum density of eight (8.0) units per acre. All non-residential uses shall be located on a collector or arterial roadways. Impervious surface shall not exceed sixty (60) percent. The floor area ratio shall not exceed .50 (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2-03: Recreation/Open Space (R/OS).** The purpose of the recreation/open space district is to provide areas for the location of private and public recreation land uses including active and passive recreation activities. Impervious surface shall not exceed fifty (50) percent. The floor area ratio shall not exceed .50 (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2-04: Commercial (C).** The purpose of this district is to provide sufficient land in appropriate locations for various types of retail, office, trade service establishments, and professional service uses. Multi-family residential may be permissible only as a conditional use. Multi-family residential uses shall not exceed twenty (20) units per acre. Conditions shall include compatibility standards specifically

addressing multi-family residential adjacent to nonresidential development and requirements for demonstrated public benefits, such as public plazas, water access, view protection, and availability of workforce housing. Impervious surface shall not exceed eighty-five (85) percent. The floor area ratio shall not exceed 1.0. (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2-05: Industrial (IND).** The purpose of this district is to provide land for light industrial, trade and service activities, including industrial support services, such as administration, business and professional offices, water-dependent and water-related commercial and industrial uses. Preference will be given to water-dependent or water-related commercial and industrial uses when considering the location of such uses. Multi-family residential may be permissible only as a conditional use. Multi-family residential uses shall not exceed twenty (20) units per acre. Conditions shall include compatibility standards specifically addressing multi-family residential adjacent to nonresidential development and requirements for demonstrated public benefits, such as public plazas, water access, view protection, and availability of workforce housing.

- (1) Impervious surface shall not exceed seventy (70) percent.
- (2) The floor area ratio shall not exceed 0.50.
- (3) Land uses within the industrial district that use, handle, store, or treat or dispose of hazardous materials injurious to fish, wildlife, and people shall be prohibited (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2-06: Public/Institutional (P/I).** This district is intended to provide lands for civic, educational, governmental, recreational, religious, and cultural purposes:

- (1) Public and private schools are considered allowable uses within the Public/ Institutional land use districts.
- (2) Impervious surface shall not exceed sixty-five (65) percent.
- (3) The floor area ratio shall not exceed 1.0 (amended by Ordinance 858; Adopted:10/24/06)

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**Policy 2-2-07: Conservation (CON).** The purpose of the Conservation District is to preserve significant natural resources.

- (1) The natural features designated as CON on the FLUM include, at a minimum, wetlands, floodways and floodplains, unique habitats, and lakes or water bodies in public ownership or under public control that are intended primarily for resource protection (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 2-2-08: Research Park (RP).**

1. The purpose of the Research Park (RP) land use category is to promote water-dependent development that is technology-based through the collaboration of universities, industry and government. The research park shall be developed with the following mix of uses:

- a. Water-dependent research and light high-tech industry facilities.
- b. Recreational and commercial working waterfront uses which means a parcel or parcels of real property that provide access for water-dependent commercial activities or provide access for the public to the navigable waters of the state. Recreational and commercial working waterfronts require direct access to or a location on, over or adjacent to a navigable body of water. The term

includes water-dependent facilities that are open to the public and offer public access by vessels to the waters of the state or they are support facilities for recreational, commercial, research, or governmental vessels. These facilities include docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, and other support structures over the water, except boat construction facilities.

c. Office and commercial uses.

d. Residential uses.

2. Density and intensity standards are as follows:

a. The maximum residential development shall not exceed 100 dwelling units. Dwelling units shall not be located in the Category 1 Storm Surge area and areas of special flood hazard and shall be located where most compatible with the other uses in the research park.

b. Impervious surface shall not exceed seventy (70) percent.

c. The floor area ratio shall not exceed .35.

d. Land uses within the research park designation that use, handle, store, or treat or dispose of hazardous materials in a manner that is injurious to fish, wildlife, and people shall be prohibited (amended by Ordinance 900; Adopted: 06/10/08).

**OBJECTIVE 3. Traditional Neighborhood Development District (TND).** The purpose of the Traditional Neighborhood Development District (TND) land use category is to promote orderly, compact growth that supports walkability, a range of housing types, and environmental protection by providing opportunities for a mix of residential, commercial, and public and civic uses in discrete areas served by central water and sewer that are proximate to other urbanizing areas of the City of Lynn Haven (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 3-1: Traditional Neighborhood Development District:** The intent of the Traditional Neighborhood Development District (TND District) land use category is to promote orderly, compact growth by providing opportunities for residential, mixed-use, and community development in discrete areas served by central water and sewer that are proximate to other urbanizing areas of the City of Lynn Haven. The requirements of this policy shall apply to TNDs established after 3/24/2010, the effective date of Plan Amendment 2010-1-T-8 (amended by Ordinance 928; Adopted:02/23/10).

**A. Size and Land Uses:** In order to be designated as a TND District on the City's Future Land Use Map, the subject property must contain a minimum of forty (40) contiguous acres, and shall be developed with the following mix of uses: (amended by Ordinance 928; Adopted:02/23/10).

1. Public uses, including squares, parks, open spaces, golf courses, pools, playgrounds, public access to the waterfront (where applicable) and similar amenities, which shall comprise no less than ten (10) percent of the gross acreage of the designated TND District. The maximum impervious surface ratio for public uses shall not exceed five (5) percent (amended by Ordinance 928; Adopted:02/23/10).

2. Civic uses, including churches, libraries, meeting halls, schools, government buildings, post offices, and the like, which shall comprise no less than five (5) percent of the gross acreage of the designated TND District. The maximum impervious surface ratio for civic uses shall not exceed seventy-five (75) percent, and the maximum floor area ratio shall not exceed sixty (60) percent (0.6 FAR). Impervious surface calculations shall be for civic uses as a whole and shall not be required for individual lots.

3. Commercial uses (non-residential uses excluding public and civic uses) shall comprise no less than five (5) percent, nor more than thirty-five (35) percent, of the designated TND District. Commercial uses may include retail, business services, offices, personal services, medical, entertainment, resort, lodging, restaurant, marinas, workplace and similar uses. Commercial uses within a TND District shall be compatible in character and scale with surrounding neighborhoods proposed for the TND District. The maximum impervious surface ratio for commercial uses shall not exceed seventy-five (75) percent and the maximum floor area ratio shall not exceed one hundred (100) percent (1.0 FAR). Impervious surface calculations shall be for commercial uses as a whole and shall not be required for individual lots.

4. Residential uses, include single and multi-family housing. Residential uses shall comprise no less than thirty-five (35) percent, nor more than eighty (80) percent, of the gross acreage of the TND District. The average density in the civic, commercial, and residential use areas as a whole shall not exceed ten (10) units per acre. No density shall be assigned to areas designated public or conservation.

5. Except as otherwise stated in this section, all development within a TND District shall be designed to avoid, to the maximum extent possible, impacts to: (1) wetlands, including isolated wetlands and wetlands under the jurisdiction of the Department of Environmental Protection and/or the U.S. Army Corps of Engineers; (2) animal and plant habitat of threatened and endangered species; and (3) velocity zones, as depicted on the FEMA Flood Insurance Rate Maps.

**B. Environmental Protection:** Proposed development within a TND District shall exhibit best environmental management practices with the emphasis on designing with nature, e.g. in the context of the natural features of the landscape, such as topographic and stormwater features, vegetative edges, and soil types, to avoid and minimize adverse environmental impacts. The major criterion for approval shall be the continued functioning, with minimum disturbance, of the ecosystem which the development is impacting. In order to avoid specific and cumulative impacts of development on wetlands and/or habitat of threatened and endangered species, the City may require the use of site design techniques, such as clustering development to the uplands of the development site or away from habitat of endangered or threatened species, elevation of structures on pilings, setbacks and buffering (amended by Ordinance 928; Adopted:02/23/10).

1. Wetland and shoreline ecosystems shall be protected by a minimal thirty (30) foot adjacent upland buffer of preserved and protected native vegetation in accordance with Conservation Policy 5-8 (amended by Ordinance 928; Adopted:02/23/10).

2. Where wetland impacts cannot be avoided, wetland impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement in accordance with local, state and/or federal regulations. Wetland impacts, where unavoidable and where properly mitigated, may be authorized for:

a. Uses consistent with the underlying TND District land use, but densities for residential uses and intensities for nonresidential uses may be limited in order to ensure greater protection of the wetland;

b. Access to the site;

c. Internal traffic circulation, where other alternatives do not exist, or for purposes of public health, safety, or welfare; and

d. Utility and transmission lines (amended by Ordinance 928; Adopted:02/23/10).

3. Mitigated impacts may be allowed to any poor quality isolated or jurisdictional wetland which has minimal or no ecological value provided that the total impact area is not greater than twenty-five (25) percent of the impacted poor quality wetland. Poor quality wetlands are those that are degraded by human alterations, such as sand mining, silvicultural activities, and fire suppression, which have allowed woody (i.e. non-wetland) plant species to overtake these areas and further degrade their ecological value (amended by Ordinance 928; Adopted:02/23/10).

4. The City may further limit the densities and intensities stated therein, require phasing of future development, or impose other standards on property proposed for TND District designation in order to ensure compatibility and consistency of the TND District at its proposed location and with the surrounding area, notwithstanding the minimum standards otherwise adopted herein. However, the City's imposition of specific limitations on future development as contemplated by Policy 2-13 does not constitute the City's explicit or implicit approval of any plan of development for said parcel, or constitute a determination or finding by the City that proposed future development on the parcel, or any portion thereof, is compatible with the area or consistent with other requirements in the City's Comprehensive Plan or Land Development Code. Any property so designated will be required to secure development approval in accordance with the City's regulations and procedures otherwise applicable to any applicant seeking development approval (amended by Ordinance 928; Adopted:02/23/10).

5. In keeping with the intent to use best management practices, systems supporting the reuse of reclaimed water shall be incorporated into development plans (amended by Ordinance 928; Adopted:02/23/10).

**C. Arrangement of Land Uses:** Land uses, densities and intensities within a TND shall be arranged to provide a transition between the TND and surrounding properties. (amended by Ordinance 928; Adopted:02/23/10)

**D. Integration of Land Use and Mobility:** Land uses within a TND shall be arranged and interconnected to encourage alternative forms of transportation, including walking, cycling, and, where available, public transit (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 3-2: Mill Bayou Traditional Neighborhood Development District**

(1) In addition to meeting the requirements of Policy 2-12, the TND District designation on the Future Land Use Map for the approximately 950-acre parcel annexed into the City in 2005 (commonly known as Mill Bayou) shall be subject to the following additional development limitations as a condition precedent to securing development approval for any future development proposed within this TND District:

(a) The maximum residential development within the Mill Bayou TND District shall not exceed 2,000 dwelling units in total, including 590 multifamily units and 1410 single family units; and

(b) The maximum commercial development within the Mill Bayou TND District shall not exceed 200,000 total square feet; and

(c) Stormwater and drainage standards for any development proposed within the Mill Bayou TND District will meet or exceed Outstanding Florida Water standards; and

(d) The Mill Bayou TND shall be limited to 400 single family and 100 multifamily residential units, and 50,000 total square feet of commercial development (as noted on the adopted Future Land Use Map), unless and until the requirements of paragraph (e) below are met; and

(e) To achieve the maximum allowable development in paragraph (a) above, a Comprehensive Plan amendment shall be adopted to amend the Future Land Use Map and Policy 2-12-1 to allow no more than an additional 1,010 single family and 490 multifamily residential units and 150,000 total square feet of commercial development. The Comprehensive Plan amendment shall demonstrate, through data and analysis and amendments, if required, to the Capital Improvements Element, that the adopted level of service for public facilities and services, specifically schools, water, sewer, and transportation facilities, will not be adversely affected. The amendment shall be transmitted to the Department of Economic Opportunity for compliance review (amended by Ordinance 858; Adopted:10/24/06).

**OBJECTIVE 4:** Overlay districts are established to regulate the design of neighborhoods within any land use district (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 4-1: The Community Redevelopment Area (CRA).** This overlay district encompasses the historic downtown area of Lynn Haven as well as adjacent lands that are designated as the CRA (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 4-1-01:** The CRA overlay district is intended to provide locations for residential, commercial, office, professional, civic, governmental, educational and cultural uses consistent with the historic character of the area (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 4-2: Planned Unit Developments** are overlay districts that may be applied in any land use district (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 4-3: The Unified Land Development Code** shall contain standards regulating land use and design to promote the intent of the overlay district and to minimize incompatibility (amended by Ordinance 928; Adopted: 02/23/10).

### **Coordinated Growth and Development**

**OBJECTIVE 5:** Future growth and development of the City shall be managed through enforcement of the adopted Comprehensive Plan and the ULDC, to provide for an orderly, well-planned community with compatible land uses (amended by Ordinance 858; Adopted:10/24/06).

**Policy 5-1:** The subdivision of land shall be regulated subject to the densities and intensities of use identified on the FLUM.

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**Policy 5-2:** Developers shall provide stormwater management facilities sufficient to meet the level of service established by the Infrastructure Element of this Plan (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 5-3:** Require safe and practical ingress-egress points, on-site traffic flow, and vehicle parking needs during the site plan review process.

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**Policy 5-4:** Provide for the connection of driveways between adjacent commercial properties, thereby reducing the number of driveway cuts, providing for a smoother on-site traffic flow, and providing for a smoother flow of traffic on the major roads.

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**Policy 5-5:** Proposed amendments to the Future Land Use Map to designate land for a commercial land use shall be evaluated based on the following criteria:

- (a) Depth of the proposed development as measured from the street frontage. The City's policy is to discourage strip commercial development without sufficient depth to provide adequate parking, buffering, and safety in the location of parking and signage.
  - (b) Overall land area in relation to adjacent commercial designations. The City's policy is to encourage integrated development, and to require interconnections between adjacent commercial development sites. (amended by Ordinance 858; Adopted:10/24/06)
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**Policy 5-6:** The City will coordinate with the Bay County School Board to encourage the location of schools proximate to residential and mixed use areas to the extent possible and shall seek to co-locate public facilities, such as parks, libraries, and community centers, with schools, to the extent possible.

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**OBJECTIVE 6:** Throughout the planning period, the City shall continue to eliminate land uses inconsistent with the character of the area or with the FLUM. This shall be accomplished through the requirement that all proposed development plans and subdivisions conform to the FLUM (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 6-1:** Expansion or replacement of existing land uses that are inconsistent with the FLUM will be prohibited in accordance with the appropriate City ordinances (amended by Ordinance 858; Adopted: 10/24/06).

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**Policy 6-2:** Continue active code enforcement to alleviate code violations (amended by Ordinance 858; Adopted: 10/24/06).

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**Policy 6-3:** Prepare and transmit a Future Land Use Plan Map amendment in the second cycle of amendments in 2010 to change the land use configuration of properties in the southwest portion of the CRA. The southwest portion of the CRA is defined as the area of land bounded by Ohio Avenue, 17th Street, Tennessee Street, and CR390, containing approximately 21 blocks (amended by Ordinance 928).

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**Policy 6-3.1:** The Future Land Use Map amendments shall be consistent with the Community Redevelopment Plan (amended by Ordinance 928; Adopted: 02/23/10).

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**OBJECTIVE 7:** Throughout the planning period, the City shall prohibit urban sprawl, and leapfrogging of commercial developments.

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**Policy 7-1:** The City hereby adopts an Urban Service Area for the purpose of providing public services and facilities and accommodating anticipated population growth (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 7-2:** Should property owners outside the City request annexation and the City agrees to annex the property, the City shall amend the FLUM and assign a land use category based upon the following factors:

- (1) The type and density of adjacent existing development;
  - (2) Location of the property in relation to the adopted Urban Service Area;
  - (3) Location of the property in relation to the Coastal High Hazard Area;
  - (4) Presence of upland areas suitable for development;
  - (5) Availability of central water and sewer systems so that the development will be in compliance with the standards adopted in the Concurrency Management System (amended by Ordinance 858; Adopted:10/24/06).
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**OBJECTIVE 8:** Coastal High Hazard Area population densities shall not exceed highway capacity for hurricane evacuation (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 8-1:** Proposed developments within the coastal high hazard area shall be subject to review and transportation analysis to determine the impact upon evacuation routes and times (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 8-2:** The Bay County Emergency Management Office shall be included as a technical advisor in the development review process.

### **Concurrency Management**

**OBJECTIVE 9:** All new and existing land uses shall be adequately served by facilities and service at the level of service established in the comprehensive plan.

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**Policy 9-1:** Development orders shall be issued only upon the determination that the adopted level of service standards can be met for roads, sewers, solid waste, stormwater drainage, potable water, and parks and recreation (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 9-2:** Development orders and permits will not be issued for developments which cause a reduction in the level of service standards for facilities as adopted in this Comprehensive Plan (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 9-3:** The development approval process shall:

- (1) Require the applicant to provide necessary information concerning service and facility requirements in the form of a project impact analysis and determination of the availability of such facilities and services;
- (2) Require phasing of projects contingent upon the availability of facilities and services;
- (3) Establish uniform standards for developer exactions to provide necessary facilities and services. Exactions may include mandatory dedications or fees in lieu of dedications for streets rights-of-way, utility rights-of-ways, or park and open space areas;
- (4) Incorporate a concurrency management system (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 10:** Throughout the planning period, the City shall continue to make available suitable land for existing service facilities and the expansion of those facilities, and shall require that future land uses be assured of availability of facilities and services.

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**Policy 10-1:** The City shall conduct an ongoing review and analysis of the availability of services to meet the needs of future land uses adopted in this Comprehensive Plan.

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**Policy 10-2:** Throughout the planning period, the City shall continually monitor its facilities and services to ensure that they remain within the level of service standards established in this Comprehensive Plan. Applications for development permits which contain a specific plan for developments shall be reviewed prior to approval to determine that the adopted level of service is maintained (amended by Ordinance 858; Adopted:10/24/06).

### **Natural Resource Protection**

**OBJECTIVE 11:** Throughout the planning period, the City shall require that the natural resources of the City be protected from negative impacts of development activities and shall require that future land uses are coordinated with the appropriate topography and soil conditions.

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**Policy 11-1:** Encourage development and allow growth only in physiographically suitable areas.

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**Policy 11-2:** Require soil testing and drainage improvements during the site plan review process.

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**Policy 11-3:** Develop a Comprehensive Stormwater Management Study for the City, in coordination with the County. Upon the completion of the study, the City will amend the Plan to include projects in the Five Year Schedule of Capital Improvements which will begin to correct the identified deficiencies. The City shall continue to cooperate and coordinate with the Department of Environmental Protection to prevent stormwater management deficiencies while the study is being completed.

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**Policy 11-4:** Proposed developments in areas determined to be environmentally sensitive and having a high ecological value shall be reviewed individually by the City which will require that areas providing habitats for threatened or endangered species, marine species, or a flood control will be protected so as to continue its natural functions unimpaired. Activities allowed in these areas shall be compatible with the purposes of conserving or protecting natural resources including flood control, wildlife habitat protection, and passive recreation uses (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 11-5:** Where property contains on-site wetlands, development shall be clustered on uplands. Development may be transferred from wetlands to uplands at the density or intensity set by the Future Land Use Map. Such development may occur through planned unit developments, cluster development provisions, or conservation subdivisions, and shall include recordable conservation easements or other measures for permanent protection of affected wetlands (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 11-6:** Continue to identify land uses which may potentially contaminate existing and planned public water supply and planned well sites to reduce chances of contamination.

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**Policy 11-7:** Manufacturing and industrial land uses shall to be located where land use suitability has been determined, and where protection for natural resources has been provided (amended by Ordinance 858; Adopted:10/24/06).

### **Golf Course Development**

**OBJECTIVE 12:** The City shall regulate all new golf course development to ensure that detrimental environmental impact is minimized. The term “golf course” means a tract of land laid out, of at least nine-holes, for playing the game of golf, and improved with trees, greens, fairways, and hazards; which also may include ancillary facilities such as shelters, clubhouses, and specialty shops. The term does not include driving ranges or carpet golf. The following policy shall guide development of golf courses.

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**Policy 12-1:** As part of the approval process, a Golf Course Management Plan shall be developed for each golf course which contains, at a minimum, the following:

- (1) An integrated Pest Management Plan designed to prevent contamination of ground and surface waters from pesticides, herbicides, and fertilizers;
- (2) A water quality and quantity monitoring plan, with emphasis on impacts to adjacent wetlands and surface waters;
- (3) Best Management Practices which, at a minimum, identify procedures to be followed for the construction, irrigation, operation and maintenance of the golf course;
- (4) Golf courses shall be equipped with computer-operated irrigation systems using rain or soil-moisture sensors to override the irrigation system in the event of significant rainfall, and;
- (5) Landscaping for golf courses shall be designed in accordance with xeriscape principles; and,
- (6) Each new golf course shall install lines for irrigation using reclaimed or reuse water (amended by Ordinance 858; Adopted:10/24/06).

### **Greenhouse Gas Policies**

**OBJECTIVE 13:** The City shall aim at achieving a sustainable/energy efficient environment within the CRA by minimizing the emission of greenhouse gases and reducing the vehicle miles of travel (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 13-1:** The City shall promote walking, bicycle riding and use of public transit by requiring compact design, share facilities between adjacent or nearby uses, and providing for interconnected walkways, bicycle ways and parking and bus stops, as part of development approvals, where applicable (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 13-2:** The City shall encourage new development to be LEED certified by the U.S. Green Building Council or similar program (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 13-3:** The City shall continue to utilize and enhance bicycle parking standards, including quantity and location of bike racks, to help reduce parking demand and encourage the use of alternative transportation modes (amended by Ordinance 928; Adopted: 02/23/10).

### **Community Design**

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**GOAL 2: The purpose of the Community Design Section is to provide for quality planning and urban design throughout the City and to establish Objectives and Policies that will enhance the appearance and character of the community and improve the quality of existing and future development.**  
(amended by Ordinance 858; Adopted:10/24/06)

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**OBJECTIVE 1:** The City shall continue to reduce existing conflicts between residential and commercial land uses, and ensure compatibility of new development with existing and planned uses (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-1:** In order to preserve existing housing stock and to protect neighborhoods from degradation caused by intrusion of non-residential uses, the City will implement the following policies:

(1) The City shall ensure that commercial, industrial, and other non-residential uses do not create an undue negative impact on established residential areas as identified on the FLUM contained in the Comprehensive Plan, through the adoption and implementation of specific compatibility standards.

(2) The City shall prohibit the location of any use in designated residential areas, except public elementary and secondary schools, public parks, religious facilities, transit stops and rights-of-way, and essential utilities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-2:** The City shall ensure appropriate site design and compatibility between residential and non-residential uses through land development regulations for landscaping, buffering, building heights, and setback requirements (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-3:** Existing native vegetation may satisfy buffering requirements provided that the vegetation complies with the buffer requirements and species list (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-4:** The assignment of land use categories shall be consistent with the principles of compatibility, including transition of land uses, densities and intensities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-5:** The City shall require on-site landscaping for non-residential development projects (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-6:** The City shall provide specific design standards for landscaping, signs, buildings, and site design for developments within specified corridors (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-7:** Development within 150 feet of the waterfront shall be designed to provide the maximum waterfront views from rights-of-way and public areas. (amended by Ordinance 858; Adopted:10/24/06)

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**Policy 1-8:** The appearance of developments within 150 feet of the waterfront shall be regulated through building height standards, setback requirements, the use of native vegetation, and protection of the natural shoreline (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 2:** The City shall preserve and enhance the visual image of the City along arterial and collector roads by implementing compatibility standards (amended by Ordinance 858; Adopted:10/24/06.)

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**Policy 2-1:** The City will coordinate with the State and County during planning for road improvements to ensure consistent and high quality design for median plantings, lighting, street furniture, sidewalks, bicycle lanes, and infrastructure improvements (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-2:** In designing public improvements throughout the City, it shall be the City's policy to:

A. Consider the use of landscape medians with selected median cuts for all multilane roads. (2) Enforce a uniform signage standard for commercial uses throughout the City (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-3:** The City shall require landscaping and maintenance of vehicular use areas (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-4:** The City shall implement a Tree Planting/Beautification Plan for the City's arterials and collectors, concentrating in the residential areas and entrance points designated in the "Community Redevelopment Plan for the City of Lynn Haven, Florida." (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-5:** All proposed development along arterials and collectors shall incorporate architectural themes that are, at a minimum, consistent with adopted overall design and appearance standards for the general area (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 3.** The City of Lynn Haven shall set a good example in planning and designing City structures, uses, and facilities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 3-1:** The City shall ensure that all public projects meet the development standards for new projects as described in this Comprehensive Plan as well as the standards and criteria of the ULDC (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 3-2:** Where feasible, the City shall use reclaimed water for landscape irrigation and other non-potable uses in its facilities (amended by Ordinance 928; Adopted: 02/23/10).

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**OBJECTIVE 4.** The City shall promote quality redevelopment within the Community Redevelopment Area (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 4-1:** Area redevelopment plans shall maximize existing public facilities and infrastructure in the central core of the City based on the “Community Redevelopment Plan for The City of Lynn Haven, Florida” adopted in 2004 and any subsequent amendments (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 4-2:** Inadequate infrastructure shall be a criterion for the identification of areas in need of redevelopment and the provision of adequate infrastructure shall be a goal of redevelopment efforts (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 4-3:** Redevelopment areas shall be a target of infrastructure investments, such as street and drainage improvements, sidewalks, and implementation of gateway and streetscape plans (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 4-4:** Develop appropriate financing techniques, such as tax increment financing and grant programs, to provide for investment in urban redevelopment areas (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 4-5:** The Community Redevelopment Agency shall meet periodically to review the status of the action items and capital projects contained in the Community Redevelopment Plan (amended by Ordinance 928; Adopted: 02/23/10).

**Historic Preservation**

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**GOAL 3: Identify and protect the historic and archeological resources of Lynn Haven.**

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**OBJECTIVE 1:** A comprehensive listing of historic and archaeological resources shall be maintained.

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**Policy 1-1:** The City shall maintain and update annually a copy of the Florida Master Site File.

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**OBJECTIVE 2:** Protect historically and archaeologically significant properties within Lynn Haven.

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**Policy 2-1:** Maintain, through the land development process, a mechanism for review of historic and archaeological resources.

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**Policy 2-2:** Make historic preservation program information available to the public.

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**Policy 2-3:** Designate one or more historic preservation districts as an overlay district and establish a Historic Preservation Advisory Board (amended by Ordinance 858; Adopted:10/24/06).

## TRANSPORTATION MOBILITY ELEMENT

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**GOAL 1:** Establish a Multi-Modal Transportation System that provides mobility options for motorized vehicle users along with pedestrians, bicyclists and transit users within the Lynn Haven City limits (Ordinance 1047; Adopted 12/12/2017)

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**OBJECTIVE 1:** Roadway facilities and levels of service shall be improved and maintained to at least the minimum level of service standards shown in Policy 1-1. It shall ensure that new development does not occur faster than the City's ability to provide for infrastructure in a financially feasible manner necessary to support new development. The level of service standards shall not require that the City widen or construct new roadways to provide capacity to support new development or those impacts from adjacent municipalities.

**Policy 1-1:** The City of Lynn Haven hereby adopts the following minimum peak hour level of service standards consistent with Bay County's Comprehensive Plan and Florida Department of Transportation policy.

| Roadway Types                                 | Level of Service |
|---|------------------|
| Principle Arterials                           | D                |
| Other Concurrency Management Systems Roadways | D                |
| All Other Non CMS Roadways                    | E                |

### Definitions:

#### ***Principal Arterials:***

SR 77/Ohio Avenue; SR 390; CR 389/12th Street; CR 2312/Baldwin Road; CR 2321

#### ***Other Concurrency Management Roadways:***

Local roadways (which are not considered principal arterials) that are reviewed and analyzed under the City's Concurrency Management System (CMS): 24th Street; 26th Street; Jenks Avenue; Mowat School Road; Minnesota Avenue.

#### ***All Other Non CMS Roadways:***

Local roadways that are not reviewed or analyzed under the City's Concurrency Management System (CMS).

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**Policy 1-2:** Any proposed new developments which cause the levels of service to fall below the adopted minimum in Policy 1-1, then such shall not occur unless mitigative measures are scheduled to occur concurrent with development impacts which would result in the minimum level of service being attained. Levels of service shall be assessed on a yearly basis.

**Policy 1-3:** Adequate roadway capacity necessary to support new development shall be required to be available “Concurrent” with the impact of that development. The City shall require that all new development acquire a Certificate of Level of Service (Concurrency) Compliance as a condition of approval of a final development order specifying the intensity and density of development. Adopted Level of Service standards shall be used as the criteria to measure available capacity.

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**Policy 1-4:** A multi-modal mobility fee shall be adopted to ensure that developments fund (Partially or wholly) network improvements that mitigate its impact to the transportation system. This provision shall not exempt Developments of Regional Impact (DRI) from statutory requirements for proportionate share mitigation.

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**Policy 1-5:** To recognize that certain roadways or specific segments will be congested and that congestion will be addressed by means other than adding capacity for motor vehicles and maintaining levels of service on those roadways. Explore the possibility of district wide level of service standards as opposed to the existing segment by segment roadway LOS.

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**OBJECTIVE 2:** Reduce vehicle miles traveled (vmt) per household and minimize greenhouse gas emissions through interconnected developments that promote walking and bicycling as alternatives to personal motor vehicle use. Development densities and intensities within the urban core should be sufficient to support transit alternatives where possible. Development patterns should promote the use of urban clusters where mobility can be provided via multiple modes of transportation.

---

**Policy 2.1:** Provide mobility within the urban area through the development of an interconnected network of roadways that provide multiple route choices, alternatives to the State Road system and protect the Strategic Intermodal System (SIS). Provide better transit accessibility to employment and educational centers in a timely and cost efficient manner. Improve bicycle lanes, sidewalks or multi-use paths that connect to commercial centers, offices, educational and recreational uses.

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**Policy 2.2:** Establish an Urban Cluster Transportation Mobility District within the City of Lynn Haven that promotes mixed-use interconnected developments that encourage walking and riding over motor vehicle use. The original core of the City of Lynn haven (north of 17<sup>th</sup> Street) is composed of a traditional grid network of local streets. It has little room for new growth but is ideal for re-development and increases in density that promote multi-modal options.

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**Policy 2.3:** The City may engage in Public/Private Partnerships to develop an interconnected roadway network in undeveloped or underdeveloped portions of the Urban Cluster. The goal is to ensure that roadways can accommodate impacts from the new development along with existing traffic through intersection improvements and better access management.

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**Policy 2.4:** All development within the Urban Cluster District shall maximize or improve existing roadway connections and minimize conflict points on major arterials through the use of shared access. They must provide a pedestrian and bicycle circulation system that includes a network of multi-use paths throughout the development.

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**Policy 2.5:** The mobility fee shall be reduced for development within the Urban Cluster District which shall serve as the boundary for a *Mobility Fee Reduction District*.

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**Policy 2.6:** The Community Re-Development Area (CRA) is located within the proposed Urban Cluster Transportation Mobility District and is designated on the Future Land Use Map (FLUM) of the Comprehensive Plan. A further reduction in transportation mobility fees shall be applied for new development within this designated area.

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**OBJECTIVE 3: City Wide Mobility District:** Establish a city wide mobility district outside of the Urban Cluster District. Developments outside of the Urban Cluster District shall be required to mitigate directly impacts to adjacent roadways where financially feasible. To the extent possible they should provide on-site multi-modal paths that connect to the external transportation network.

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**Policy 3-1:** Amendments to the Future Land Use Element or Map will be coordinated with the Transportation Mobility Element and the Capital Improvement Element through the evaluation of the impacts of additional traffic resulting from proposed land use plan amendments. The City will only extend the boundaries of the Urban Cluster District through a Comprehensive Plan Amendment.

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**Policy 3-2:** The City will incorporate within their Land Development Regulations (LDRs) provisions which address the following:

- a) Frontage roads, joint access, or cross access easements where appropriate.
- b) Intersection locational restrictions for land uses including distance requirements for access cuts/driveways near intersections, as well as intersection spacing standards. Adopt FDOT Access Management Classification System and Standards.
- c) Building setback requirements and sight distance standards.

- d) Design standards for turn lanes, acceleration and deceleration lanes, turning radii, signalization etc.
- e) Incentives to mitigate poor existing traffic or access situations.
- f) Highway safety standards for all users with a focus on eliminating conflicts with bicycles and pedestrians.

**OBJECTIVE 4: Land Use and Transportation Network Coordination:** Establish a system to coordinate land use decisions and access locations in order to maintain and improve efficiency and safety of the transportation network.

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**Policy 4.1:** The City shall review all proposed development during the Development Review process to ensure that adequate and safe on-site circulation for all modes of travel; vehicular, bicycles, & pedestrians, as well as parking locations are consistent with the goals of an efficient transportation system. In addition to Comprehensive Plan policies, all reviews shall include FDOT Access Management Standards. Design criteria, standards, and requirements to implement this policy shall be included in the update to the land development regulations.

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**Policy 4.2:** New development shall be required to dedicate the necessary right-of-way proportionate to the impacts of development along property boundaries of external roadways to accommodate standard lane widths for turn lanes, bike lanes, recovery zones, stormwater, utilities, sidewalks, and/or multi-use paths. All development shall be responsible for providing sidewalks along the entire roadway frontage of their parcel to secure site plan approvals. This includes areas where no sidewalks currently exist.

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**Policy 4.3:** New developments that are fifty (50) or more residential units in size or that generate more than 500 daily trips shall provide a minimum of two (2) functional access points. Exceptions for secondary access are permitted where adequate separation to meet access management standards are not available.

**OBJECTIVE 5:** Interconnected system of pedestrian and bicycle facilities: establish and continuously expand the network of sidewalks, bicycle lanes/paths and multi-use paths throughout the City. Establish greenways and scenic corridors for bicycle and pedestrian access for both recreation and functional transportation options throughout the City.

---

**Policy 5.1:** The City shall work to develop a bicycle and pedestrian master plan. A true multi-modal network is necessary to reduce personal vehicle miles travelled (VMT) and greenhouse gas emissions. This will allow VMT to be reduced by person trips. To achieve this goal, a comprehensive and interconnected network of pedestrian and bicycle facilities must be planned and incorporated into the Capital Improvement Element of the Comprehensive Plan and public work program funding and construction.

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**Policy 5.2:** New development proposals shall be reviewed to ensure that they provide connectivity to already built or planned multi-modal corridors.

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**Policy 5.3:** The preferred location for sidewalks and multi-use paths is the edge of right of way, behind or in close proximity to existing or proposed vegetation to provide shade wherever possible.

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**Policy 5.4:** Bike lanes or paved shoulders shall be provided whenever turn lanes are constructed on rural cross section arterial or collector roads. Bike lanes or paved shoulders shall be provided on all resurfacing or reconstruction roadway projects unless there are environmental or right-of-way constraints.

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**OBJECTIVE 6:** Develop a comprehensive holistic transportation planning process: The City will work towards adopting policies and procedures to ensure the best planning processes are utilized to develop and expand the multi-modal transportation network for the City of Lynn Haven.

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**Policy 6.1:** The City shall consider the plans of multiple agencies when developing their transportation master plan. The following plans should be reviewed and considered:

- a) FDOT adopted 5-year work program
- b) Annual Transportation Improvement Program and Long Range Plan of the Bay County Transportation Planning organization (BC-TPO)
- c) Transportation plans of all municipalities within Bay County
- d) Transportation plans of adjacent counties

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**Policy 6.2:** Citizen participation shall be part of the transportation planning process. A Bicycle and Pedestrian Activities Committee (BPAC) should be formed comprised of advocates and users to ensure community interests are best served.

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**Policy 6.3:** Coordinate with mass transit providers on route expansion, increased headways, and transit system shelters located adjacent to new missed-use developments.

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**Policy 6.4:** The City shall actively participate in the TPO planning process and shall designate a City representative to serve on the Technical Advisory Committee to the TPO.

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**Policy 6.5:** Through coordination with the TPO, the City shall support the provision of transportation services to the transportation disadvantaged.

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**OBJECTIVE 7:** Right-of-way for future roadway improvements which are necessary for adequate traffic flow and arterial spacing shall be actively pursued.

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**Policy 7-1:** Dedication of rights-of-way and easements for required improvements to support development traffic and to maintain adequate levels of service on the roadway network shall be required from private sector developers, in the following manner, through the adopted site approval process:

- a. Development-related improvements shall be at the expense of those who benefit, to include donation or dedication of right-of-way to the extent legally permissible; and
- b. The value of the land taken (if the transfer of property is to be compensated by the entity building the roadway) shall be assessed at a rate which does not consider an inflated value due to the improved or new roadway, but is based on the value of the land in its condition and use prior to the roadway improvements.

## HOUSING ELEMENT

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**GOAL 1: Assure the availability of an adequate supply of housing to meet the needs of all present and future residents of the City of Lynn Haven for all income levels, especially the very-low, low, and moderate income residents and those with special needs.**

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**OBJECTIVE 1:** Monitor and plan for projected need and increase the supply of housing as necessary to provide safe and affordable dwelling units to meet the housing needs for projected population of Lynn Haven especially for income groups with the greatest projected deficits of affordable housing.

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**Policy 1-1:** The City shall establish involvement through partnerships and improved coordination with the private sector, non-profit and other organizations involved in housing production by applying for grant monies and other funding and providing other strong incentives which will aid and facilitate the private sector in increasing the supply of affordable housing.

---

**Policy 1- 2:** Continue to enforce building codes which will assure residents safe housing structures and at least once each planning period, evaluate the codes for specific codes that can be eliminated or relaxed to an extent that such actions do not endanger the structural integrity of the housing unit or compromise the safe and sanitary use of the unit by its inhabitants.

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**Policy 1-3:** At least once each planning period, the City shall review and amend if necessary, ordinances, codes, regulations, fees and the permitting process to relax or eliminate unnecessary City requirements that may be barriers to the production of affordable housing.

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**Policy 1-4:** Continue to plan for and provide all needed infrastructure and services associated with future housing need projections of all types and for all income groups.

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**Policy 1-5:** The City shall explore the feasibility of modifying/reducing infrastructure requirements and/or waiving or greatly reducing permitting and infrastructure fees to facilitate the development of affordable housing as a way of sponsoring and facilitating the construction of affordable homes for the income groups with the greatest projected deficits.

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**Policy 1-6:** The City shall apply for grant funds such as CDBG and other funds for the provision of adequate infrastructure to areas designated for the production of housing for the very low, low, and moderate income households.

**Policy 1-7:** The City shall promote a positive image of affordable housing as the provision of a variety of housing units geared toward a mix of income levels that can blend well with existing development when compatible land uses and architectural styles are utilized.

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**OBJECTIVE 2:** The City shall aggressively pursue a program to eliminate substandard housing conditions and/or structures by following established criteria for demolitions and for making structural and aesthetic improvements to existing housing and neighborhoods and when demolition is deemed necessary, the City shall provide relocation housing when such City activities displace residents.

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**Policy 2.1:** Continue code enforcement activities with regard to the elimination of unsafe and unsanitary housing conditions.

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**Policy 2-2:** The City shall annually review and revise as necessary a program for the elimination/demolition of structures that pose a threat to public safety, health and welfare.

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**Policy 2-3:** Pursue CDBG monies and other similar funding sources, in order to improve those neighborhoods within future designated CDBG target areas.

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**Policy 2-4:** The City shall utilize and promote provisions in its land development code sufficient to beautify and upgrade existing structures.

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**Policy 2-5:** The City shall explore and coordinate with appropriate agencies such as DCA and the Florida Homebuilder Association the development of minimum livability standards and minimum housing safety codes that will facilitate the rehabilitation and recycling of older housing stock as well as facilitate the development of new affordable housing units.

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**Policy 2-6:** The City shall utilize/enforce provisions in its land development code to eliminate eyesores, nuisance and junk.

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**OBJECTIVE 3:** The City will continue to utilize its land development regulations to provide adequate residential land to accommodate the future needs of the very low-, low-, and moderate-income population. All proposed sites shall be reviewed on an individual basis, be compatible with surrounding land uses, and be determined based on the zoning and public hearing processes and the availability of facilities (amended by Ordinance 858; Adopted:10/24/06).

**Policy 3-1:** The City shall aggressively pursue and wisely utilize local, federal and state funding sources for conserving, rehabilitating, or demolishing existing housing stock as well as for producing affordable housing.

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**Policy 3-2:** Ensure the availability of adequate land in residential districts that allow housing for all income levels (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 3-3:** Annually assess the very low, low, and moderate income housing needs and disseminate pertinent information, such as the Shimberg AHNA data, to all parties involved in the provision of affordable housing to keep them updated on current projections with special emphasis on the income groups that have the greatest deficits projected.

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**Policy 3-4:** The City shall explore and include in its LDC strong incentives for the provision of affordable housing such as but not limited to the waiving of application and processing fees, effective use of land use strategies such as zero lot line development, clustering, reduced setback standards, modified infrastructure requirements, and other such strategies to promote the construction of affordable housing projects (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 4:** Throughout the planning period, the City shall allow sites for mobile home parks and manufactured homes and will review proposed sites on an individual basis, to ensure compatibility with surrounding land uses, and determination shall be based on the public hearing process, site plan review process, and availability of facilities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 4-1:** At least once each planning period.

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**Policy 4-2:** The City shall continue to allow mobile home parks and manufactured housing in designated residential districts, based on the approval of specific requests, with infrastructure to meet the needs of the project (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 5:** Throughout the planning period, the City shall allow group homes and foster care facilities licensed by the Department of Children and Families and review requests for such uses on an individual basis to ensure consistency with 89-372, F.S., compatibility with surrounding land uses, and determination shall be based on the public hearing process, the site plan review process, and availability of facilities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 5-1:** Continue to provide these homes and facilities with infrastructure to meet the needs.

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**Policy 5-2:** Continue to allow these homes and facilities to locate in areas with residential settings.

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**Policy 5-3:** Request local agencies such as The ARC of The United States, Area Agency on Aging, and the Council on Aging to provide estimates of the unmet housing needs of the population groups which they serve and coordinate with those agencies to identify means for meeting these housing needs.

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**Policy 5-4:** Annually update inventories of providers of special needs housing (group and foster homes, facilities for the homeless, etc.) including number and location.

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**Policy 5-5:** Review and amend if necessary, local codes and ordinances to meet the needs of the physically disabled and frail handicapped.

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**OBJECTIVE 6:** Throughout the planning period, the City shall promote the conservation and enhancement of the existing housing stock and provide impetus for continuing neighborhood quality.

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**Policy 6-1:** Pursue and/or expand involvement in the SHIP, HOME, CDBG, and other similar programs, in order to improve substandard housing conditions and redevelop existing neighborhoods.

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**Policy 6-2:** Continue active code enforcement in all neighborhoods, thereby ensuring the quality of those neighborhoods.

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**Policy 6-3:** Promote educational programs and incentives for families to learn how to maintain and improve their homes and neighborhoods.

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**OBJECTIVE 7:** Utilize and periodically review procedures to identify and protect historically significant housing.

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**Policy 7-1:** Housing sites determined to be of historical significance shall be recorded prior to alteration or demolition.

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**Policy 7-2:** The City shall incorporate measures to conserve historically significant housing into its development review process.

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**OBJECTIVE 8:** The City shall periodically evaluate its housing implementation program consisting of the previous goals, objectives, and policies and actively seek to expand its program through utilization of additional resources and programs that address affordable housing.

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**Policy 8-1:** To leverage its financial and staff resources, the City will pursue involvement in partnerships with all parties and organizations involved in the provision of housing and education of its citizens including but not limited to public and private for profit and not-for profit agencies, financial institutions, developers, the Homebuilders Association, the County Extension Service, etc., the City shall evaluate its land development regulation citing criteria for manufactured and modular homes and consider revisions that would facilitate the provision of affordable housing.

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**OBJECTIVE 9:** Encourage energy efficiency in the design, construction, and rehabilitation of new and existing residential buildings in the City and incorporate alternative energy technologies in the land development regulations (amended by Ordinance 928; Amended 02/23/10).

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**Policy 9-1:** The City shall encourage City staff to obtain LEED accreditation (amended by Ordinance 928; Amended 02/23/10.)

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**Policy 9-2:** The City shall encourage new legislation that promotes energy efficiency, use of alternative energy, and conservation alternatives, in the construction and rehabilitation of existing buildings. (amended by Ordinance 928; Amended 02/23/10).

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**Policy 9-3:** The City shall promote energy conservation through its land development regulations (amended by Ordinance 928; Amended 02/23/10).

**Policy 9-4:** The City shall review and improve its codes to remove obstacles to green building (amended by Ordinance 928; Amended 02/23/10).

## INFRASTRUCTURE ELEMENT

**GOAL 1: Provide needed public facilities in a manner that ensures protection of existing facilities and promotes orderly growth.**

**OBJECTIVE 1:** The City shall ensure that upon approval of a site plan or subdivision plat, adequate facility capacity is available, or will be available when needed to serve the development.

**Policy 1-1:** The following level of service standards are hereby adopted and shall be used for determining the availability of facility capacity:

| <b>FACILITY</b> | <b>LEVEL OF SERVICE</b>        |
|-----------------|--------------------------------|
| Sanitary Sewer  | 98 gallons per capita per day  |
| Potable Water   | 135 gallons per capita per day |
| Solid Waste     | 6.5 pounds per capita per day  |

**Policy 1-2:** The City of Lynn Haven will continue to enforce a minimum city-wide stormwater quality level of service standard. This level of service standard will require stormwater facilities which:

- a) Provide retention, or detention with filtration, of the run-off from the first one inch of rainfall or,
- b) As an option for projects with drainage areas less than 100 acres, facilities which provide for retention, or detention with filtration, of the first one-half inch of run-off or provide for the discharge of stormwater equal to pre-development levels, whichever is greater (amended by Ordinance 858; Adopted:10/24/06).

**Policy 1-2-01:** The land development regulations shall include standards by which to determine what type of stormwater management facilities are needed, depending on site specific conditions (such as the presence of wetlands, topography, and soils) (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-2-02:** The City shall ensure that stormwater facilities are provided for developments which are below the thresholds included in DEP's Stormwater Rule (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-2-03:** Based upon the findings of the Stormwater Master Plan, the City shall consider the need for a more stringent level of service in areas of special need.

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**Policy 1-3:** The City of Lynn Haven will continue to enforce a minimum city-wide water quantity level of service that requires stormwater facilities which attenuate the 25-year critical duration storm event. a) While limiting rate and volume of discharge to pre-development levels, or b) To the capacity of the conveyance system (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-3-01:** It shall be assumed that the capacity of the receiving water will allow for rate and volume discharges equal to pre-development levels, whichever is greater, unless engineering analysis using professionally accepted methodologies demonstrates that a differing discharge rate and volume should be used.

a) In requiring a lesser rate of discharge, the burden of analysis shall be the responsibility of the City.

b) In requesting a larger rate of discharge, the burden of analysis shall be the responsibility of the developer (amended by Ordinance 858; Adopted:10/24/06).

---

**Policy 1-3-02:** Upon completion of the Stormwater Master Plan, the stormwater management regulations shall be re-evaluated. If a more or less stringent level of service is dictated by the Stormwater Master Plan, then this Plan shall be modified to conform to the needed level of service.

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**Policy 1-4:** The City shall track facility demand and capacity information as site plans and subdivision plats are approved (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-5:** All improvements to public facilities shall be in accordance with the adopted level of service standard (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-6:** The City shall prepare annual summaries of capacity and demand information for each facility. \_\_\_\_\_

**Policy 1-7:** The City shall coordinate with other local entities supplying service facilities to the City to ensure proper levels of service are maintained.

**OBJECTIVE 2:** The City will maintain a five-year schedule of capital improvement needs for public facilities to be updated annually.

\_\_\_\_\_

**Policy 2-1:** Proposed capital improvement projects will be evaluated and ranked consistent with the ranking requirements as detailed in Objective 1, Policy 1-3 of the Capital Improvements Element.

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**GOAL 2: The City shall provide sanitary sewer, solid waste, stormwater management, and potable water facilities to meet existing and projected demands identified in this Plan.**

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**OBJECTIVE 1: Correct existing infrastructure deficiencies so as to continue to meet adopted level of service standards.**

\_\_\_\_\_

**Policy 1-1:** Identify sources of groundwater inflow and infiltration and develop a program of rehabilitation for prevention. The study shall be completed and the rehabilitation program initiated by the end of 2001. \_\_\_\_\_

**Policy 1-2:** Proceed with schedule to upgrade the sanitary sewer system.

\_\_\_\_\_

**Policy 1-3:** Implement the Master Stormwater Management Study identified in Goal 2, Objective 2 by correcting existing deficiencies identified in the Study. Work to correct these deficiencies shall be initiated subsequent to completion of the Master Stormwater Management Plan.

\_\_\_\_\_

**Policy 1-4:** The City shall not accept stormwater from developments larger than a single family dwelling, duplex, triplex or quadruplex not part of a larger development for treatment in City maintained stormwater management facilities until completion of the Master Stormwater Management Plan or determination that acceptance of this stormwater will not exacerbate existing deficiencies or create new deficiencies. The City will require developments of subdivisions and commercial developments to construct onsite stormwater facilities that incorporate the City's 25-year critical storm events and D.E.P.'s requirements prior to being issued a Development Order.

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**Policy 1-5:** Projects shall be undertaken in accordance with the schedule provided in the Capital Improvements Element of this Plan.

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**Policy 1-6:** No permits shall be issued for new development which would result in an increase in demand on deficient facilities.

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**Policy 1-7:** The City will initiate a work schedule program for maintaining minor drainage ways.

---

**OBJECTIVE 2:** Projected demands through the planning period will be met by undertaking the following projects:

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A. Sanitary Sewer Project: Increase the capacity of the sewer plant to meet the needs of the population in the year 2005.

B. Drainage Project: Coordinate with Bay County in establishing a detailed engineering study to include the City in a Master Stormwater Management Plan. When the study is complete, the City shall initiate implementation of recommendations of the Study, amending the 5-year schedule of Capital Improvements as necessary to include the projects.

C. Potable Water Project: Continue with inventory and mapping of the distribution system and identify future needs by 2001 and amend the plan to include projects identified (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 2-1:** Projects shall be undertaken in accordance with the schedule provided in the Capital Improvements Element of this Plan.

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**Policy 2-2:** All required outside agency permits shall be obtained prior to construction and/ or operation of facilities.

---

**Policy 2-3:** Areas discharging stormwater in quantities or of a quality that does not meet adopted level of service standards to surface waters where seagrass beds, oyster reefs or other living marine resources and areas where the lack of adequate stormwater controls poses a threat to human safety shall be considered priority areas for stormwater management facility improvements.

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**Policy 2-4:** The City shall participate in the Intergovernmental Forum with Bay County and other municipalities to provide for solid and hazardous waste facilities sufficient to meet existing and future needs.

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**OBJECTIVE 3:** Through the Land Development Regulations adopted in 1990 and as amended, the City shall require that all residents conserve water.

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**Policy 3-1:** All new construction and all remodeling activities shall utilize fixtures conforming to the schedule of maximum water usage as required by the Florida Building Code and set forth in Table 604.4, thereby conserving the potable water resources (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 3-2:** During times of drought, the City shall restrict irrigation to between 5:00 a.m. and 11:00 p.m., thereby conserving the potable water resources.

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**Policy 3-3:** Discourage the sale of irrigation meters.

---

**OBJECTIVE 4:** Throughout the planning period, the City shall require growth patterns in an orderly manner and where services are available to prevent urban sprawl.

---

**Policy 4-1:** The City shall prohibit growth in areas where all facilities and services are unavailable.

---

**OBJECTIVE 5:** The extension of facilities and services shall ensure orderly development of new growth and preclude urban sprawl, leap-frog and strip developments (amended by Ordinance 858; Adopted: 10/24/06).

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**Policy 5-1:** The expansion of services beyond City boundaries shall be limited to those areas contiguous to the City boundaries and within the adopted Urban Service Area (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 5-2:** The expansion of services beyond City boundaries shall be limited to:

- a) residential land uses with densities of four (4) units per acre or greater;
- b) commercial uses with less than sixty-five (65) percent impervious surface ratios; or

c) mixed use with residential densities of four (4) units per acre or more or commercial intensity of not less than sixty-five (65) percent impervious surface ratio (amended by Ordinance 858; Adopted:10/24/06.)

---

**Policy 5-3:** Annexation of unincorporated areas shall meet at least one (1) of the following standards:

- a) Eliminating enclaves.
  - b) Improve the delivery of urban services.
  - c) Incorporate areas contiguous to existing City boundaries.
  - d) Expand City tax base (amended by Ordinance 858; Adopted:10/24/06).
- 

**Policy 5-4:** Density or intensity requirements for areas of expansion shall be consistent with density or intensity requirements established in Future Land Use Element, Goal 1, Objective 2 (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 5-5:** The extension of facilities and services to annexation areas shall be consistent with the following set of criteria:

- A) The project represents a logical extension of facilities and services within a designated service area.
  - B) The project promotes economic development within the City and/or redevelopment of blighted areas.
- 

**Policy 5-6:** The extension of facilities and services to projects promoting in-fill development or to areas currently lacking full service will be assigned a higher priority than extending facilities and service to annexation areas.

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**Policy 5-7:** The expansion of potable water and sanitary sewer service facilities shall be implemented through the collection of impact fees and user charges proportional to the costs of expanding and operating such systems.

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**OBJECTIVE 6:** Sanitary sewer service facilities shall be provided within the existing and potential service areas so as to maintain quality of surface waters at the level established in Chapter 62-3.161, Florida Administrative Code.

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**Policy 6-1:** Areas with reported septic tank problems and areas experiencing growth that are not suited for onsite sewage disposal systems shall be priority areas for extension of the collection system.

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**Policy 6-2:** Property owners utilizing septic tanks shall be required to be tied on the Lynn Haven sewer system within one year of availability, as defined by the Department of Health and Rehabilitation Services Rule 10-D-6, Florida Administrative Code.

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**Policy 6-3:** The City shall coordinate with the Bay County Health Department to insure that septic tanks are not approved for use where sanitary sewer service is available, as defined in Policy 6-2.

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**GOAL 3: Adequate stormwater drainage will be provided to afford reasonable protection from flooding and to prevent degradation of quality of receiving water.**

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**OBJECTIVE 1:** Throughout the planning period, enact and enforce stormwater management regulations which provide for protection of natural drainage features, and require that future development utilizes stormwater management systems.

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**Policy I-2:** The City will ensure that major and minor drainage systems are inspected and receive required maintenance on at least an annual basis.

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**GOAL 4: To protect areas providing natural groundwater aquifer recharge in the City of Lynn Haven.**

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**OBJECTIVE 1:** The City will restrict land uses in areas providing natural groundwater aquifer recharge.

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**Policy 1-1:** The City will coordinate with the Northwest Florida Water Management District to identify areas providing aquifer recharge that need protection.

## COASTAL MANAGEMENT ELEMENT

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**GOAL 1: Protect, preserve and enhance the natural resources of the coastal area.**

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**OBJECTIVE 1:** Protect native vegetation and wetlands by continuing to regulate development along the waterfront and coastal wetlands (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-1:** The definition of the coastal area shall be that area that is thirty feet (30 ft.) from the MHWL of waters of the State (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-2:** The City shall continue to enforce its ordinances with regard to the thirty (30) foot setback, which prohibits development within thirty (30) feet of the mean high water mark of waters of the State, and for the maintenance of undisturbed native vegetation within the thirty (30) foot waterfront and wetland setback area. Allowance will continue to be made to provide reasonable access to the shoreline (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 1-3:** Areas containing endangered species and unique areas shall not be developed for any use that would create loss of the community or habitat. All new development shall include, in development permit applications, an environmental survey of the site identifying locations of threatened and endangered species and exemplary communities as defined by the Florida Natural Areas Inventory.

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**Policy 1-4:** When City-maintained lands are landscaped, drought tolerant species shall be used (amended by Ordinance 858; Adopted:10/24/06).

**OBJECTIVE 2:** Restrict land uses and dredge and fill activities that disturb seagrass beds and other marine nursery areas.

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**Policy 2-1:** The City shall enact an ordinance which restricts land uses that discharge untreated stormwater or other effluents into areas containing sea grass beds or other marine nursery areas.

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**Policy 2-2:** All new, expanded or redeveloped marinas shall:

- 1) Demonstrate the presence of upland areas which are large enough to accommodate all required utility and support facilities as well as enough parking to satisfy the projected demand based upon professionally accepted standards such as those of the Institute of Transportation Engineers;
- 2) Provide public access;
- 3) Lie outside areas identified as inappropriate for marina development in the Marina Siting Study for West Florida (West Florida Regional Planning Council; June 1984);
- 4) Demonstrate oil spill cleanup capability within boundaries of the leased area;
- 5) Provide a hurricane mitigation and evacuation plan;
- 6) Be located in proximity to natural channels so that minimum or no dredging shall be required for provision of docking facilities;
- 7) Be tied onto the Lynn Haven sanitary sewer facilities Marinas with fueling facilities will provide pump-out facilities at each fuel dock. Commercial marinas and those with live-aboard overnight transient traffic shall prohibit inappropriate sewage pump out;
- 8) Maintain water quality standards as provide by Chapter 403, Florida Statutes;
- 9) Locate in areas having adequate water depth to accommodate the proposed boat use without disturbance of bottom habitats;
- 10) Delineate immediate access points with channel markers that indicate speed limits and any other applicable regulations;
- 11) Be sited in areas designated for commercial or recreational uses in the Future Land Use Map; and;
- 12) Demonstrate that it meets a public need thereby demonstrating economic viability/feasibility.

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**Policy 2-3:** Prohibit the location and construction of shoreline protection structures or other appurtenances requiring dredging or filling in areas and along shorelines dominated by estuarine wetlands and seagrass beds.

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**OBJECTIVE 3:** Maintain or improve the water quality of the City's surface waters.

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**Policy 3-1:** The City shall continue to enforce an ordinance requiring the use of appropriate erosion control methods to eliminate offsite migration of soil particles during and after all construction activities. \_\_\_\_\_

**Policy 3-2:** The City shall coordinate with Bay County and other municipalities to develop a Comprehensive Stormwater Management Study which identifies specific stormwater problems and recommendations for eliminating these sources of stormwater pollution.

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**Policy 3-3:** Upon completion of the Study, the City shall initiate implementation of the identified actions necessary to upgrade the present drainage system to facilitate collection and treatment of stormwater discharge from existing development.

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**Policy 3-4:** New sewage treatment plants, industries, and other facilities discharging waste products, should dispose of effluents via land spreading, spray irrigation, recycling, or by other means that will avoid discharge of contaminants into surface waters.

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**Policy 3-5:** Prohibit the siting of septic tanks where the soils are unsuited for such use.

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**Policy 3-6:** Create a Deer Point Lake Watershed Protection Zone, defined as that area described in Chapter 67-1101, Laws of Florida, which limits impervious surface to a maximum of forty-five percent (45%), prohibits high density residential, prohibits hazardous uses, prohibits septic tanks, requires public sanitary sewer service, requires municipal solid waste service, and requires stormwater discharge facilities which discharge directly to Deer Point Lake to include an additional level of treatment equivalent to Outstanding Florida Waters standards (amended by Ordinance 836; Adopted: 12/27/05).

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**OBJECTIVE 4:** Coordinate with Bay County and other appropriate agencies to promoted natural resource conservation and protection activities.

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**Policy 4-1:** Continue to participate in the Bay Environmental Study Team to address the conservation, use, and protection of unique vegetative communities and water bodies.

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**Policy 4-2:** Continue to cooperate with all appropriate agencies, including the Florida Department of Environmental Protection and the Florida Game and Freshwater Fish Commission, to protect areas that have been set aside as conservation and recreation areas on the Future Land Use Map through proper management of natural resources and wildlife habitats.

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**OBJECTIVE 5:** Adopt criteria for the permitting of shoreline land uses.

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**Policy 5-1:** Priority for siting of shoreline land uses shall be as follows:

- 1) Conservation or Recreation;
  - 2) Water-dependent Commercial/Industrial; 3) Residential; and 4) Water-related Commercial/Industrial.
- 

**Policy 5-2:** All new or redeveloped shoreline land use shall:

- 1) Locate on existing upland areas;
  - 2) Be constructed to conform to coastal construction building codes;
  - 3) Be constructed landward of the Coastal Construction Control Line or consistent with DEP permitting regulations;
  - 4) Demonstrate that existing public utilities, infrastructure and services are in place to support the proposed use;
  - 5) Not be in conflict with existing, conforming, adjacent land uses;
  - 6) Provide public access where traditional public access points are directly affected by the development;
  - 7) Landscaping using native plant species;
  - 8) Provide for stormwater facilities which provide treatment for all service water to adopted level of service standards identified in the Stormwater Management sub-element of this plan; and
  - 9) Provide for minimum impervious coverage especially in construction of parking facilities.
- 

**OBJECTIVE 6:** Preserve and, where necessary, improve existing public access to the beaches and shoreline of the City and add additional access sites and facilities.

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**Policy 6-1:** The development review process shall consider impacts of development or redevelopment on publicly established access ways to the beach. Developments which would preclude such access shall not be approved unless a comparable alternative access way is provided as a condition of development consistent with Ch. 161.55 (6) F.S.

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**Policy 6-2:** Land development regulations shall include incentives for commercial development with water access to provide parking facilities and bicycle and pedestrian access for public use, which may include expedited permitting or increased intensity or lot coverage, as long as stormwater levels of service can be maintained and the site is not located in the Coastal High Hazard Area (amended by Ordinance 858; Adopted:10/24/06.

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**Policy 6-3:** Where applicable, land development regulations shall require Traditional Neighborhood Developments (TNDs) and Planned Unit Developments (PUDs) to provide public access to the waterfront (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 7:** Development in the coastal high hazard area shall occur only if adequate infrastructure to maintain the adopted level of service is in place by the time of project completion to serve the proposed development (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 7-1:** Levels of service shall be consistent with those adopted in the Infrastructure Element, the Transportation Element, the Recreation and Open Space Element, and the Capital Improvements Element (amended by Ordinance 858; Adopted:10/24/06)

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**GOAL 2: Reduce vulnerability to hurricanes and protect human life from natural disaster.**

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**OBJECTIVE 1:** Maintain a roadway clearance time for hurricane evacuation of 16 hours.

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**Policy 1-1:** Review hurricane evacuation plans through a combined meeting of the Bay County Emergency Management Department, the Bay County Planning Department, other County municipalities, and any other relevant agencies, every other year, or as deemed necessary by the Bay County Emergency Management Department.

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**Policy 1-2:** Improvements to road segments that are a part of the hurricane evacuation route shall be considered a priority in making traffic circulation improvements.

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**Policy 1-3:** Consider impacts on the transportation system relative to hurricane evacuation in the development approval process. Developments shall not be approved that increase roadway clearance times beyond 16 hours unless road improvements are made to maintain clearance times.

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**Policy 1-4:** Limit the location of group homes, nursing homes, or other uses which have special evacuation requirements in the coastal high hazard area.

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**OBJECTIVE 2:** Identify the coastal high hazard area.

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**Policy 2-1:** The coastal high hazard area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as depicted in the Coastal Management Element Map Series (amended by Ordinance 836; Adopted: 12/27/05); (amended by Ordinance 912; Adopted: 12/009/08).

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**Policy 2-2:** The evacuation zone for a Category 1 hurricane is depicted in the Coastal Management Element Map Series (amended by Ordinance 836; Adopted: 12/27/05).

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**Policy 2-3:** Notify owners of property in the coastal high hazard area of property designation to increase public awareness of hurricane hazard and post-disaster redevelopment policy.

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**OBJECTIVE 3:** Limit population density in the coastal high hazard area prior to and following major storm events to reduce exposure of human life to natural disasters.

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**OBJECTIVE 4:** Limit public expenditures for public facilities and infrastructure in the Coastal High Hazard Area.

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**Policy 4-1:** Public facilities shall not be located or improved in the Coastal High Hazard Area unless the following criteria are met:

- 1) The facilities are necessary to protect the health and safety of those living in the Coastal High Hazard Area; (amended by Ordinance 928; Amended 02/23/10)
  - 2) The facilities are necessary to restore and/or enhance natural resources (amended by Ordinance 928; Amended 02/23/10).
  - 3) The facilities are needed to maintain adopted level of service standards or support currently approved future land uses within the Coastal High Hazard Area. (amended by Ordinance 928; Amended 02/23/10).
- 

**OBJECTIVE 5:** Cooperate with all agencies to produce and implement a post-disaster redevelopment plan that identifies short-term recovery and long-term redevelopment activities.

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**Policy 5-1:** The following post-disaster actions shall be considered short-term measures:

- 1) Damage assessment to meet post-disaster assistance requirements and to aid in post-disaster redevelopment decisions;
- 2) Debris removal
- 3) Emergency protection measures including repairs to water, sewer, electric, and other public utilities to restore service;
- 4) Public assistance including temporary housing and provision of food and clothing.

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**Policy 5-2:** The following post-disaster actions shall be considered long-term redevelopment activities:

- 1) Repair or restoration of private commercial or residential structures with damage in excess of 50% of assessed value;
- 2) Major repair of streets, highways, and bridges;
- 3) Major repair of other public infrastructures;
- 4) Repair or restoration of minor structures such as dune walkovers or decks.

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**OBJECTIVE 6:** The post-disaster redevelopment plan will provide a process for relocation, removal or modification of damaged structures necessary to reduce the exposure of human life and property to natural hazards.

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**Policy 6-1:** Decisions regarding relocation, removal or modification of structures shall be based on the following criteria:

- 1) Compliance with National Flood Insurance minimum elevation and construction standards for flood proofing;
- 2) Conformity and minimum coastal construction standards;
- 3) Hazard mitigation sufficiency;
- 4) Extent of damage.

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**Policy 6-2:** Development in Floodplains shall be restricted to that which does not decrease the water carrying capacity of floodways or increase flood heights and velocities in the floodway or increase flood hazards in areas not previously considered to have a flood hazard.

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**Policy 6-3:** Decisions regarding relocation or repair of damaged infrastructure shall be based on the following criteria:

- 1) Cost/benefit analysis;
- 2) Potential for future service disruption;
- 3) Availability of alternatives to provide comparable service capabilities;
- 4) Impacts of relocation on service provision.

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**OBJECTIVE 7:** Establish criteria for land use, development and redevelopment in the Coastal High Hazard Area (amended by Ordinance 928; Amended 02/23/10).

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**Policy 7-1:** The following criteria shall be considered in permitting of construction / reconstruction in the Coastal High Hazard Area:

Siting:

- 1) Placement of required open space shall be in the most vulnerable area of the site;
- 2) Access to structures;
- 3) Orientation of neighboring structures for screening or diversion and hazard from loose debris;
- 4) Structures are setback from shoreline at the maximum distance possible.

Landscaping:

- 1) Native plant species are maintained and protected;
- 2) Provision of a landscaping plan which addresses the stabilization of dunes and soils;
- 3) Shrubbery and trees are planted so as to deflect floating material from building foundations.

Dune Protection:

- 1) Beach and dune conditions are considered, including long-term shoreline erosion rates (Coastal Construction Manual, FEMA, 1986 or any updates.

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**Policy 7-2:** Areas within the Coastal High Hazard Area designated for industrial use shall allow light industrial trade and service activities including industrial support services, such as administration; business and professional offices; water-dependent and water-related commercial and industrial; and conservation and recreation. Preference will be given to water dependent or water-related commercial and industrial uses when considering the siting of such uses.

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**Policy 7-3:** Land uses within the industrial park that handle, treat or dispose of hazardous materials injurious to fish and wildlife shall be prohibited in the Coastal High Hazard Area.

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**OBJECTIVE 8:** Prohibit development and redevelopment in areas that have received repeated storm damage, should any such areas be identified as a result of future storms.

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**Policy 8-1:** Damage survey information shall be used to determine areas of repeated storm damage.

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**OBJECTIVE 9:** Establish formal procedures to implement the post-disaster redevelopment plan.

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**Policy 9-1:** Cooperate with Bay County to prepare post-disaster redevelopment plan implementation procedures to be incorporated in the Bay County Comprehensive Emergency Management Plan and County operating procedures.

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**Policy 9-2:** Coordinate with Bay County's Emergency Management Department to ensure that interagency hazard mitigation reports concerning the City of Lynn Haven are properly reviewed by the

City and that necessary amendments to the Comprehensive Plan to implement the hazard mitigation reports are made within six months of receipt of the reports.

## CONSERVATION ELEMENT

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**GOAL 1: Preserve, enhance, and maintain the natural resources and environmental amenities of the City of Lynn Haven to a state of quality which is the highest possible attainable.**

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**OBJECTIVE 1:** Throughout the planning period, the City shall remain within all minimum air quality standards required by outside agencies. The City shall reduce the effects of air pollution sources on adjacent land uses and on ambient air quality.

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**Policy 1-1:** Coordinate with state and federal regulatory agencies in monitoring ambient air quality.

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**Policy 1-2:** The City shall continue to require that all industrial land uses are directed away from residential areas and towards the industrial parks in the northwest and eastern portion of the City.

---

**Policy 1-3:** The adopted land development regulations shall continue to include requirements for the placement of vegetated buffer areas between sources of air pollution, such as arterial roadways and industries, and less intense land uses, including residential, recreation and conservation. Existing, native

vegetation shall be preserved within the buffer zone where it exists and shall be supplemented with additional, appropriate vegetation where needed.

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**Policy 1-4:** When appropriating funds for road improvements, adopted levels of service for roadways and the effects of traffic flow on the amount of air pollution generated by automobiles shall be considered. \_\_\_\_\_

**Policy 1-5:** By 2001, adopt performance standards as part of the land development regulations that limit the types of industrial uses permitted to locate in the City to those that do not create air pollution in amounts that cannot be stopped at the property line by the buffers required in Policy 1-3.

---

**OBJECTIVE 2:** In order to protect water quality, the City shall protect all its surface waters and ground waters from the intrusion of pollutants throughout the planning period. This shall be accomplished through the site plan review process, and by the creation of a storm water management study to be developed by the year 2001.

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**Policy 2-1:** Throughout the planning period, the City shall require that all new developments, using the site plan review process, provide storm water management systems that provide a level of service consistent with that adopted in the Infrastructure Element of this Plan (amended by Ordinance 858; Adopted:10/24/06).

**Policy 2-2:** The City shall continue to comply with all effluent standards in the operation of the wastewater treatment plant.

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**Policy 2-3:** The City shall continue to enforce a wellhead protection ordinance that protects water supplies within the zone of influence of existing public water supply wells and projected zones of influence of designated future well sites. The City shall coordinate with the Northwest Florida Water Management District to maintain accurate zones of influence.

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**OBJECTIVE 3:** Throughout the planning period, the City shall continue to protect all areas that fall within the 100-year floodplain. The City shall use the Flood Insurance Rate Map and the site plan review process as the tools for implementation

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**Policy 3-1:** The City shall continue to enforce its floodplain ordinance restricting development in flood prone areas to that which does not decrease the water-carrying capacity of floodways or increase flood heights and velocities in the floodway or increase flood hazards in other areas.

---

**OBJECTIVE 4:** Throughout the planning period, the City shall conserve the water supply and protect the quantity and quality of the current water source and any new water sources.

---

**Policy 4-1:** The City shall enforce water conservation during times of drought by enforcing an ordinance which prohibits irrigation as needed, and shall keep the public informed of these restrictions through newspaper and/or other media notices and posted notices (amended by Ordinance 928; Adopted 02/23/10).

---

**Policy 4-2:** The City shall continue to adhere to any emergency water conservation measures imposed by the Northwest Florida Water Management District.

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**Policy 4-3:** The City shall require that all new construction and all remodeling activities utilize fixtures conforming to the schedule adopted in the Infrastructure Element (Policy 3-1) for maximum water usage, thereby conserving potable water resources (amended by Ordinance 858; Adopted: 10/24/06).

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**Policy 4-4:** The City shall continue its enforcement policy of allowing septic tanks only in infill areas where central sewer is unavailable and only upon issuance of a Bay County Health Department permit (amended by Ordinance 858; Adopted: 10/24/06).

---

**Policy 4-5:** As soon as sanitary sewer facilities become available, the City may require that any residence still using a septic tank be hooked-up to the central sewer system, as required by City Codes (amended by Ordinance 928; Adopted 02/23/10).

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**Policy 4-6:** The City shall require that commercial developers use reclaimed water for landscape irrigation and industrial applications. The requirement shall be waived where the City determines it is not feasible (amended by Ordinance 928; Adopted 02/23/10).

---

**OBJECTIVE 5:** The City shall conserve and protect soils, native vegetative communities, wetlands, wildlife and wildlife habitats from adverse effects, with emphasis on threatened and endangered species. This objective shall be effective throughout the planning period (amended by Ordinance 928; Adopted 02/23/10).

---

**Policy 5-1:** The City shall require a developer to provide an assessment of the potential adverse effects on threatened and endangered species for all proposed development sites.

---

**Policy 5-2:** When one or more of a threatened or endangered species is found on a development site, development activities which may cause harm to the species shall not be allowed until a management plan has been prepared which reduces the adverse effect of the project on the species. The portion of the site that provides habitat for the species plus a buffer between development and the habitat shall be designated as open space. The size of the buffer shall be determined based on the intensity of the proposed development and shall be included in the land development regulations.

---

**Policy 5-3:** The City shall coordinate with the Florida Natural Areas Inventory and the Florida Game and Freshwater Fish Commission to identify areas likely to support or with documented occurrences of threatened or endangered species and shall develop appropriate requirements for protection of these habitats. These protection requirements shall be enforced through the Land Development Regulations.

---

**Policy 5-4:** The City shall continue to enforce a Landscape Ordinance which provides for the extensive use of native vegetation, thereby promoting the regeneration of natural habitats (amended by Ordinance 858; Adopted: 10/24/06).

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**Policy 5-5:** The City shall cooperate with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within one or more jurisdictions, if any such communities are identified.

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**Policy 5-6:** All development other than individual single-family residential construction which is not part of a larger common plan of development shall preserve a minimum of 10 percent of its area as open space landscaped with native species in accordance with a City Landscape Ordinance.

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**Policy 5-7:** Continue to enforce a Tree Ordinance to protect individual large, mature trees from indiscriminate and avoidable destruction.

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**Policy 5-8:** Require the protection of native vegetation, subject to site plan approval, along the shoreline of all water bodies, including coastal and inland wetlands, with allowance for visual and authorized pedestrian access to the shorelines of water bodies.

a) Native vegetative buffers shall extend landward a minimum of thirty (30) feet from the mean high water line along waters of the State or from the wetland delineation line (amended by Ordinance 928; Adopted: 02/23/10).

b) Native vegetative buffers shall extend thirty (30) feet from the wetland delineation line; however, for cases of an inland wetland system, the City may establish an alternative method of providing this buffer in the ULDC that allows for a net average width of 30 feet with a minimum width of 15 feet. This alternative method shall not diminish the total required square footage of the buffer based on the uniform 30-foot buffer. It shall only be used on developed commercial

lots and on lots located within platted residential subdivisions as of 03/24/2010, the effective date of Plan Amendment 2010-1-T-12, and where unique and unusual site conditions preclude the establishment of a uniform 30-foot buffer. Site design shall minimize the extent to which the buffer is reduced to less than 30 feet. If implemented, the ULDC shall include, at a minimum, standards which clearly define when such an exception may apply and additional development standards, to ensure adequate protection of the wetland (amended by Ordinance 928; Adopted: 02/23/10).

c) In areas designated as “V” or velocity zones by the Federal Emergency Management Agency, the native vegetative buffers shall extend fifty (50) feet landward from the mean high water line along waters of the State or from the wetland delineation line (amended by Ordinance 858; Adopted: 10/24/06).

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**Policy 5-9:** Prohibit the location and construction of shoreline protection structures in areas along shorelines dominated by estuarine wetlands.

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**Policy 5-10:** When approving water dependent land uses, the City shall consider the location of marine habitats, including oyster reefs and sea grass beds relative to the proposed land use. Water access to these land uses shall be located so as to avoid destruction of marine habitats. The location of marine habitats shall be based on best available data. The City shall request that the Department of Environmental Protection or other appropriate agency update surveys of marine habitats that are more than ten years old.

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**Policy 5-11:** Open space required in Policy 5-6 shall be sited so as to protect wildlife habitats occurring naturally on the site. The open space shall be left undisturbed except where to supplement existing vegetation with additional native vegetation, where appropriate.

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**Policy 5-12:** Establish a development review process to include input from appropriate agencies, such as the U.S. Natural Resource Conservation Service, regarding soil suitability for proposed land uses.

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**Policy 5-13:** The Land Development Regulations shall include requirements for the protection of topsoils from erosion caused by development.

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**Policy 5-14:** Environmentally sensitive lands shall include, but not be limited to: floodplains as identified by the Federal Emergency Management Agency; wetlands under the jurisdiction of the Northwest Florida Water Management District, the Department of Environmental Protection and/or the U.S. Army Corps of Engineers, whichever jurisdiction is greater; and areas identifies by the Florida Natural Areas Inventory. Development will be allowed in these areas only to the extent that the natural function of these areas are not impaired (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 5-15:** The City shall encourage the acquisition of wetlands that retain the ability to perform ecological services such as groundwater recharge, water storage and wildlife habitat and pursue appropriate funding mechanisms for the purchase of healthy wetlands (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 5-16:** Mitigation options to replace wetland function and productivity lost due to development activities, shall be included in the Unified Land Development Code (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 5-17:** Where jurisdictional overlap occurs, wetlands regulation will be coordinated with the Northwest Florida Water Management District, the Department of Environmental Protection and/or the U.S. Army Corps of Engineers in order to avoid unnecessary impacts to resources and excessive delays in the development process (amended by Ordinance 928; Adopted 02/23/10).

**OBJECTIVE 6:** Throughout the planning period, the City shall prohibit the disposal of hazardous wastes into the public sewer system, and drainage canals and ditches. The hazardous wastes which are prohibited will be listed in the City's revised land development regulations. Hazardous wastes shall continue to be addressed during the site plan review process.

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**Policy 6-1:** The City shall coordinate with Bay County to facilitate the construction of a temporary transfer storage facility for hazardous waste (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 6-2:** Develop and implement a program to educate the public concerning the proper storage and disposal of household hazardous waste.

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**OBJECTIVE 7:** The City shall continue to maintain acceptable levels of air and water quality within the CRA (amended by Ordinance 928; Adopted:02/23/10).

---

**Policy 7-1:** The City will exercise its best effort to reduce the potential for air pollution from auto emissions by continuing to require vegetative buffering along roadways and by promoting alternative forms of transportation (amended by Ordinance 928; Adopted:02/23/10).

---

**Policy 7-2:** The City will encourage, via the Future Land Use Element and the land development code, the type and density of development that is consistent with proper maintenance of clean air and water (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 7-3:** The City will comply with all state and federal laws and regulations governing clean air and water resources (amended by Ordinance 928; Adopted:02/23/10).

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**OBJECTIVE 8:** The City shall promote energy and resource efficiency within the CRA through the following policies: (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 8-1:** Encourage developers to pursue Green Building programs such as the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) or other related programs (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 8-2:** Support mixed use developments that incorporate employment, commercial and residential opportunities while promoting pedestrian and bicycle access (amended by Ordinance 928; Adopted:02/23/10).

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**Policy 8-3:** Encourage developers to pursue green development practices. The City will examine the feasibility of creating incentives to promote such practices (amended by Ordinance 928; Adopted:02/23/10).

## RECREATION ELEMENT

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**GOAL 1:** Provide adequate recreation facilities, both active and passive, and open space areas for all citizens of Lynn Haven through a combination of public and private facilities and in coordination with appropriate federal agencies.

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**OBJECTIVE 1:** Upgrade existing recreational sites and facilities as identified in the Five Year Schedule of Capital Improvements.

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**Policy 1-1:** Continue to Provide the public with information concerning location and types of recreational sites.

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**Policy 1-2:** Continue to Provide signage to identify City parks and to direct the public to these sites.

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**OBJECTIVE 2:** Public access to existing recreation facilities shall be guaranteed. All future recreational facilities will not be considered complete if public access is not provided.

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**Policy 2-1:** As deemed necessary and when land is available, the City shall provide parking areas and bicycle racks for recreation sites.

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**OBJECTIVE 3:** Throughout the planning period, the City shall promote coordination with all appropriate government agencies (Bay County, other local municipalities, appropriate State, federal, and local agencies, and the private sector), to require that the future recreation needs of the City of Lynn Haven are met.

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**Policy 3-1:** The City shall continue, through the subdivision regulations to require the dedication of recreation land, or fee in lieu of, for all future residential developments.

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**Policy 3-2:** Coordinate public and private resources to meet recreation needs through joint ventures, tax incentives, and other cooperative relationships.

---

**OBJECTIVE 4:** Ensure that parks and facilities will be provided to meet the needs of the projected population for the initial and remaining increments of the planning timeframe, as determined by this element’s data and analysis.

---

**Policy 4-1:** The City hereby adopts the recreation levels of services as follows:

**STANDARDS FOR PARKS BY CLASSIFICATION AND POPULATION RATIO**

| <b>PARK FACILITY</b> | <b>LEVEL OF SERVICE</b>     | <b>POPULATION SERVED</b> | <b>LOCATION</b>   | <b>SERVICE AREA</b> | <b>SIZE RANGE</b>       | <b>FACILITIES</b>   |
|----------------------|-----------------------------|--------------------------|---|---------------------|-------------------------|---|
| Play Lot             |                             | 500-3800                 | Sub-neighborhood  | City Wide           | 2500 sq. ft. to 1 acre  | Play apparatus, sand areas, small wading or spray pool intended for children up to seven years of age               |
| Mini-Park            |                             | 500-2500                 | Sub-Neighborhood  | City Wide           | 2500 sq. ft. to 5 acres | Play apparatus areas, open or free play area, landscaping   |
| Neighborhood Park    | 1 acre per 1,000 population | Up to 7,500              | Neighborhood Area. Adjacent to elementary school where feasible |                     | 2 to 20 acres           | Play apparatus recreation areas, building, sports fields, paved multi-purpose courts, senior citizens area, open or |

|  |  |  |  |  |  |                              |
|--|--|--|--|--|--|------------------------------|
|  |  |  |  |  |  | free play area, landscaping. |
|--|--|--|--|--|--|------------------------------|

Source: Outdoor Recreation in Florida, 1976, State of Florida, Department of Natural Resources, May 1976. REVISED BY THE CITY OF LYNN HAVEN PLANNING DEPARTMENT, MARCH 1992.

### RECREATION SPECIAL USE AREA STANDARDS

| SPECIAL FACILITY                     | SIZE RANGE       | LEVEL OF SERVICE                         | SERVICE AREA                             | LOCATION   |
|--------------------------------------|------------------|--|--|--|
| Golf Course                          | Minimum 50 acres | 1 (18 hole) course per 50,000 population | Within 20 miles of the population center | Population demand and required acreage are desirable |
| Lighted Tennis Courts                | 2 acres          | 1 per 2,500 population                   | City Wide                                | Play fields, neighborhood or community parks         |
| Lighted Basketball Court             | 0.6              | 1 per 5,000 population                   | City Wide                                | Play fields, neighborhood or community parks         |
| Lighted Baseball Diamonds Regulation | 4.5 acres        | 1 per 3,000 population                   | City Wide                                | Play fields, neighborhood or community parks         |
| Softball (and/or Youth) Diamonds     | 4.5 acres        | 1 per 3,000 population                   | City Wide                                | Play fields, neighborhood or community parks         |

Source: Outdoor Recreation in Florida, 1976, State of Florida Department of Natural Resources, May 1976. REVISED BY THE CITY OF LYNN HAVEN PLANNING DEPARTMENT, MARCH 1992.

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**Policy 4-2:** The City shall assure adequate acreage of land for new parks and recreation facilities, through the subdivision regulations, to meet the needs of the existing and projected population.

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**Policy 4-3:** The City shall minimize maintenance costs when developing new facilities, and when improving existing facilities, by including the installation of low maintenance landscaping facilities and site design. \_\_\_\_\_

**Policy 4-4:** The City shall utilize available funds, including grants, loans or appropriations, to acquire and upgrade recreation sites and facilities, as needed.

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**Policy 4-5:** All future recreation facilities shall provide usability and access to all segments of the population, including special groups such as the handicapped, the elderly, and the very young.

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**OBJECTIVE 5:** Throughout the planning period, the City and the private sector shall coordinate in a continuing and professional effort to provide adequate open space to meet the needs of the projected population for the initial and remaining increments of the planning timeframe. This objective shall be accomplished using the site plan and subdivision review processes.

---

**Policy 5-1:** The City shall continue to require the provision of open space within all future residential development projects.

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**Policy 5-2:** The City shall regulate signage and continue to require green areas and appropriate buffering.

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**Policy 5-3:** The City shall continue to include a definition of open space in its Land Development Regulations and shall maintain recommendations concerning natural vegetation.

## **INTERGOVERNMENTAL COORDINATION**

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**GOAL 1: To maintain and improve existing avenues of intergovernmental coordination throughout all government and quasi-governmental entities, and, where necessary, establish new coordination mechanisms in order to upgrade the timeliness, equitability and efficiency of decision-making and implementation of all planning related activities.**

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**OBJECTIVE 1:** Maintain, and establish, more direct channels with the County and adjacent municipalities through the establishment of an intergovernmental coordination forum.

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**Policy 1-1:** Maintain representation through a City Commissioner in intergovernmental coordination forums to develop formal agreements with Bay County regarding roads, engineering, sheriff, and emergency preparedness.

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**Policy 1-2:** Submit a copy of the revised adopted comprehensive plan to the County’s planning office for formal review and compatibility with the County’s plan.

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**Policy 1-3:** Notify adjacent local governments concerning proposed development with potential impacts outside the jurisdiction of the City of Lynn Haven.

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**Policy 1-4:** Participate in the Intergovernmental Coordination Forum to coordinate management on bays and Estuaries (North Bay, Beatty Bayou, and Upper Goose Bayou).

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**Policy 1-5:** Implement an Urban Service Area for the purpose of coordinating provision of public services and facilities, future annexations and accommodation of projected population increases (amended by Ordinance 858; Adopted:10/24/06).

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**OBJECTIVE 2: Maintain relations with the West Florida Regional Planning Council through the maintenance of intergovernmental forum and through a technical assistance relationship.**

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**Policy 2-1:** Annually appoint a City Commission member to attend meetings with the West Florida Regional Planning Council (WFRPC).

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**Policy 2-2:** Submit a copy of the revised comprehensive plan to the WFRPC for formal review and compatibility with the Regional Plan.

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**Policy 2-3:** Utilize the West Florida Regional Planning Council mediation process to address incompatible planning issues, annexation issues and conflicts with other local governments.

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**OBJECTIVE 3:** Coordinate the Comprehensive Plan with the Bay County District School Board and Bay County.

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**Policy 3-1:** Submit a copy of the new Comprehensive Plan to the Bay County District School Board and to Bay County.

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**Policy 3-2:** Provide for and encourage regular and extensive exchange of information between the City of Lynn Haven and the Bay County District School Board.

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**Policy 3-3:** Execute an interlocal agreement with the Bay County District School Board to provide for coordination and evaluation of development proposals, school siting, enrollment forecasting, school capacity, infrastructure and safety needs of schools, schools as emergency shelters and shared facilities (amended by Ordinance 858; Adopted:10/24/06).

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**Policy 3-4:** In accordance with Chapter 235.35, F.S., the City of Lynn Haven will coordinate with the Bay County District School Board in expending funds, separately or collectively, for facility improvements

when such facility is contiguous or runs through the property of any existing or proposed educational plant.

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**Policy 3-5:** The City will continue to participate in the intergovernmental forum. This will serve as a coordinating mechanism for all plans.

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**Policy 3-6:** When there are conflicts and inconsistencies in the City's plan with regard to other local governments, the City shall utilize the regional planning council's informal mediation process.

---

**Policy 3-7:** The City of Lynn Haven will ensure coordination of development review with the Bay County School District through the inclusion of a nonvoting representative of the District School Board to the City's Planning Commission (amended by Ordinance 858; Adopted:10/24/06).

**OBJECTIVE 4: Ensure coordination with regard to the level of service standards for public facilities with state, Regional or local entity, including the school board, having operational or maintenance responsibility for such facility.**

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**Policy 4-1:** Ensure that one of the responsibilities of the intergovernmental forum shall be the coordination of the levels of service with local, regional and state agencies.

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**Policy 4-2:** The City shall continue to assist citizens with levels of service standards and possible deficiencies relating to service.

## CAPITAL IMPROVEMENTS ELEMENT

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**GOAL 1:** The City of Lynn Haven will ensure the provision of adequate public facilities to all residents within its jurisdiction in a timely and efficient manner.

---

**OBJECTIVE1:** The Capital Improvements Element establishes adopted levels of service for public facilities and capital improvement projects which the City will undertake. The Five Year Schedule of Improvements shall identify projects which:

- (a) meet existing deficiencies;
  - (b) provide necessary repair or replacement of existing facilities;
  - (c) accommodate desired future growth.
- 

**Policy 1-1:** The capital improvements review team will consist of the City Manager or his appointed representative, Department Heads from Finance, Planning, Public Works and other representatives as deemed necessary by the City Manager. The team will evaluate and rank capital improvement projects proposed for inclusion in the Five-Year Schedule as recommended to the City Commission (amended by Ordinance 931; Adopted: 05/25/10).

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**Policy 1-2:** The following levels of service (LOS) standards will be maintained as growth occurs in the City (amended by Ordinance 1047; Adopted: 12/12/2017).

### LOS STANDARDS FOR THE CITY OF LYNN HAVEN PUBLIC FACILITIES

A. sanitary Sewer, Solid Waste, Drainage and Potable Water LOS Standards

|                |                                       |
|----------------|---------------------------------------|
| Sanitary Sewer | 98 gallons per capita per day (gpcpd) |
|----------------|---------------------------------------|

|               |   |
|---------------|---|
| Solid Waste   | 6.5 pounds per capita per day (ppcpd)   |
| Potable Water | 135 gallons per capita per day (gpcpd)  |
| Drainage      | <p>(a) retention or detention with filtration, of the run off from the first one inch of rainfall; or as an option for projects with drainage areas less than 100 acres, facilities which provide for retention, or detention with filtration, of the first one-half inch of run-off or provide for the discharge of stormwater equal to predevelopment levels, whichever is greater.</p> <p>b) Attenuate the 25-year critical duration storm event while limiting discharge to predevelopment levels or to the capacity of the receiving water. It shall be assumed that the capacity of the receiving water will allow for discharges equal to predevelopment levels or the first inch of rainfall, whichever is greater, unless an engineering analysis using professionally accepted methodologies demonstrates that a differing discharge rate should be used. In requiring a lesser rate of discharge, the burden of analysis shall be the responsibility of the City. In requesting a larger rate of discharge, the burden of analysis shall be the responsibility of the developer.</p> |

B. Recreation. Five (5) acres of land per 1,000 population (amended by Ordinance 858; Adopted:10/24/06).

C. Public School Facilities (amended by Ordinance 931; Adopted: 05/25/10).

The Department of Education permanent Florida Inventory of School Houses (FISH) capacity is adopted as the uniform methodology to determine the capacity of each school. The level of service standards by type of school shall be depicted in Table 9.1 below.

**TABLE 9.1: LEVEL OF SERVICE STANDARDS**

| Type of School                            | Level of Service                |
|---|---------------------------------|
| Elementary                                | 100% of Permanent FISH Capacity |
| Middle                                    | 100% of Permanent FISH Capacity |
| High                                      | 100% of Permanent FISH Capacity |
| FISH – Florida Inventory of School Houses |                                 |

The following student generation rates, as noted in Table 9-2, shall be utilized when determining school concurrency.

**TABLE 9.2: STUDENT GENERATION RATE PER UNIT MULTIPLIERS**

|               |        |
|---------------|--------|
| Single Family | 0.3047 |
| Mobile Homes  | 0.5053 |
| Multi-Family  | 0.2706 |
| Condominium   | 0.0106 |

**Policy 1-3:** Capital improvement projects will be prioritized according to the following set of criteria and a fiscal impact review, as part of the annual budgeting process. The assigned priority will be designated on the Five-Year Schedule of Capital Improvements.

**CRITERIA FOR NUMERICAL RANKING OF CAPITAL IMPROVEMENTS PROJECTS**

|   | WEIGHT   | YES<br>(1) | NO<br>(0) | N/A<br>(1) | WET.X<br>SCORE |
|---|----------|------------|-----------|------------|----------------|
| <b>PRIORITY I</b>   |          |            |           |            |                |
| 1. The project is needed to protect public health and safety  | <b>3</b> |            |           |            |                |
| 2. The project fulfills the City's legal commitment to provide facilities and services  | <b>3</b> |            |           |            |                |
| 3. The project corrects an existing facility deficiency or provides for needed replacement of facility components, in order to preserve or achieve full use of existing facilities. | <b>3</b> |            |           |            |                |
| 4. The project is required in order to comply with state law, water management district regulations or federal law.   | <b>3</b> |            |           |            |                |
| 5. The project is financially feasible  | <b>3</b> |            |           |            |                |
| 6. The project maintains adopted LOS standards  | <b>3</b> |            |           |            |                |
| <b>PRIORITY II</b>  |          |            |           |            |                |
| 1. The project increases efficient use of existing facilities   | <b>2</b> |            |           |            |                |
| 2. The project prevents or reduces future improvement costs   | <b>2</b> |            |           |            |                |
| 3. The project provides service to developed areas currently lacking full service   | <b>2</b> |            |           |            |                |
| 4. The project promotes in-fill development and discourages urban sprawl  | <b>2</b> |            |           |            |                |
| 5. The project supports the GOP's of the FLUE   | <b>2</b> |            |           |            |                |
| <b>PRIORITY III</b>   |          |            |           |            |                |
| 1. The project represents a logical extension of facilities and services within a designated service area   | <b>1</b> |            |           |            |                |
| 2. The project promotes economic development within the City and/or redevelopment of blighted areas   | <b>1</b> |            |           |            |                |
| <b>SCORE</b><br>(Total possible score = 30)   |          |            |           |            |                |

**Policy 1-4:** The City will, whenever cost-effective and in the City's best interest, assign a higher priority to those projects which correct existing facility deficiencies or repair/replacement needs, as identified in Plan Elements. This priority will be included in the adopted Five-Year Schedule of Capital Improvements.

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**OBJECTIVE 2:** Review mechanisms will be maintained to ensure that all land use decisions which impact the Capital Improvements Element and the Future Land Use Element are coordinated by the Planning Department in conjunction with the City’s Planning Commission, and approved by City Commission.

---

**Policy 2-1:** The Planning Department will recommend to the Planning Commission and the City Commission only those land use decisions which are consistent with the Future Land Use Element (FLUE), the Capital Improvements Element and the overall intent of the Comprehensive Plan.

---

**Policy 2-2:** Service areas for public facilities, as defined in Plan Elements and the FLUE in particular, will be utilized to guide the availability of public facilities for future development. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, including densities or intensities of development.

---

**Policy 2-3:** “Development Order” shall include subdivision approval, building permit, site development plan, and other land use approvals or actions of the City that have the effect of permitting the development of land (amended by Ordinance 858; Adopted:10/24/06).

---

**Policy 2-4:** Development orders shall only be issued when the Planning Department has determined that the adopted LOS standards for public facilities will be maintained, or that the following standards will be met. (amended by Ordinance 858) This includes maintaining LOS standards for roads in the City’s Concurrency Management System through the use of proportionate fair-share mitigation, alternative roadway segment capacity analysis, turn lane analysis, and an annual LOS report (amended by Ordinance 919; Adopted: 07/28/08).

---

**Policy 2-4-01:** For sanitary sewer, solid waste, potable water, and drainage facilities, the following standards will be met to satisfy the concurrency requirement:

- (1) The necessary facilities and services are in place no later than the issuance of a certificate of occupancy; or
  - (2) The necessary services and facilities are guaranteed in an enforceable development agreement pursuant to 163.3220, F.S. or Chapter 380, F.S., that ensures that such facilities and services will be in place and available to serve new development no later than at the time of the issuance of a certificate of occupancy (amended by Ordinance 858; Adopted:10/24/06).
- 

**Policy 2-4-02:** For park and recreation facilities, the concurrency requirement shall be satisfied through meeting the following standards:

- (1) At the time the development permit is issued, the necessary facilities and services are in place or under actual construction; or
- (2) The development permit is conditioned upon the availability of acreage to meet the Level of Service standard. Such acreage may be available through dedication or acquisition, or through the commitment of funds representing the developer's fair share of the cost of the necessary land.
  - a) When the acreage is to be provided, the development permit shall be conditioned on the availability of land or actual construction of facilities prior to the issuance of a certificate of occupancy; or
  - b) Funds in the amount of the developer's fair share shall be committed no later than the notice to commence construction issued by the City (amended by Ordinance 858; Adopted:10/24/06).

---

**OBJECTIVE 3:** Annual review of the Capital Improvements Element will be included in the City's budget process. As part of this review, the Finance Department shall be responsible for: (1) addressing the fiscal impact of capital improvement projects on revenue and expenditures, and (2) updating the fiscal assessment section of the Capital Improvements Element.

- 
- Policy 3-1:** The fiscal assessment review and update will include, at the following:
- a. Forecasted summary of revenues and expenditures for a five-year period;
  - b. Projected debt service capacity including:
    - Projected revenue bond debt service as a percentage of total debt;
    - Ratio of total debt to total revenue; and,
    - Projection of operating cost considerations.

---

**Policy 3-2:** The maximum ratio of total debt service to total revenue shall not exceed 40%.

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**Policy 3-3:** It shall be the Financial Director's responsibility to prepare a Capital Improvements Plan annually.

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**Policy 3-4:** The City will adopt a Capital Improvement Budget as part of the annual budgeting process. The Capital Improvement Budget will be coordinated with the annual review of the Capital Improvements Element, and will be integrated into the City's overall Capital Improvements Plan.

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**Policy 3-5:** The Water and Sewer Enterprise Fund will provide capital improvement revenue and bonding capacity for future improvements to the water and sewer system as identified in the Potable Water and Sanitary Sewer Sub Element and the Capital Improvements Element.

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**Policy 3-6:** To the maximum extent possible, the City will utilize “user pays” financing strategies including, but not limited to user charges, special assessments, and contribution in lieu of payment.

---

**Policy 3-7:** The Capital Projects Trust Fund shall be the primary source of revenue for capital improvement projects as determined by the Finance Department, the Capital Improvements Review Team, and approved in the annual budgeting process.

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**Policy 3-8:** The City will manage its fiscal resources to ensure the provision of needed capital improvements for previously issued development orders and for future development and redevelopment. \_\_\_\_\_

**Policy 3-9:** The City shall reserve Enterprise Fund surpluses, unless indicated otherwise, for major capital expenditures beyond the year 2009 (amended by Ordinance 931; Adopted:04/27/10).

**OBJECTIVE 4:** Future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain adopted LOS standards.

---

**Policy 4-1:** The City shall continue to implement its program for mandatory dedications or fees in lieu of as a condition of plat approval for the provision of recreation and open space.

---

**Policy 4-2:** The City shall continue to fund expansions of its potable water and sanitary sewer service facilities through the implementation of impact fees and user charges which are proportioned to the costs of expanding and operating such systems.

---

**Policy 4-3:** The City shall investigate the potential for utilizing special assessments as the funding source needed to facilitate implementation of the recommendations of the Comprehensive Stormwater Management Study.

---

**OBJECTIVE 5:** The City will not approve development which requires public facility improvements that exceed the City’s ability to provide these in accordance with the adopted LOS standards.

---

**Policy 5-1:** Before a development is approved, the Planning and Finance Departments will determine that any needed public facility improvements do not exceed the City’s funding capacity.

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**OBJECTIVE 6:** The City will participate in appropriate intergovernmental meetings which address the provision of public facilities.

---

**Policy 6-1:** The Planning, Finance, and Public Works Departments, and the Planning Commission will coordinate and address the funding of public services.

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**OBJECTIVE 7:** Public expenditures for public facilities and infrastructure in the Coastal High Hazard Area shall be limited to serving only those future land uses permitted in the Coastal High Hazard Area (amended by Ordinance 928; Adopted: 02/23/10).

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**Policy 7-1:** Capital improvement projects located in the Coastal High Hazard Area shall be necessary to maintain the adopted level of service standards and shall be consistent with the Future Land Use Element and Map.

**OBJECTIVE 8:** Coordinate with the School Board the approval of residential preliminary plats and residential development orders to correct existing deficiencies and assure adequate future school capacity consistent with the adopted level of service standards for public school concurrency (amended by Ordinance 910; Adopted: 10/28/08).

---

**Policy 8-1:** The City shall ensure that future development pays the proportionate share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, via legally available and appropriate fee methods in development conditions (amended by Ordinance 910; Adopted: 10/28/08).

---

**Policy 8-2:** The City hereby incorporates by reference the most current School Board School Facilities Work Plan that includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools. Level of Service standards shall be applied district wide to all schools of the same type. As provided in the Interlocal Agreement for Public School Facility Planning and Concurrency, incorporation of the School Board's Facilities Work Plan does not obligate the City to fund the improvements included in said Facilities Work Plan. The City, in coordination with the School Board, shall annually update the Capital Improvements Element by adopting by reference the School Board's financially feasible Work Program, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the five-year planning period (amended by Ordinance 931; Adopted: 04/27/10).

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**Policy 8-3:** The City's strategy, in coordination with the School Board, for correcting existing school deficiencies and addressing future needs includes:

- A. Implementation of a financially feasible 5-year schedule of capital improvements to ensure level of service standards are achieved and maintained.

- B. Identification of adequate sites for funded and planned schools; and
- C. The establishment of a Proportionate Fair Share ordinance in order to generate additional revenue to help fund school improvements (amended by Ordinance 910; Adopted: 10/28/08).

**Figure 9-1**  
**City of Lynn Haven**  
**FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS**

| Project Description                | Schedule  | Projected Cost (thousands) | Location  | Revenue Source   | Consistency with Other Elements |
|------------------------------------|-----------|----------------------------|---|--|---------------------------------|
| <b>Traffic Circulation</b>         |           |                            |   |  |                                 |
| New Fuel depot Railroad R-O-W Road | 2014      | 1,100                      | New Fuel Depot Railroad R-O-W road to 12 Street | Transportation Impact fees, Developer Contributions, Grant | Yes                             |
| Widening of County Road 390        | 2014      | 42,000                     | Hwy 77 east to Highway 231                      | TIGER Funds, FDOT LAP Funds, Bay County                    | Yes                             |
| Sidewalk (Mobility) Improvements   | 2010      | 950                        | Hwy 77 to Hwy 389                               | FHA Grant  | Yes                             |
| Paving & Road Maintenance          | 2010      | 250                        | City Wide                                       | Local Gas tax  | Yes                             |
| Recreation and Open Space          |           |                            |   |  |                                 |
| A.L. Kinsaul park Phase III        | 2011      | 150                        | West 5 <sup>th</sup> Street                     | Park & Recreation Impact Fees, Grant General Fund          | Yes                             |
| Porter Park Phase I                | 2011      | 150                        | Ohio Ave  | Park & Recreation Impact Fees, Grant, general Fund         | Yes                             |
| Porter Park Phase II               | 2012      | 150                        | Ohio Ave  | Park & Recreation Impact Fees, Grant, General Fund         | Yes                             |
| Porter park Phase III              | 2013-2014 | 150                        | Ohio Ave  | Park & Recreation Impact Fees, Grant, General Fund         | Yes                             |
| Sports Complex                     | 2011      | 66.6                       | Recreation Drive                                | Park & Recreation Impact Fees, Grant, General Fund         | Yes                             |
| Sports Complex                     | 2013      | 150                        | Recreation Drive                                | Park & Recreation Impact Fees, Grant, General Fund         | Yes                             |
| Sports Complex                     | 2014      | 150                        | Recreation Drive                                | Park & Recreation Impact Fees, Grant, General Fund         | Yes                             |
| <b>Sanitary Sewer</b>              |           |                            |   |  |                                 |
| Reuse tank & Booster Pump          | 2013      | 200                        | Highway 390                                     | Sewer Impact Fees, Sewer Revenue                           | Yes                             |

|   |           |      |  |   |     |
|---|-----------|------|--|---|-----|
| Slipline Aged 1927 vintage clay sewer lines       | 2014      | 500  | 1911 Plat Area                         | Sewer Impact Fees, Sewer Revenue                  | Yes |
| <b>Potable Water</b>                              |           |      |  |   |     |
| Rehabilitation of WTP# 1                          | 2010      | 450  | Ohio Avenue                            | Water Impact Fees & Water Revenue                 | Yes |
| Rehabilitation of WTP# 2                          | 2011      | 850  | Mowat                                  | Water Impact Fees & Water Revenue                 | Yes |
| Repair/restore Capacity                           | 2010      | 45   | Well No. 1                             | Water Impact Fees & Water Revenue                 | Yes |
| Replace Water Line                                | 2010      | 250  | 11st. from Florida Ave to Illinois Ave | Water Impact Fees & Water Revenue                 | Yes |
| Permitting of Well # 7                            | 2010      | 30   | Undetermined                           | Water Impact Fees & Water Revenue                 | Yes |
| Replace Cast Iron Water Lines                     | 2012-2014 | 2000 | Hwy 77 east to Hwy 231                 | Water Impact Fees, Developer Contributions, Grant | Yes |
| <b>Drainage</b>                                   |           |      |  |   |     |
| 17 <sup>th</sup> Street Ditch Improvement Project | 2009-2010 | 400  | 17 <sup>th</sup> Street                | Stormwater Impact Fees                            |     |
| 17 <sup>th</sup> Street Ditch Improvement Project | 2011      | 250  | 17 <sup>th</sup> Street                | Stormwater Impact Fees                            |     |
| 17 <sup>th</sup> Street Ditch Improvement Project | 2012      | 250  | 17 <sup>th</sup> Street                | Stormwater Impact Fees                            |     |
| 17 <sup>th</sup> Street Ditch Improvement Project | 2013      | 250  | 17 <sup>th</sup> Street                | Stormwater Impact Fees                            |     |
| 17 <sup>th</sup> Street Ditch Improvement Project | 2014      | 250  | 17 <sup>th</sup> Street                | Stormwater Impact Fees                            |     |
| Basin Stormwater Retrofit                         | 2011      | 400  | Camryn's Crossing S/D                  | Stormwater Impact Fees                            |     |
| CRA Drainage Improvements                         | 2010      | 33   | CRA Area                               | CRA Funds   |     |
| Cross Drain Replacement                           | 2010      | 90   | MS Ave. to 9 <sup>th</sup> St.         | Stormwater Impact Fees                            |     |

|                    |      |     |           |                    |  |
|--------------------|------|-----|-----------|--------------------|--|
| <b>Solid Waste</b> |      |     |           |                    |  |
| Replacement Truck  | 2010 | 100 | City Wide | Sanitation Revenue |  |
| Replacement Truck  | 2011 | 100 | City Wide | Sanitation Revenue |  |
| New Truck          | 2012 | 225 | City Wide | Sanitation Revenue |  |
| New Truck          | 2013 | 225 | City Wide | Sanitation Revenue |  |
| Replacement Truck  | 2014 | 100 | City Wide | Sanitation Revenue |  |

Capital Improvements costing less than \$25,000 are not included in this schedule.

Source: City of Lynn Haven Development and Planning, 2009; City Grant Administrator, 2009, City Public Works, 2009; City Leisure Services, 2009; City Deputy Finance Director, 2009, City of Lynn Haven FY 2009-2010 Budget (amended by Ordinance 931; Adopted: 04/27/10).

## CONCURRENCY MANAGEMENT SYSTEM

**PURPOSE:** The purpose of the Concurrency Management System is to establish a mechanism which provides necessary capital facilities and services to support development concurrent with the impact of development.

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**GOAL 1: Maintain adopted level of service standards for traffic circulation sanitary sewer, solid waste, drainage, potable water, and recreation.**

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**OBJECTIVE 1:** The City of Lynn Haven Concurrency Management System shall guide the review of development order applications.

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**Policy 1-1:** Level of service standards shall be used for determining concurrency and are identified in Policy 1-2 of the Capital Improvements Element, and in Policy 1-1 of the Transportation Mobility Element.

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**Policy 1-2:** The City of Lynn Haven Planning Department shall prepare written findings on proposed developments' compliance with the concurrency requirement.

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**OBJECTIVE 2:** The City shall maintain the level of service standards within the Comprehensive Plan. It shall ensure that new development does not occur faster than the City's ability to provide for infrastructure in a financially feasible manner necessary to support new development. The level of service standards shall not require that the City widen or construct new roadways to provide capacity to support new development or those impacts from adjacent municipalities.

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**Policy 2-1:** Capacity of a new facility may be used in the compliance determination under one or more of the following scenarios:

**Facility Type: ROADS**

- A. The necessary facilities and services are in place at the time a development permit is issued; or
- B. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
- C. The necessary facilities are under construction at the time a permit is issued; or
- D. At the time the development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services within one year of the issuance of the development permit; or
- E. The necessary facilities and services are guaranteed in an enforceable development agreement which requires the commencement of the actual construction of the facilities or the provision of services within one year of the issuance of the applicable development permit. An enforcement development agreement may include, but is not limited to development agreements pursuant to Section 163.3220, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.

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**Policy 2-2:** A multi-modal mobility fee shall be adopted to ensure that developments fund (partially or wholly) network improvements that mitigate its impact to the transportation system. The provision shall not exempt Developments of Regional Impacts (DRI) from statutory requirements for proportionate fair share mitigation.

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**Policy 2-3:** Adequate roadway capacity necessary to support new development shall be required to be available “concurrent” with the impact of that development. The City shall require that all new development acquire a certificate of Concurrency as a condition of approval of a final Development Order, specifying the density and intensity of the development. Adopted Level of Service Standards shall be used as the criteria for measuring available capacity.

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**Policy 2-4:** Establish Mobility fees and Discounts for the Urban Cluster District and the Community Redevelopment Area (CRA) as follows:

- (a) The City shall establish mobility fees for residential and non-residential developments.
- (b) The City shall reduce mobility fees for any development or redevelopment project within the established Urban Cluster Transportation Mobility District or the CRA.

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**Facility Type: SANITARY SEWER, SOLID WASTE, DRAINAGE, AND POTABLE WATER**

- A. The necessary facilities and services are in place at the time a development permit is issued;
- Or

- B. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of development occur; or
  - C. The necessary facilities are under construction at the time a permit is issued; or
  - D. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163 -3220, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. Development agreements herein referenced will guarantee that the necessary facilities and services will be in place when the impacts of the development occur.
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**Facility Type: RECREATION**

- A. The necessary facilities and services are in place at the time a development permit is issued; or
  - B. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
  - C. The necessary facilities are under construction at the time a permit is issued.
- All applications for development will undergo a review for concurrency.

Sufficiency information shall be provided by the developer/applicant for the purpose of determining concurrency. The City Planning Department will advise the developer/applicant concerning the items of information necessary for an assessment of the proposed developments' impact on services.

Compliance reviews, including the appropriate City departments, will be coordinated by the Planning Department and will occur simultaneously with the site plan review. Findings prepared by Planning Department shall be submitted to the City Planning Commission for recommendation to the City Commission. In no case shall a recommendation for issuance of a development order be made if service demand exceeds capacity. Likewise, a determination of concurrence must be made prior to approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of development.

A development order may be issued if a determination of available capacity is made. A development order shall not be issued if the demand for service created by the existing and/or new facility exceeds capacity. Development orders may be approved in stages or phases so the facilities and services required by each phase are available consistent with adopted level of service standards.

Any elimination, deferment or delay in the construction of a facility or service required to maintain the adopted level of service standard and contained in the five-year schedule of capital improvements, shall require a Plan amendment.

## **PROPERTY RIGHTS ELEMENT**

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### **GOAL 1: Establish the Property Rights of Individual Land Owners**

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The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

## **MONITORING AND EVALUATION PROCEDURES**

### **Introduction and Purpose**

The Local Government Comprehensive Planning and Land Development Regulation Act requires that the Comprehensive Plan be evaluated and updated every five years through the preparation and adoption of an evaluation and appraisal report (Ch. 163.3191, F.S.). It is the intent of the Act that the evaluation and appraisal process be continuous throughout the period of plan implementation.

This report presents procedures to be followed in the monitoring, updating, and evaluation of the comprehensive plan, in compliance with Ch. 9J-5.005 (7), F.A.C. These procedures are adopted as part of the City of Lynn Haven Comprehensive Plan and address:

- (a) Citizen participation in the process;
- (b) Updating appropriate baseline data and measurable objectives to be accomplished in the first five-year period of the plan, and for long-term period;
- (c) Accomplishments in the first five-year period, describing the degree to which the goals, objectives, or policies;
- (d) Obstacles or problems which resulted in underachievement of goals, objectives, or policies;
- (e) New or modified goals, objectives, or policies needed to correct discovered problems, and;
- (f) A means of ensuring continuous monitoring and evaluation of the plan during the five-year period.

### **Monitoring Implementation of the Comprehensive Plan**

The following procedures are recommended for monitoring and evaluation of the comprehensive plan:

#### Updating Baseline Data

It is recommended that a process be established to monitor changed conditions necessary for maintaining the comprehensive plan data base. The data base may be used to monitor progress in achieving comprehensive plan objectives and be used in the preparation of the evaluation and appraisal report.

A list of specific areas to be monitored should be established based on comprehensive plan objectives. The following types of information should be included:

1. Demographic data
2. Land development approvals
3. Issuance of state permits
4. Program activities (housing rehabilitation, transportation improvements)
5. Changes in level of service for public facilities
6. Archaeological/historical resources
7. Changes in status of threatened/endangered species

#### Preparation of the Annual Report

The annual report is recommended as a management tool suitable for monitoring the implementation of the Comprehensive Plan. The plan recommends specific programs and activities. The responsibility for implementation of programs and activities is assigned to the various departments in the City.

The annual report provides a format to monitor progress towards achieving plan objectives through specific programs and activities. The annual report has the following functions:

- a. Report on the activities of the department during the past year
- b. Establish a work program for the upcoming year
- c. Report on the comprehensive plan
- d. Relate past year's activities to the implementation of the comprehensive plan
- e. Relate the proposed work program to implementation of measurable objectives in the comprehensive plan
- f. identifying constraints, problems, or opportunities in implementation of the comprehensive plan

A standardized format should be developed for the annual report.

The annual report is prepared by a department head and submitted to the City Manager. It may be considered advisory, or submitted to the City Commission for approval. The City Manager reviews the annual reports to identify if problems or changed conditions warrant a comprehensive plan amendment. The annual report is also a useful tool for reviewing a department's operating budget based on the proposed work program.

#### Preparation of the Evaluation and Appraisal Report

The City Planning Commission shall be responsible for the preparation of the Evaluation and Appraisal Report (EAR). The EAR shall be based upon the data base and any additional data or analysis needed to identify changed conditions or measure the extent to which goals, objectives have been achieved and policies implemented. The annual reports of the departments and any comprehensive plan amendments shall also be considered.

Public workshops shall be held by the City Planning Commission to consider the Evaluation and Appraisal Report. Public participation in this process shall be encouraged. The City Planning Commission shall establish a comprehensive plan review committee to make recommendations concerning the evaluation of the comprehensive plan.

### Procedures for Adoption of the Evaluation and Appraisal Report

A minimum of two public hearings shall be held for the consideration of the Evaluation and Appraisal Report. One shall be held by the City Planning Commission to recommend the Report and any comprehensive plan amendments to the City Commission. The second shall be held by the City Commissioners to adopt or adopt with change the report within 90 days after receiving it from the City Planning Commission. The hearings shall be advertised according to state law.

Comprehensive plan amendments based upon the Evaluation and Appraisal Report shall be adopted pursuant to the procedures in F.S. Ch. 163.3184 and 163.3187. If the plan is amended at the time the report is adopted, the City shall transmit the report, any amendments, and a complete copy of the plan as it will be amended to the Department of Community Affairs for review.

When amendments to the comprehensive plan do not occur simultaneously with the adoption of the report, the report shall contain a schedule for adoption of proposed amendments within one year after the report is adopted. The Evaluation and Appraisal Report shall be transmitted to the Department of Community Affairs when the Amendments are sent for review.

### **PUBLIC PARTICIPATION PROCEDURES**

Public participation in the formulation, preparation, adoption, evaluation and amendment of the plan should be consistent with and further the public participation procedures adopted by the City of Lynn Haven City Commission and City Planning Commission pursuant to Ch. 9J-5.004, F.A.C. The following procedures shall guide public participation in preparation of the Comprehensive Plan, Plan Amendments, and Evaluation and Appraisal Reports of the Comprehensive Plan.

1. *Public access to documents* - The Comprehensive Plan, executive summaries, and supporting documents shall be accessible to the public for inspection during regular business hours at the Planning Department and other designated locations.
2. *Public notification* - The Planning Department shall ensure that adequate public notice is given concerning the plan, evaluation and appraisal process and proposed amendment of the comprehensive plan and all meetings where such matters are to be considered.
3. *Public comment* - The public shall be encouraged to provide written and oral comments concerning the plan, evaluation and appraisal process and proposed amendment of the comprehensive plan. Opportunity for public comment shall be provided at all public meetings considering such issues. Written comment forms shall be made available. All comments received shall be retained as part of the public record.

Rule Requirements The minimum requirements for public participation procedures are set out in Ch. 9J-5.004, F.A.C., Public Participation.

A. The procedures shall include the following:

- a. Provisions to assure that real property owners are put on notice, through advertisement in a newspaper of general circulation in the area or other method adopted by the local government, of official actions that will affect the use of their property;
- b. Provisions for notice to keep the general public informed;
- c. Provisions to assure that there are opportunities for the public to provide written comments;

- d. Provisions to ensure that the required public hearings are held; and
- e. Provisions to ensure the consideration of and response to public comments.

The procedures are hereby adopted by the local planning agency and the City of Lynn Haven City Commission.

### **Plan Amendments**

Comprehensive Plan amendments are a form of ongoing evaluation of the comprehensive plan. Types of plan amendments include:

- a. Twice yearly amendments to the plan
- b. Small scale development activity amendments (Ch. 163.3187(1)(c), F.S.)
- c. Amendments related to Developments of Regional Impact
- d. Emergency amendments

A summary of comprehensive plan amendments should be reported annually by the City Planning Commission. The Department of Community Affairs also requires that the local government provide a semi-annual report summarizing the type and frequency of use of the small scale amendment process. The cumulative impact of the comprehensive plan amendments should be considered in the preparation of the five-year evaluation and appraisal report.

Comprehensive plan amendments should be formulated based on the findings and recommendations of the Evaluation and Appraisal Report. The comprehensive plan amendments may be adopted at the time of the report, or within a year according to a schedule adopted as part of the report.

### **PLAN IMPLEMENTATION ISSUES**

The following issues should be considered in the design of procedures for monitoring the implementation of the comprehensive plan:

#### Plan Implementation Requirements

The section of the plan containing goals, objectives and policies must describe specific plans, programs, activities, and land development regulations that implement the plan. Comprehensive plan objectives must be specific and measurable. The need for monitoring these measurable objectives should be considered in the preparation of the comprehensive plan.

#### Legal Status of the Comprehensive Plan

The legal status of the comprehensive plan as defined by Florida Statute (Ch. 163.3194, F.S.) requires that all development orders, land development regulations and all expenditures by the local government be consistent with the comprehensive plan. It is essential that the plan be continuously monitored to ensure that government actions are consistent with the plan.

## **EXHIBIT I. EVALUATION AND APPRAISAL REPORT**

### **STATUTORY REQUIREMENTS**

Ch. 163.3191. Evaluation and appraisal of comprehensive plan.

1. The report shall present an assessment and evaluation of the success or failure of the comprehensive plan, or element or portion thereof, and shall contain appropriate statements related to:

(a) The major problems of development, physical deterioration, and the location of land uses and the social and economic effects of such uses in the area.

(b) The condition of each element in the comprehensive plan at the time of adoption and at date of report.

(c) The comprehensive plan objectives as compared with the actual results at date of report.

(d) The extent to which unanticipated problems and opportunities occurred between the date of adoption and date of report.