

PALM BAY 2045

COMPREHENSIVE PLAN



GOAL FLU-1

Ensure a high quality, diversified living environment through the efficient distribution of compatible land uses.

Objective FLU-1.1

Adopt and implement a Future Land Use Map (FLUM), which may be amended from time to time, to regulate the location, use, density, and intensity of new development in the City.

Policy FLU-1.1A. New development projects shall be consistent with the typical uses, densities, and intensities assigned to the future land use categories (FLUCs) identified in Table FLU-1, which may be amended from time to time.

Policy FLU-1.1B. The City’s zoning map and districts shall be consistent with the Palm Bay FLUM and implement and further refine the typical uses, densities, and intensities prescribed for each FLUC.

Policy FLU-1.1C. Density and intensity shall generally be measured as follows (unless specifically stated otherwise within this Plan):

- (a) Density: dwelling units per gross residential acre; and
- (b) Intensity: Floor Area Ratio (FAR), calculated by dividing the gross floor area of a nonresidential building by the gross square footage of the site.

Policy FLU-1.1D. As shown in Table FLU-1, density and intensity bonuses may be achieved within select FLUCs if certain criteria have been met. These criteria, detailed within the City’s Land Development Code (LDC), may include the provision of:

- (a) a vertical mix of uses;
- (b) affordable housing units as defined in the Florida Statutes;
- (c) underground electric utilities;
- (d) structured parking;
- (e) public art displays;
- (f) connections to the regional trail system;
- (g) a bus turnout facility with a covered transit shelter;
- (h) publicly accessible park(s) or plaza(s); and
- (i) design features that are consistent with the City’s Low Impact Design (LID) Manual.

Table FLU-1. Future Land Use Map Categories

FLUC	General Purpose	Typical Uses	Maximum Density (du/ac)	Maximum Intensity (FAR)¹
Rural Single-Family (RSF)	Areas of low density rural residential character interspersed with large tracts of agriculture, open space, or recreation	Single family homes, agriculture, recreation, and institutional uses	0.2 du/ac	n/a
Low Density Residential (LDR)	Areas of low density suburban residential character	Single family homes, duplexes, accessory dwelling units, recreation, and institutional uses	5 du/ac	n/a
Moderate Density Residential (MDR)	Transitional areas of increasingly urban, moderate density residential character	Single family homes, duplexes, accessory dwelling units, mobile homes, recreation, and institutional uses	10 du/ac	n/a
High Density Residential (HDR)	Areas of urban, high density residential character	A range of housing types, recreation, and institutional uses	20 du/ac	n/a
Neighborhood Center (NC)	Areas accommodating high residential densities complemented by neighborhood-scale commercial and office uses	A range of housing types, commercial, office, recreation, and institutional uses	25 du/ac (30 with density bonus) ²	0.5 FAR (1.0 with intensity bonus) ²
Community Mixed-Use (CMU)	Nodes of high intensity mixed-use development within a compact, urban environment—primarily at the intersection of collector or arterial roadways	A range of housing types, commercial, office, recreation, and institutional uses	30 du/ac (35 with density bonus) ²	1.0 FAR (1.5 with intensity bonus) ²
Urban Mixed-Use (UMU)	Concentrations of very high intensity mixed-use development within a pedestrian-friendly environment—primarily at the intersection of arterial roadways	A range of housing types, commercial, office, recreation, and institutional uses	40 du/ac (50 with density bonus) ²	2.5 FAR (3.5 with intensity bonus) ²
Regional Activity Center (RAC)	Master planned communities which provide employment opportunities in close proximity to residential development within a compact, urban environment	See Objective FLU-1.6	13 du/ac	4,000,000 sq. ft.
Parkway Flex Use (PFU)	A range of commercial and office uses located along highly visible corridors within	Retail, personal service establishments, daycare centers, church/religious uses,	10 du/ac	1.0 FAR ³

	the City supported by moderate density residential development	restaurants, financial institutions, office uses, service stations with fuel sales, food service, theaters, professional office uses, medical or veterinary clinics, and a range of housing types		
Professional Office (PO)	Areas accommodating low intensity office development—often serving as a transition between commercial and residential areas	Professional offices and services, financial institutions, recreation, and institutional uses	n/a	0.5 FAR
Commercial (COM)	Areas supportive of low-to - moderate intensity commercial developments	Offices, retail businesses, personal service businesses, day care centers, restaurants, financial institutions, hotels and motels, and other similar uses, as well as institutional activities	n/a	2.5 FAR
Industrial (IND)	Areas accommodating industrial activity and other significant employment-generating uses	Manufacturing, warehousing, research and development, and other similar uses, as well as institutional activities	n/a	5.0 FAR
Public/Semi-Public (PSP)	Areas intended to accommodate major existing and programmed public/quasi-public facilities	Government owned facilities, churches, utilities, clubs and lodges, educational facilities, recreation facilities, hospitals, congregate living facilities, and similar uses	n/a	2.0 FAR
Utilities (UTL)	Areas which accommodate public and private utilities	Public and private utilities	n/a	1.5 FAR
Recreation & Open Space (ROS)	Areas supportive of parks, recreation, and open spaces	Parks, recreational, and open spaces	n/a	0.25 FAR
Conservation (CON)	Areas of major public or privately held lands reserved for the primary purpose of the preservation of natural resources	Floodways, nature sanctuaries, and areas established for long-term conservation	n/a	0.05 FAR
Special Planning Area (SPA)	Areas which, due to their scale and unique development objectives, permit a range of uses, densities, and intensities. For more information, see GOAL FLU-3.			

¹ Unless noted as maximum square footage in the table

² See Policy FLU-1.1D.

³ A minimum of 40 square feet of commercial space shall be provided for each residential unit.

Objective FLU-1.2

Adopt, amend, and enforce land development regulations which implement the provisions of the Comprehensive Plan.

Policy FLU-1.2A. The City shall maintain land development regulations to implement this Comprehensive Plan. The regulations shall include standards which, at a minimum:

- (a) Regulate the density, intensity, and range of uses by establishing zoning district regulations;
- (b) Ensure compatibility between uses, consistent with the definition of compatibility found in Sec. 163.3164(9), Florida Statutes;
- (c) Protect natural resources;
- (d) Regulate the permitted location, size, and distribution of signs;
- (e) Establish procedures for assessing the impacts of new development on public facilities and services; and

- (f) Incentivize the use of energy efficient development practices.

Policy FLU-1.2B. Within one year of adopting an amendment to the Comprehensive Plan, the City shall update the LDC, if applicable, to implement the amendment and maintain consistency between the two documents.

Policy FLU-1.2C. Enforce the citizen participation provisions established in the LDC for all applicable planning applications.

Policy FLU-1.2D. Continue to accommodate and recognize planned unit developments (PUDs) within the LDC. The purpose of PUDs shall be to provide flexibility in the application of development standards to accommodate a superior urban form and promote quality development that could not otherwise be achieved through conventional zoning.

Objective FLU-1.3

Promote the development of sustainable neighborhoods that provide a diverse range of housing options, are supported by public facilities, and maintain access to commercial areas for goods, services, and employment.

Policy FLU-1.3A. Maintain regulations in the LDC to accommodate a wide range of housing types and varying densities in conformance with this Plan.

Policy FLU-1.3B. High density residential development shall be directed to areas of the City which possess:

- (a) Alternative transportation infrastructure such as bike lanes, trails, transit, and sidewalks;
- (b) Nonresidential uses which meet the daily needs of residents for goods, services, and employment; and
- (c) public facilities, such as centralized water and sewer systems, available for connection.

Policy FLU-1.3C. Reevaluate the City's Subdivision Regulations to promote walkability, internal and external connectivity, and alternative modes of travel.

Policy FLU-1.3D. All new development shall connect to the City's central water and sewer system, unless exempted within the provisions of the Infrastructure Element.

Policy FLU-1.3E. Requests to change the FLUM determined to negatively impact hurricane evacuation plans, routes, or shelter facilities as determined by the review criteria contained in the Coastal Management Element (CME) shall be denied.

Policy FLU-1.3F. New development projects must mitigate hurricane sheltering and evacuation impacts in accordance with the CME and the LDC.

Objective FLU-1.4

Provide and maintain FLUCs and zoning districts that would accommodate a diverse range of nonresidential activities of varying types and sizes.

Policy FLU-1.4A. The LDC shall direct commercial activities to develop at nodes, rather than along roadway corridors. Where appropriate, developments within these nodes shall provide:

- (a) Shared access, parking, and loading facilities;
- (b) Context-sensitive connections to nearby or adjacent residential neighborhoods;
- (c) Transitions in density, intensity, and uses between nearby or adjacent uses;
- (d) A branded wayfinding and signage program;
- (e) Coordinated, quality architecture; and
- (f) Buffering tools such as landscaping, open space, berms, walls, and/or other suitable

screening mechanisms to protect adjacent established single-family neighborhoods.

Policy FLU-1.4B. Amend the LDC to allow professional offices when utilized as:

- (a) a transition between commercial and residential uses; or
- (b) infill on properties within developed portions of the community infeasible for residential, commercial, or mixed-use development.

Policy FLU-1.4C. Amend the LDC to encourage the development of neighborhood-scale commercial uses within, or within close proximity to, residential areas.

Objective FLU-1.5

Support the creation of harmonious mixed-use communities with residential and nonresidential uses collocated and integrated into a sustainable development pattern.

Policy FLU-1.5A. Support the creation and growth of community activity centers, which include a mix of residential and nonresidential uses within a compact, walkable setting, by:

- (a) Developing a master plan for the potential community activity center along Tukey Creek;
- (b) Directing developers to locate higher density and intensity activities within activity centers; and
- (c) Establishing branded wayfinding and signage programs for new and existing community activity centers.

Policy FLU-1.5B. Establish development incentives for developers to redevelop properties which provide waterfront access and viewsheds to Turkey Creek, Palm Bay, and the Indian River Lagoon.

Policy FLU-1.5C. Work with the community to establish a long-term vision and strategic plan for Port Malabar Units 51, 52, and 53 (also known as The Compound).

Policy FLU-1.5D. Continue to explore opportunities to incorporate more innovative planning principles into the LDC which may help cultivate a more sustainable land use pattern, such as:

- (a) Adopting form-based code regulations for community activity centers;
- (b) Requiring buildings to be placed closer to the street;
- (c) Permitting smaller lot sizes;
- (d) Incentivizing construction that utilizes low impact development (LID) techniques;
- (e) Reducing minimum parking requirements and requiring parking facilities to be located to the rear or side of buildings;
- (f) Promoting shared driveway, parking, loading, stormwater, and other similar facilities between uses of similar use and scale;
- (g) Establishing a transfer of development rights (TDR) program; and
- (h) Permitting the clustering of uses to preserve wetlands, open space, and other valuable natural amenities.

Policy FLU-1.5E. Continuously evaluate the effectiveness of the LDC in promoting efficient land use patterns.

Policy FLU-1.5F. Discourage the proliferation of strip and automobile-oriented development.

Objective FLU-1.6

The Regional Activity Center (RAC) FLUC is intended to facilitate the development of large-scale, master planned communities which will serve as integrated centers of commerce and employment.

Policy FLU-1.6A. New RAC designations shall be located in close proximity to I-95 or an intersection of arterial and collector roads.

Policy FLU-1.6B. Development within a RAC shall be approved through the City's Planned Development (PD) zoning approval process and require a Concept Master Land Use Plan (CMLUP), Design Guidelines, and a Conservation Area Management Plan (CAMP).

Policy FLU-1.6C. The RAC Design Guidelines shall address and describe in appropriate detail the following:

- (a) Principles of the Development Plan;
- (b) Development standards for the approved uses;
- (c) Resource- and activity-based open space areas;
- (d) Infrastructure and engineering development standards;
- (e) Transit development and mobility standards for streets, bicycle lanes, trails, and sidewalks;
- (f) General landscaping standards;
- (g) Lighting standards;
- (h) Signage standards; and
- (i) Buffering standards.

Policy FLU-1.6D. A RAC development shall provide a balanced mix of uses and shall be composed of Urban Living Areas, Open Space Areas, and a Mixed-Use Town Center or Workplace or combination thereof. These areas are defined as follows:

- (a) Urban Living Areas - residential areas which include housing types of varying styles and price points;
- (b) Open Space Areas - activity-based or resource-based outdoor areas. *Activity-based Open Space Areas* provide recreational opportunities and includes such areas as walkways, bike paths, trails, picnic areas, playgrounds, lakes, and parks. *Resource-based Open Space Areas* are intended to protect and enhance environmental systems and may include wetlands, uplands or any other environmental features;
- (c) Mixed-Use Town Centers - the recognizable commercial and civic core of the community that is sized to meet the needs of residents within one mile of the community core; and
- (d) Workplaces - hubs which provide a variety of employment opportunities.

Policy FLU-1.6E. To ensure that a RAC is pedestrian friendly and promotes the efficient movement of people, the following principles shall be incorporated into the Design Guidelines:

- (a) At buildout, homes shall be within one half mile of transit, a Mixed-Use Town Center, a Workplace, a recreational use, or a public/semipublic use.
- (b) Streets shall be pedestrian friendly, tree-lined, and provide for on-street parking where appropriate.
- (c) Homes shall be built close to streets with the majority of the homes having street-facing facades and/or porches, windows

and doors. Homes may not need to front on the street so long as the home is designed in a manner that is consistent with the principles of Traditional Neighborhood Design or New Urbanism.

- (d) Mixed-use and commercial structures shall be built close to streets with street facing facades and entrances. Parking lots and parking structures are to be hidden behind the building to the fullest extent practicable.
- (e) Lighting shall be designed to enhance safety and be consistent with "dark sky" objectives to the maximum extent practicable.
- (f) Brick pavers, roundabouts, traffic circles and other traffic calming techniques shall be employed in key locations to enhance aesthetics, improve pedestrian access, reduce vehicle speeds and promote safety within all travel modes.
- (g) All streets shall have sidewalks on both sides. Sidewalks shall be a minimum of six feet in width to accommodate pedestrian activity.

Policy FLU-1.6F. To ensure the efficient movement of people through the RAC, the following design principles shall be incorporated into and made a part of the Design Guidelines:

- (a) The street system shall be a well-connected grid-based system that is fully integrated and designed to facilitate the expansion of the system as the RAC develops.
- (b) The street system shall be designed in a hierarchy that provides for alternative cross sections to facilitate the development of narrow neighborhood streets, boulevards, and alleys. Streets are to be interconnected both internally and

externally to both move and disperse traffic efficiently.

- (c) The arrangement and design of streets shall promote a pleasant, pedestrian and bicycle-friendly environment with an emphasis on convenient access to surrounding neighborhoods and community amenities.

Policy FLU-1.6G. The CAMP associated with each RAC shall:

- (a) Identify all jurisdictionally defined wetlands and environmentally sensitive areas;
- (b) Provide for wildlife corridors;
- (c) Designate the property to be placed in conservation easements;
- (d) Promote interconnected linkage between existing conservation or jurisdictional areas, activity- or resource-based open space, and the land within the RAC; and
- (e) Provide a minimum buffer of 25 feet adjacent to all jurisdictional wetlands.

Policy FLU-1.6H. Development features not specifically addressed in the Design Guidelines or CAMP must comply with the LDC. In the event of a conflict between the Design Guidelines or the CAMP, and the LDC, the most stringent requirement shall apply.

Policy FLU-1.6I. A preliminary wetlands and endangered species assessment, including an analysis of topography and soils, shall be completed prior to the designation of a RAC.

Policy FLU-1.6J. Residential development within a RAC shall have a minimum density of five dwelling units per gross residential acre and the residential units shall be allocated among the Urban Living Area, Mixed-Use Town Center, and Workplace as follows:

- (a) 20% of the approved residential units shall be placed in the Mixed-Use Town Center or the Workplace;
- (b) Single family units shall be limited to 45% of the approved residential units;
- (c) Multi-family units shall be a minimum of 55% of the approved residential units; and
- (d) 10% of the approved residential units shall qualify as affordable housing which, for this purpose, shall mean housing affordable to persons with incomes between 80% and 140% of the median household income in Brevard County.

Policy FLU-1.6K. The following standards shall be met in designing the Urban Living Area:

- (a) Minimum Size: 25% of the net buildable area of the RAC;
- (b) Maximum Size: 40% of the net buildable area of the RAC;
- (c) Minimum Density: five units per gross acre within the Urban Living Area;
- (d) Maximum Density: 13 units per gross acre within the Urban Living Area; and
- (e) Single family detached, single family attached, multi-family, and appropriate public/semipublic, and recreation uses are permitted.

Policy FLU-1.6L. The following standards shall be met in designing a Mixed-Use Town Center:

- (a) Minimum Size: 20% of the net buildable area of the RAC;
- (b) Maximum Size: 50% of the net buildable area of the RAC;
- (c) Maximum Intensity: 2,000,000 square feet;
- (d) Shall include a vertically integrated mix of higher density and intensity development;

- (e) Commercial, professional office, multi-family residential, and public/semipublic uses are permitted;
- (f) Residential uses may be located above commercial or professional office uses; and
- (g) On-street parking must be provided where appropriate.

Policy FLU-1.6M. The following standards shall be met in designing a Workplace:

- (a) Minimum Size: 20% of the net buildable area of the RAC;
- (b) Maximum Size: 60% of the net buildable area of the RAC;
- (c) Maximum Intensity: 2,000,000 square feet;
- (d) Uses may be mixed horizontally or may be contained within multiple use buildings;
- (e) Include denser housing products than traditional single-family detached homes;
- (f) Commercial, professional office, light industrial multi-family residential, and public/semipublic uses are permitted; and
- (g) Parklets shall be encouraged.

Policy FLU-1.6N. Open Space Areas shall meet the following standards:

- (a) Open Space Areas shall be a minimum of 30% of the gross acreage;
- (b) A minimum of 10% of the Open Space Area shall be activity-based; and
- (c) Stormwater management areas may be included in resource-based Open Space Areas.

Policy FLU-1.6O. For purposes of these policies, net buildable area is defined as the gross acreage of the lands designated as a RAC, less the resource-based Open Space Areas.

Policy FLU-1.6P. When a RAC includes both a Mixed-Use Town Center and a Workplace, the

combined size of both uses shall be a minimum of 35% of the RAC's net buildable area.

Policy FLU-1.6Q. Development within a RAC shall be based on the generalized principles of Smart Growth, Traditional Neighborhood Design, New Urbanism, or Transit Oriented Design. As such, the RAC shall include walkability standards, compact development patterns, quality architecture and urban designs, and a hierarchy of streets or street system to foster connectivity and pedestrian mobility as well as alternative modes of travel. Buildings within a RAC shall meet LEED standards or best management practices from the United States Green Building Council and Florida Green Building Council to the fullest extent practicable.

Policy FLU-1.6R. To reduce automobile trips and greenhouse gases, the following standards shall be met within each RAC:

- (a) Streets shall be pedestrian friendly;
- (b) Sidewalks and bike lanes shall be at least five feet wide, multi-purpose recreation trails at least ten feet wide, and unimproved nature trails and boardwalks connecting residential areas with a Mixed-Use Town Center, a Workplace, recreational uses, and public/semipublic uses shall be provided;
- (c) Streets and pedestrian ways lighting shall be designed to enhance safety and be consistent with "dark sky" objectives to the maximum extent practicable;

(d) Traffic calming techniques shall be employed to the maximum extent practicable; and

(e) Transit/bus/trolley locations shall be provided.

Policy FLU-1.6S. Landscaping shall be designed and installed using the University of Florida Friendly Plant List and managed in accordance with the latest University of Florida Yards and Neighborhoods Recognition Checklist.

Policy FLU-1.6T. To promote the creation of employment opportunities, the following residential/nonresidential thresholds shall be met:

- (a) Prior to the issuance of building permits for more than one third of the residential units, a minimum of 150 square feet of nonresidential square footage shall be constructed for each residential unit developed.
- (b) Prior to the issuance of building permits for more than two thirds of the residential units, a minimum of 150 square feet of nonresidential square footage shall be constructed for each residential unit developed.
- (c) At buildout, a minimum of 0.6 jobs shall have been created for each residential unit constructed.

Policy FLU-1.6U. The jobs/housing ratio shall be measured after the issuance of site plan approval for nonresidential development. If upon review, the jobs/housing ratio has not been reached, the City may require appropriate mitigation.

Objective FLU-1.7

Expand, protect, and promote the City’s industrial market.

Policy FLU-1.7A. Identify opportunities to capitalize on the existing defense contracting industry cluster found in South Brevard.

Policy FLU-1.7B. Strive to facilitate a quarterly meeting with Patrick Space Force leadership to discuss opportunities for supporting local employment and industry growth within the City.

Policy FLU-1.7C. Explore the creation of an incentive program to attract the relocation or development of new industrial uses within Palm Bay. This program may include, but not be limited to:

- (a) Reimbursement of impact mitigation costs
- (b) Donation of public lands
- (c) Streamlined development review process

- (d) Waiver of application and other administrative fees

Policy FLU-1.7D. Continue to evaluate and monitor industrial uses to ensure their impacts on natural resources, public facilities, and the public in general are mitigated to the greatest extent practicable and comply with all local, state, and federal air and water quality standards.

Policy FLU-1.7E. The LDC shall include provisions to prevent encroachment of non-industrial uses in areas possessing a IND FLUM designation, unless such uses are explicitly permitted within industrial lands by Florida Statutes.

Policy FLU-1.7F. Update the LDC to incorporate criteria for mixed use development which includes industrial uses.

Objective FLU-1.8

Future development activity shall be compatible with established neighborhoods and strive to enhance the character of the community.

Policy FLU-1.8A. The City shall prohibit future encroachment of nonresidential FLUCs into established residential neighborhoods if they are incompatible with the character of the area.

Policy FLU-1.8B. Establish locational criteria within the LDC for future rezonings to accommodate future population growth. The following principles shall be considered:

- (a) Maximizing compatibility (consistent with the definition found in the Florida Statutes) between uses;
- (b) Providing a transition between areas of different character, density or intensity;

- (c) Locating higher density and intensity uses in areas which already feature adequate vehicular access and access to public facilities;
- (d) Potential for creating land use inequities; and
- (e) Avoiding 'spot zoning' by discouraging the rezoning of a property to a designation which is substantially different from that of the surrounding area.

Policy FLU-1.8C. The City shall continue enforcing provisions within the LDC which limit industrial traffic through predominately residential areas.

Objective FLU-1.9

Ensure public school facilities are integrated harmoniously within the Palm Bay community.

Policy FLU-1.9A. Encourage new educational facilities to locate within close proximity to the neighborhoods in which they serve.

Policy FLU-1.9B. Revisit the LDC to include additional circulation, design, and compatibility standards for new developments located within close proximity to educational facilities.

Policy FLU-1.9C. Work with the Brevard County School Board to ensure adequate access

(vehicular and pedestrian) to new school facilities within Palm Bay.

Policy FLU-1.9D. Coordinate with the Space Coast Transportation Planning Organization (SCTPO) and the Brevard County School Board to identify opportunities to implement the recommendations and findings of the SCTPO's Safe Routes to School Program.

Objective FLU-1.10

Cultivate an environment supportive of sustainable economic development within the City.

Policy FLU-1.10A. Seek to develop a long-term Economic Development Plan for the City.

Policy FLU-1.10B. Continue to meet with local entrepreneurs and business owners to identify ways in which the City may support the growth and development of startups and small businesses within the community.

Policy FLU-1.10C. Explore opportunities to advance minority-owned business through local programs and partnerships.

Policy FLU-1.10D. Identify and support ecotourism opportunities within the City.

Policy FLU-1.10E. Establish, support, coordinate, and help promote a local outdoor market in Palm Bay.

Objective FLU-1.11	Establish procedures to maintain and enhance public facilities within the City.
---------------------------	---

Policy FLU-1.11A. Discourage the spending of City funds to expand public facilities and services outside the Urban Service Area (USA)—the boundaries of which are shown within the FLUM Series.

Policy FLU-1.11B. Condition development orders based upon the provision of essential public facilities to prevent the failure of meeting established levels of service (LOS).

Policy FLU-1.11C. Review annexation requests to determine if the site’s maximum development potential may negatively impact the adopted LOS for any public facility or service. If such requests are estimated to negatively impact the City’s ability to maintain its adopted LOS, the developer will be required to enter into an impact mitigation agreement with the City prior to the issuance of a final development order.

Objective FLU-1.12

Work with the community to identify and implement programs and policies to create a more equitable Palm Bay.

Policy FLU-1.12A. Explore incorporating equity considerations as part of the City’s criteria for approving land use applications. Considerations may include (but not limited to):

- (a) Eliminating environmental injustices;
- (b) Building affordable housing;
- (c) Addressing existing food deserts;
- (d) Providing essential public facilities such as parks and schools;
- (e) Improving public access and vistas to the Indian River and Turkey Creek;
- (f) Creating more pedestrian- and transit-friendly neighborhoods; and
- (g) Addressing other equity concerns brought forth by the community, staff, or elected officials.

Policy FLU-1.12B. Perform an assessment of the City’s public engagement efforts to determine the success of engaging citizens of diverse backgrounds that represent the city population.

Policy FLU-1.12C. Continue to research and implement best practices for incorporating more virtual engagement opportunities for public meetings and hearings.

Policy FLU-1.12D. Explore hosting community meetings in spaces and venues where residents are already gathered.

Policy FLU-1.12E. Strive to improve the City’s youth engagement efforts.

Policy FLU-1.12F. Form stronger partnerships with local community-based organizations for culturally competent outreach and engagement efforts.

Policy FLU-1.12G. Identify and eliminate barriers for accessing fresh food sources.

Policy FLU-1.12H. Study the impacts generated from permitting new discount variety stores on the ability of residents to access fresh meats, fruits, and vegetables.

Policy FLU-1.12I. Seek to fund or develop a community garden program within the City.

GOAL FLU-2

Identify, protect, and enhance the City’s inventory of cultural and natural resources.

Objective FLU-2.1

Continue to identify, protect, and enhance Palm Bay’s natural resources.

Policy FLU-2.1A. Land use decisions shall consider the ability of the natural environment to support the proposed development based on the project’s consistency with the following:

- (a) Floodplain Management Ordinance;
- (b) Stormwater Management and Conservation Ordinance;
- (c) Trees and Shrubbery Ordinance;
- (d) Well and Wellfield Protection Ordinance; and
- (e) Zoning Ordinance.

Policy FLU-2.1B. The following land uses and activities shall be prohibited from locating within two hundred feet of any public utility water well or prime aquifer recharge areas:

- (a) Stormwater discharge retention-detention facilities;
- (b) Any industrial or commercial activities that utilize, generate, or store any hazardous constituents;
- (c) Sanitary landfills;
- (d) Domestic wastewater facilities including underground storage; and
- (e) Mining operations.

Policy FLU-2.1C. The following land uses and activities shall be prohibited from locating within

one thousand feet of a public utility water well or prime aquifer recharge area:

- (a) Any industrial or commercial activities that utilize, generate or store in excess of five gallons of liquid or twenty-five pounds of solid hazardous constituents; and
- (b) Fuel storage tanks and pumps.

Policy FLU-2.1D. Ensure the provisions of the LDC manage and protect the natural functions of local stormwater management and drainage facilities, public potable water wellfields, floodplains, and other natural or manmade water systems.

Policy FLU-2.1E. Amend the LDC to ensure that development orders are not issued in areas of the community where drainage conditions are not sufficient for building construction, drainage, roads, and other related facilities.

Policy FLU-2.1F. Modify the land development regulations which protect and preserve wetlands to include the following standards:

- (a) Wetlands shall be defined based on the same methodology, soil types, hydrological requirements and vegetation types as those utilized by the Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers

- (USACE), and the St. Johns River Water Management District (SJRWMD);
- (b) Interim regulation of wetlands shall be based on this Policy and the City's Stormwater Management and Conservation Ordinance;
 - (c) If any activity which degrades or destroys a wetland is undertaken without a permit, the person performing such activity shall be responsible for repairing and maintaining the wetland. If it is not technically feasible for the responsible person to perform the repair and maintenance of the wetland, then the responsible person shall mitigate for the wetland loss. Mitigation shall include, but not be limited to: wetland restoration, wetland replacement, wetland preservation or monetary compensation;
 - (d) Criteria within the LDC shall be consistent with and at least as strict as the criteria utilized by FDEP, USACE, and SJRWMD. No development plan or permit shall be approved for wetlands or wetland buffer zones unless the applicant demonstrates that encroachment on the wetland or wetland buffer area is necessary for access and that no feasible upland alternative exists;
 - (e) Septic tank drainfields are prohibited from locating within a wetland and must maintain a 75' buffer between the edge of the drainfield and the identified boundary of any wetland and shall be located in soils suitable for septic tank drainfields;
 - (f) The area of any wetland dredged, filled, cleared of vegetation, or deepened shall not exceed 10% of the wetland within the applicant's property boundaries except as part of a required FDEP, USACE, SJRWMD, or City mitigation area;
 - (g) Natural wetlands shall not be dredged, cleared of vegetation, deepened, widened, or otherwise altered unless permits are received from FDEP, USACE, SJRWMD, and the City of Palm Bay;
 - (h) Development activities must be planned, designed, constructed and maintained to preserve the function of wetlands as a natural storage area for water, as a natural filter for reducing and assimilating pollutants, as water detention areas, and as habitat for native and endangered species;
 - (i) Wetlands shall not be used as primary sediment traps during and/or after development. No grading, cutting, or filling shall be commenced until erosion and sedimentation control devices have been installed between the disturbed area and all wetlands. Such devices shall be left in place for a period of time sufficient for stabilized conditions to develop on the filled zone;
 - (j) Restrictive or conservation easements to preserve the wetland shall be required as a condition to permitting alteration or development of any identified wetland;
 - (k) Maximum residential density within wetland areas shall be one unit per five acres without a centralized sewage system and one unit per three acres provided centralized sewage service is required and available; and
 - (l) Vegetated buffer zones or strips shall be maintained or created between all developed areas and wetlands, measured from the upland/wetland interface, as determined by vegetative dominance or from the new high water line (as determined in accordance with Sec. 174.022, Florida Administrative Code), whichever is greater. The width of this

buffer shall be sufficient to prevent erosion and trap the sediments in overland runoff but shall be at least the following minimum distances:

- (i) For natural creeks, rivers, and water bodies connected to waters of the state, a minimum 25-foot wide buffer zone of native upland and transitional vegetation shall be preserved and maintained;
- (ii) Where natural bluffs with slopes exceeding one foot vertical to three feet horizontal occur, required buffers shall start at the top of the bank or bluff;
- (iii) For isolated wetland areas, a minimum 25-foot buffer zone of appropriate native vegetation shall

be provided and maintained from the landward extent of wetlands vegetation;

- (iv) The buffer zone must consist of preserved native vegetation. Areas of the buffer void of existing natural vegetation shall be supplemented with appropriate native vegetation. The City shall develop a list of approved vegetation types with the assistance of the Planning and Zoning Board (LPA) and the Turkey Creek Sanctuary Advisory Committee; and
- (v) A buffer study shall be prepared to determine the size of wetland buffer needed to maintain wetland dependent wildlife and vegetation.

Objective FLU-2.2

Continue to identify and preserve Palm Bay’s historical, archaeological, and architectural heritage.

Policy FLU-2.2A. Continue to identify and analyze the location and condition of cultural resources with the assistance of historians, archaeologists, and local partners.

Policy FLU-2.2B. Incorporate provisions into the LDC which protect culturally significant structures.

Policy FLU-2.2C. Work with the community to draft and adopt a comprehensive cultural preservation ordinance to safeguard the City’s historical, archaeological, and architectural heritage.

Policy FLU-2.2D. Explore the creation of a local register of cultural resources.

Policy FLU-2.2E. Seek to educate the public on the importance, value, process, and benefits of preserving local cultural resources.

Policy FLU-2.2F. Consider applying to become a Certified Local Government (CLG), which grants the City access to technical assistance, training, and federally funded CLG subgrants to use for preservation purposes.

GOAL FLU-3

Continue to recognize and advance past planning agreements which result in a more cohesive and harmonious community..

Objective FLU-3.1

Continue to enforce the following previously adopted policies applicable to the Bayside Lakes community.

Policy FLU-3.1A. Provide an adequate circulation pattern by ensuring the continuation of all collector and higher classification roadways into and through the Town Centre.

Policy FLU-3.1B. Specific provisions shall be made to continue the St. Johns Heritage Parkway connector from Bombardier Boulevard SW east to Babcock Street.

Policy FLU-3.1C. Mass transit stops shall be provided at all major traffic generators proposed for the Town Centre.

Policy FLU-3.1D. Specific plans shall be incorporated for pedestrian and bicycle circulation.

Policy FLU-3.1E. City water and sewer services must be provided throughout all development proposed in the Town Centre.

Policy FLU-3.1F. Provisions shall be made to provide for a mixed-use development including sites for parks, public safety sites (fire and police), employment centers, public and semi-public sites, and similar needs.

Policy FLU-3.1G. LOS standards for parks, roads, water, sewer, drainage and solid waste must be maintained within the development and on impacted areas outside of the Town Centre.

Objective FLU-3.2

Continue to recognize and enforce the specific conditions applied to previously approved land development map amendment cases.

Policy FLU-3.2A. Continue to recognize and enforce the special conditions applied to each of the cases identified in Table FLU-2.

Table FLU-2. General Ordinance Conditions

Case #	Ordinance #	General Ordinance Conditions
CP-6-99	2001-65	Habitat Conservation Plan, buffers, potable water, sanitary sewer
CP-5-2000	2001-67	Wetlands, setbacks, buffers, access, potable water, sanitary sewer
CP-22-2000	2001-79	Prohibited uses, day care centers, buffers
CP-13-2002	2004-45	Density
CP-9-2003	2004-49	Location, conservation easements, density
CP-11-2003	2004-51	Density
CP-12-2003	2004-52	Density, schools, future land use
CP-13-2003	2004-53	Density
CP-14-2003	2004-54	Density, traffic study, schools
CP-16A-2003	2004-55	Density, future land use
CP-16B-2003	2004-56	Density, traffic study, future land use
CP-7-2004	2005-48	Traffic study, intensity
CP-8-2004	2005-49	Traffic study, density
CP-9-2004	2005-50	Location, conservation easements, transfer of development rights
CP-11-2004	2005-51	Traffic study, density
CP-12-2004	2005-52	Traffic study, density
CP-13-2004	2005-53	Traffic study, density
CP-1-2005	2005-92	Density, connectivity, traffic study, future land use, Palm Bay Parkway
CP-2-2005	2006-93	Density, right of way, Northwest Assessment Improvement District (NAID), Palm Bay Parkway, Malabar Road
CP-3-2005	2006-94	Density, Garvey Road, Bombardier Boulevard, traffic study, future land use
CP-4-2005	2006-95	Density; future land use, traffic study, NAID
CP-5-2005	2006-96	Traffic study, connectivity
CP-14-2005	2006-98	Density, wetlands, traffic studies, NAID
CP-15-2005	2006-99	Density, wetlands, traffic studies, NAID, Palm Bay Parkway
CP-16-2005	2006-100	Density, traffic study, NAID
CP-17-2005	2006-101	Density, traffic study, NAID
CP-02-2019	2019-22	Traffic study, access, buffering
CP-10-2019	2019-43	Driveways, traffic study, environmental study, building location
CP-2-2020	2020-18	Use limitations, agricultural activities, fencing, buffering, conditional uses, zoning
CP-6-2009	2010-22	None
CP-5-2009	2010-26	Garvey Road, right-of-way dedications, utility extensions, wetlands, traffic demand management, uses, PD approvals, buffers, design,
CP-7-2009	2010-27	Density, utility extensions, multi-family residential, LOS
CP-8-2009	2010-28	Intensity, transportation improvements, utility extensions, PD approvals, LOS
CP-25-2016	2016-79	None
CP-10-2019	2019-43	Traffic Study, Environmental Study, Setback, Access

Objective FLU-3.3

Ensure that the plans and conditions of previously approved, large-scale development projects continue to be enforced by establishing the Special Planning Area (SPA) FLUC.

Policy FLU-3.3A. The City of Palm Bay shall recognize the following SPAs:

- (a) Centerlane;
- (b) Calumet Farms;
- (c) Emerald Lakes; and

(d) Micco Park Village.

Policy FLU-3.3B. The boundaries of each SPA shall be identified on the SPA Map included within the Comprehensive Plan FLUM Series.

Policy FLU-3.3C. No new SPAs shall be considered by the City.

Objective FLU-3.4

Promote innovative approaches to development on the property located at the west end of Centerlane Road and owned by Centerlane Holdings, LLC, which was designated for solely agricultural or rural residential single purpose prior to annexation into the city.

Policy FLU-3.4A. The Centerlane SPA has been established in an area of Palm Bay which is suitable and appropriate for a range of industrial uses without impacting existing residential developments.

Policy FLU-3.4B. Development within the Centerlane SPA shall:

- (a) include a mix of industrial uses;
- (b) protect and enhance the natural environment;
- (c) promote the reduction of automobile trips and greenhouse gases by offering jobs and internal capture from nearby residential areas;
- (d) promotes energy efficiency through innovative planning, onsite job creation, alternative energy, and green business practices; and
- (e) provide job creation activities.

Policy FLU-3.4C. Maintain the economic viability of the community, maintain compatibility with other urban or rural land uses or State-owned lands, and provide for cost efficient delivery of public facilities and services for the lands contained within the Palm Bay USA.

Policy FLU-3.4D. Developments within the Centerlane SPA shall be responsible for meeting concurrency requirements by providing, constructing, funding, or participating in fair share or cost recovery programs for capital projects necessitated from the development.

Policy FLU-3.4E. Necessary infrastructure improvements shall include facilities to assure

adequate provision of water, sanitary sewer, solid waste, drainage or reuse, and roadways to serve the development and shall meet the regulatory requirements for any off-site impacts caused by the project.

Policy FLU-3.4F. Development within the Centerlane SPA shall be approved through the City's PD zoning approval process, which shall, at a minimum, require a Master Development Plan (MDP) and Design Guidelines which address and describe the following items:

- (a) Principles of the Development Plan;
- (b) Development standards as applicable for the approved uses, including buffering, access, lot dimensions, parking, storm water management, utility types and locations, setbacks, open space, amenities, building materials and placement, use of energy efficient materials and suppliers, and other standards as currently adopted in the City's Comprehensive Plan for industrial uses;
- (c) Infrastructure and engineering development standards, when applicable;
- (d) General landscaping standards;
- (e) Lighting standards;
- (f) Signage standards; and
- (g) Buffering standards for nearby residential areas, conservation areas, or recreation areas if any or as applicable.

Policy FLU-3.4G. The following uses are allowed within the Centerlane SPA:

- (a) master planned industrial developments;

- (b) alternative energy industrial developments;
- (c) public or private industrial development;
- (d) industrial uses consistent-with the City's IND FLUC;
- (e) recreation;
- (f) agricultural research and development;
- (g) farming, production, harvesting, manufacturing, processing, assembly, and storage of products associated with alternative energy sources and development, including biomass products, farm products, solar, wind, and other green technologies;
- (h) testing or trial areas for machinery or equipment related to water based or water dependent uses or resource development;
- (i) public or private facilities or utilities;
- (j) Mining, excavation, and land reclamation with limited blasting using best management practices;

- (k) institutional and education uses including public or private schools, research facilities, vocational or technical; and
- (l) other similar uses.

Policy FLU-3.4H. Individual developments shall not exceed a 0.5 FAR. and in no case shall the amount of total nonresidential square footage in the Centerlane SPA exceed 500,000 square feet. Of this 500,000, a maximum of 125,000 square feet may be permitted to develop within the first five years.

Policy FLU-3.4I. The Centerlane SPA shall include an open space component which comprises a minimum of 20% of the project's gross acreage. This area may include storm water management facilities, setback areas, buffers, agricultural and crop growing areas, recreational/parks, and landscaped areas.

Policy FLU-3.4J. The developer/owners of the Centerlane SPA shall be required to work with the SJRWMD to assure public safety regarding the current levy system, and implement additional buffers, more extensive grading/ filling/ removal of materials, or other feasible actions.

Objective FLU-3.5

Promote the development of the Calumet Farms property, which contains approximately 2,123 gross acres, into an “Aging in Place” walkable, pedestrian community using alternative energy, low impact design standards and an integrated system of active and resource based open space. The Calumet Farms SPA is intended to discourage urban sprawl, minimize the cost of community facilities, and encourage the use of creative land use planning techniques and innovative approaches to development.

Policy FLU-3.5A. The Calumet Farms SPA shall be developed as a master planned community, which will preserve conservation and environmentally sensitive areas, create compact residential development, require nonresidential uses to promote energy efficiency, provide Palm Bay with a new form of residential development, improve the economic viability of the community, maintain compatibility with other rural land uses and State-owned lands, and ensure the cost-efficient provision of public services to support this development.

Policy FLU-3.5B. Developers of the Calumet Farms SPA shall be responsible for meeting concurrency requirements by providing, funding, constructing or participating in fair share or cost recovery programs to assure all necessary infrastructure improvements, including water, wastewater, solid waste, and roadways are available to serve the development when needed. Developers shall also meet the regulatory requirements for any off-site impacts and participate in the City's fair share or cost recovery programs for the construction of improvements that are required because of impacts from the project. Such improvements necessitated by the project's impacts shall be shown on the 5-year CIP Schedule.

Policy FLU-3.5C. Development within the Calumet Farms SPA shall be consistent with the project's adopted conceptual land use plan (CLUP), which identifies the general location,

density, intensity, and composition of non-residential, residential, and institutional uses, public utilities and facilities, storm water management, wetland and upland conservation lands, wildlife corridors, parks, and roadways. The placement of various uses within the approved development may change due to regulatory issues, permitting agency requirements, infrastructure locations, or other factors. Therefore, upon approval of the City Council during the PD approval process, lines or locations of units, uses, square footages, or conservation areas may change as long as the maximum number of units, maximum square footage, and minimum amount of open space acreage of the development adopted as part of this land use amendment or within a master development agreement are not exceeded. Any density or intensity changes proposed which are in excess of those adopted, or changes which create additional land uses within the Calumet Farms SPA, shall require a land use amendment.

Policy FLU-3.5D. Development within the Calumet Farms SPA shall be approved through the City's PD zoning approval process, which shall require a MDP, Design Guidelines, and a CAMP.

Policy FLU-3.5E. The Design Guidelines shall address and describe in appropriate detail the following:

- (a) Principles of the Development Plan;

- (b) Development standards for the approved uses;
- (c) Resource-based and activity-based open space, protection of any floodplains and jurisdictional wetland areas, linkages between open space, pedestrian and wildlife corridors, and general use areas of the project;
- (d) Infrastructure and engineering development standards and required improvements necessary to meet concurrency requirements and to identify projects to be included in the annual Capital Improvement Plan update;
- (e) Mobility standards for streets, bicycle lanes, trails, and sidewalks;
- (f) General landscaping standards;
- (g) Lighting standards, compliant with "Dark Sky" criteria;
- (h) Signage standards;
- (i) Buffering standards to assure compatibility with surrounding developments; and
- (j) Interconnectivity with existing preserve or conservation areas and internal conservation sites through conservation easements, wildlife corridors, wetlands, or other natural features.

Policy FLU-3.5F. The CAMP shall provide for a set of site mitigation and management protocols for wetlands and environmentally sensitive areas designed to protect these areas and to ensure their long-term maintenance by the developer, its successors and assigns. As part of this requirement, the CAMP must also:

- (a) Identify jurisdictionally defined wetlands and environmentally sensitive areas;
- (b) Establish wildlife corridors along the northern portion of the site, along wetland boundaries, and other areas that may be derived through the site planning process;

- (c) Designate the areas to be placed in conservation easements;
- (d) Create interconnected linkage between existing conservation or jurisdictional areas, activity- or resource-based open space, and the proposed project; and
- (e) Maintain an average 25' of buffer around jurisdictional wetlands, unless otherwise proscribed by the permitting agencies, City, or other site-specific standards.

Policy FLU-3.5G. In the event of a conflict between the Design Guidelines, the CAMP, and the City's LDC, the more stringent guidelines found within either the Design Guidelines or the CAMP shall apply.

Policy FLU-3.5H. The development of the Calumet Farms SPA must demonstrate:

- (a) A mix of uses,
- (b) Protection and enhancement of the natural environment,
- (c) Minimum intrusions into natural or sensitive areas,
- (d) Reduction in automobile trips and greenhouse gases, and energy efficiency through a multi-modal transportation network, low impact design standards, and mixing uses
- (e) Clustering of units to eliminate sprawl development patterns required under the County's current land use system,
- (f) Appropriate infrastructure to meet concurrency and includes interconnected open space.

Policy FLU-3.5I. The Calumet Farms SPA shall provide a balanced mix of uses consisting of a minimum of three or more of the following components:

- (a) neighborhoods;
- (b) mixed use commercial centers;

- (c) civic spaces;
- (d) general commercial work places;
- (e) institutional uses;
- (f) educational uses;
- (g) public utilities, facilities, and services; and
- (h) open spaces.

Policy FLU-3.5J. Development within the Calumet Farms SPA shall be based upon the following density and intensity standards:

- (a) The maximum number of residential units is capped at 3,184 units;
- (b) The maximum amount of intensity permitted for commercial and office uses shall be limited to 180,000 square feet;
- (c) Maximum gross density shall not exceed 1.5 units per acre;
- (d) Net buildable area is defined as the gross acreage less the resource-based open space;
- (e) Neighborhoods shall not exceed 65% of the gross acreage; and
- (f) Open space shall be a minimum of 30% of the gross acreage.

Policy FLU-3.5K. Neighborhood living areas shall include a variety of housing types, styles, and price points. Development within these areas shall abide by the following standards:

- (a) Single family units shall be limited to 55% of the total living units.
- (b) Multi-family units shall be limited to 45% of the total living units.
- (c) Single family detached, single family attached, multi-family, and appropriate public, civic, public/semipublic, and recreation uses are permitted.
- (d) Neighborhoods shall be located within 1/4 mile of transit, a mixed-use commercial

center, a workplace, a recreational use, or a public/semipublic use.

- (e) Resource-based and activity-based open space areas shall be permitted within the neighborhoods.

Policy FLU-3.5L. A mixed-use Town Center and Babcock Street commercial center shall be the recognizable commercial and civic core of the community and shall be sized to serve the needs of residents.

Policy FLU-3.5M. Development within the mixed use commercial center shall meet the following standards:

- (a) Minimum Intensity: 12,000 square feet;
- (b) Maximum Intensity: 60,000 square feet;
- (c) May include a vertically integrated mix of higher density and intensity of development the sum of which shall not exceed the maximum unit and square footage cap;
- (d) Include more dense residential uses to promote walkability and reduce vehicle miles traveled;
- (e) Commercial, professional office, multi-family residential and public/semipublic uses/facilities/utilities/services are permitted;
- (f) Residential uses may be located above commercial or professional office uses;
- (g) Provide for on street parking where appropriate;
- (h) Be designed as a traditional Main Street; and
- (i) Be located internal to the overall development, within walking or bicycling distance to a majority of the neighborhoods.

Policy FLU-3.5N. A commercial workplace area shall be located with frontage along Babcock

Street and is intended to provide a variety of employment opportunities, including the provision of services to the City's residents.

Policy FLU-3.5O. Development within the commercial area of the Calumet Farms SPA shall abide by the following density, intensity, and use standards:

- (a) Minimum Intensity: 25,000 square feet;
- (b) Maximum Intensity: 120,000 square feet; and
- (c) Permitted uses: commercial, professional office, and public/semipublic uses, utilities, facilities, and services.

Policy FLU-3.5P. In order to protect and be compatible with natural resources including wetlands, floodplains, or adjacent lands, the Calumet Farms SPA shall preserve a minimum of 30% of the total lands as open space. In order to preserve significant amounts of functional open space, these areas shall be either activity-based or resource-based.

Policy FLU-3.5Q. Activity-based open space is defined as recreational opportunities which includes such areas as walkways, bike paths, trails, picnic areas, playgrounds, lakes, and parks. They shall be located within walking distance of residential neighborhoods and be accessible to the public. Activity-based open space areas shall be located outside of resource-based open space areas, except for bike trails, wildlife corridors, or water dependent/related activities.

Policy FLU-3.5R. Resource-based open space are defined as areas designated for conservation or wetlands or uplands preservation and are intended to protect and enhance environmental systems. Not all resource-based areas will be open to the public. Stormwater management areas shall also be included in resource-based open space areas. Resource-based open space shall consist of a minimum of 30% of the gross acres of the Calumet Farms SPA.

Policy FLU-3.5S. Upon final permitting and delineation, wetland or other jurisdictionally defined areas shall be placed in a conservation easement or provided as willing seller acquisitions.

Policy FLU-3.5T. A 200' non-buildable buffer area shall be reserved along the northern property line of the site as a resource-based open space area, which may only be used for wildlife corridors, recreational trails, or stormwater management. This buffer shall be for the Deer Run subdivision to the north.

Policy FLU-3.5U. A wildlife corridor is required to connect the Mary A. Mitigation Bank parcel to the west with proposed wildlife corridors to the east. Said corridor shall:

- (a) Be identified and designed as part of the Phase 1 development approval process;
- (b) Contain no less than 200 feet in width;
- (c) May be re-vegetated with native upland and/or wetland systems and include passive nature trails; and
- (d) Limit interior roadway crossings whenever possible.

Policy FLU-3.5V. Mining and land reclamation shall be conducted using best management practices for excavation with limited blasting.

Policy FLU-3.5W. The following standards shall be provided for in the Design Guidelines:

- (a) Streets shall be pedestrian and bicycle friendly, which includes bike lanes on all main roadways into the development;
- (b) Sidewalks shall be at least five feet wide;
- (c) Multi-purpose recreation trails, unimproved nature trails, and boardwalks shall connect residential areas with a mixed-use town center, a workplace, recreational uses, and/or public/semipublic uses;

- (d) Streets and pedestrian-way lighting shall be designed to enhance safety and be consistent with "dark sky" objectives to the maximum extent practicable;
- (e) Traffic calming techniques shall be employed to the maximum extent practicable;
- (f) Transit/bus/trolley locations shall be provided when such services become available;
- (g) Golf carts shall be an acceptable transportation form within the development;
- (h) Commercial areas may contain narrower streets than would be required in other developments within the City;
- (i) Parking shall be allowed on streets and there shall be maximum limits on paved parking areas; and
- (j) Low impact lighting and solar lighting shall be used where practical.

Policy FLU-3.5X. Development within the Calumet Farms SPA shall be based on the principles of Smart Growth, Traditional Neighborhood Design, New Urbanism, Transit Oriented Design, and the urban to rural transect theory as accepted by the Congress of New Urbanism and defined in the Smart Code. Therefore, future development within Calumet Farms SPA shall feature a compact, walkable environment with quality architecture and urban form, and a street system that fosters connectivity and alternative modes of travel.

Policy FLU-3.5Y. Site and building design within the Calumet Farms SPA shall meet either LEED standards or best management practices from the United States Green Building Council and Florida Green Building Council to the extent practical.

Policy FLU-3.5Z. The Calumet Farms SPA shall incorporate innovative planning techniques and

assure the provision of required infrastructure into the overall design and development

Policy FLU-3.5AA. In order to maximize use of existing and future public facilities and services and maintain LOS standards, the developer shall be responsible for making dedications and infrastructure improvements through such measures as impact fees, fair share agreements, utility agreements, letters of credit, bonds, special districts, or development agreements. Required improvements necessary to maintain LOS standards shall be included in the City's Capital Improvement schedule at the next annual update. Such improvements will include, but may not be limited to:

- (a) Extension of water, reuse, and wastewater lines;
- (b) Transportation improvements necessary to maintain LOS standards; and
- (c) Coordination of future road right of way needs during the development order approval process to aid implementation of future roadways, such as the Fellsmere Connector or others identified in the Brevard County TPO's or City's Long Range Transportation Plan.

Policy FLU-3.5BB. Landscaping shall be substantially designed and installed using the University of Florida Friendly Plant List and managed in accordance with the latest University of Florida Yards and Neighborhoods Recognition Checklist.

Policy FLU-3.5CC. To promote the creation of employment opportunities, the following residential/nonresidential thresholds shall be met:

- (a) Prior to the issuance of building permits for more than 500 dwelling units, a minimum of 12,000 square feet of nonresidential development shall be constructed;

- (b) Prior to the issuance of building permits for more than 2,000 dwelling units, a minimum of 75,000 square feet of nonresidential development shall be constructed;
- (c) Prior to the issuance of building permits for more than 3,000 dwelling units, a minimum of 160,000 square feet of nonresidential development shall be constructed; and

- (d) At build out a minimum of 0.3 jobs shall have been created for each residential unit constructed.

Policy FLU-3.5DD. The jobs/housing ratio shall be measured after the issuance of site plan approval for nonresidential development. If upon review, the jobs/housing ratio has not been reached, the City may require appropriate mitigation.

Objective FLU-3.6

The following set of policies shall apply to the Emerald Lakes SPA, as detailed in CP-15-2018, which was adopted by City Council as Ordinance No. 2018-52.

Policy FLU-3.6A. EMERALD INVESTMENT HOLDINGS, LLC (successors to Sebastian Resources 400, LP and Brevard Landvest, LLC), its owners, and assigns shall maintain consistency with the Objective and policies associated with the RAC FLUC.

Policy FLU-3.6B. The EMERALD LAKES SPA total project acreage is 1,561 acres. The boundary lines or acreage shown on the adopted CMLUP may be adjusted based on the final permitting and dedication of lands to the City of Palm Bay and Brevard County for rights-of-way for the St. Johns Heritage Parkway, I-95 Interchange and the Sotille Canal, as long as the overall maximum densities and intensities of the total Emerald Lakes SPA do not change.

Policy FLU-3.6C. Development within the EMERALD LAKES SPA shall be limited to the following acreages:

- (a) 3,760 residential dwelling units, including single family and multi family; and
- (b) 2,820,000 square feet for nonresidential uses, including commercial, office, industrial, educational, hotel and hospital uses.

Policy FLU-3.6D. The location of uses, densities and intensities may be moved within project boundaries as long as they are consistent with the maximum and minimum densities and intensities of the RAC FLUC.

Policy FLU-3.6E. Prior to the issuance of building permits for more than 1,253 dwelling units, a minimum of 187,950 square feet nonresidential uses shall have Final Development Plan Approval for construction.

Policy FLU-3.6F. Prior to the issuance of building permits for more than 2,506 dwelling units, a minimum of 375,900 square feet nonresidential uses shall have Final Development Plan Approval for construction.

Policy FLU-3.6G. At buildout, a minimum of 0.6 jobs shall have been created for each residential unit constructed.

Policy FLU-3.6H. The required 200' right-of-way for the St. Johns Heritage Parkway within the EMERALD LAKES SPA boundaries has been dedicated to the City of Palm Bay in accordance with the provisions of the City of Palm Bay Chapter 171, Fair Share Impact Fees Ordinance.

Policy FLU-3.6I. The required right-of-way for the Interchange of I-95 and the St. Johns Heritage Parkway has been dedicated to the City of Palm Bay in accordance with the provisions of the City of Palm Bay Chapter 171, Fair Share Impact Fees Ordinance.

Policy FLU-3.6J. No building permits shall be issued until the lanes of St. Johns Heritage Parkway necessary to serve the project have been let for construction and/or funding has been provided in accordance with the provisions of the City of Palm Bay Chapter 171, Fair Share Impact Fees Ordinance;

Policy FLU-3.6K. No building permits shall be issued until the required extensions of water and sewer lines necessary to serve the project have been let for construction and/or funding has been provided in accordance with the provisions of the City of Palm Bay Chapter 171, Fair Share Impact Fees Ordinance, including:

- (a) a Water Main extension from Babcock Street to Project Entrance

- (b) a Force Main extension from Babcock Street to Project Entrance

Policy FLU-3.6L. A minimum buffer of 20' shall be provided along the EMERALD LAKES SPA property boundary adjacent to commercial and industrial uses.

Policy FLU-3.6M. An average buffer of 25' (minimum 15' without mitigation) shall be maintained adjacent to all preserved wetlands consistent with SJRWMD permitting requirements. A 50' buffer from top of bank will be maintained along the Sotille Canal. A 100' buffer shall be

maintained adjacent to commercial and industrial uses adjacent to the lands owned/and or managed on the eastern boundary by the Brevard County Environmental Endangered Lands Program.

Policy FLU-3.6N. A minimum right-of-way of 85' for the Sotille Canal shall be dedicated to Brevard County.

Policy FLU-3.6O. One or more transit stops shall be provided, as determined at the Final Development Plan stage.

Objective FLU-3.7

Continue to implement the following policies applicable to the Micco Park Village community to establish walkable communities in a traditional village design and allowing a variety of uses to serve each area.

Policy FLU-3.7A. Development within the Micco Park SPA must meet the criteria adopted by Ordinance 2010-62, Exhibit A.

(Ord. 2010-24, passed 07-08-10; Ord. 2010-25, passed 07-08-10; Ord. 2010-67, passed 10-21-10; Ord. 2010-69, passed 10-19-2010; Ord. 2015-56, passed 02-04-16; Ord. 2010-62, passed 10-19-10; Ord. 2010-67, passed 10-21-10; Ord. 2010-69, passed 10-19-2010; Ord. 2016-79, passed 06-01-17; Ord. 2016-84, passed 12-01-16; Ord. 2017-83, passed 05-03-18)

GOAL TE-1

A safe, balanced, efficient and comprehensive transportation system that adequately serves the needs of all residents and visitors of Palm Bay.

Objective TE-1.1

Maintain roadway level of service at or better than all adopted level of service standards.

Policy TE-1.1A. The City shall provide timely implementation of the highway improvements through projects and programs identified in the Capital Improvements Element.

Policy TE-1.1B. The City shall maintain the roadway level of service stated in Policy CIE-1.5A for the provision of adequate transportation facilities.

Policy TE-1.1C. Evaluate the functional classification of each roadway facility in the City to ensure the service volumes are consistent with the Space Coast TPO.

Policy TE-1.1D. The City shall implement a traffic monitoring program to annually update and analyze traffic data.

Policy TE-1.1E. The City shall develop and implement Land Development Regulations which establish criteria which require new roads and

streets designed as an integral part of, and consistent with, the Future Transportation Map.

Policy TE-1.1F. The City shall review and update the Transportation Impact Fee and determine if a mobility fee structure should be utilized.

Policy TE-1.1G. Continue to enforce the Concurrency Management Ordinance to ensure that future development does not cause a reduction in the level of service.

Policy TE-1.1H. To facilitate a more urban development pattern, the City shall prepare a mobility study to evaluate all modes of travel and determine whether transportation concurrency should be utilized in the future.

Policy TE-1.1I. The City shall utilize strategies developed by the Space Coast Transportation Planning Organization (TPO) to facilitate local traffic use to preserve the operation and function of Interstate 95.

Objective TE-1.2

Improve the safety of the transportation system through a reduction in the rate of accidents on the public roadway system.

Policy TE-1.2A. The City Specific design criteria for transportation facilities shall meet or exceed those criteria established by the City, State and Federal transportation authorities. These include,

but are not limited to, the following Florida Department of Transportation (FDOT) documents:

- Manual of Uniform Standards for Design, Construction and Maintenance of Streets and Highways (Florida Greenbook);
- Roadway Design Manual;;
- Pedestrian and Bicycle Safety Plan;
- Bicycle and Pedestrian Facilities Handbook;
- Florida Highway Landscape Guide; and
- Traffic Engineering Manual.

Policy TE-1.2B. To minimize access points on arterials and collector streets the land development regulations shall include provisions to encourage frontage streets and joint use of access points.

Policy TE-1.2C. The City shall evaluate the appropriateness of commercial, industrial and multi-family developments which utilize access from local residential streets.

Policy TE-1.2D. In coordination with state and regional transportation agencies, advance the Vision Zero strategy in designing and planning the transportation system in the City.

Policy TE-1.2E. The City shall continue to implement the Traffic Calming program to reduce speeds and potential traffic collisions on local residential streets.

Objective TE-1.3

Ensure that the City coordinates with appropriate transportation agency plans and programs in the implementation of this plan.

Policy TE-1.3A. To ensure the City's needs are represented, a member of the City shall continue active participation in the Space Coast TPO.

Policy TE-1.3B. Annually review the plans and programs of the following entities and update the Capital Improvements Schedule accordingly:

- a. Space Coast TPO;
- b. FDOT;
- c. City of Melbourne;
- d. City of West Melbourne;
- e. Town of Malabar;
- f. Town of Grant Valkaria, and;
- g. Brevard County.

Objective TE-1.4

Protect existing and future rights-of-way from building encroachment.

Policy TE-1.4A. The land development regulations shall continue to include appropriate building setbacks along all roadways consistent with recommended right-of-way widths and the plans of transportation system providers.

Policy TE-1.4B. Establish a program in the Capital Improvements Element to identify and acquire future right-of-way based on identified needs in the Transportation Element.

Policy TE-1.4C. Continue to enforce the on-site parking requirements of the Land Development Regulations.

Policy TE-1.4D. Assess the current parking requirements and determine if parking maximums should be incorporated to limit large unused surface lots.

Policy TE-1.4E. Develop provisions in the Land Development Regulations that encourage and facilitate an interconnected grid system that

maximizes connections between roadways regardless of functional classification.

Policy TE-1.4F. The land development regulations shall include a Transportation Corridor Management Ordinance for the southern extension (south of Malabar Road) of the St. Johns Heritage Parkway. A consistent alignment shall be defined as a 200' right-of-way corridor extending from Malabar Road on the northern end, Interstate 95 on the southeastern end. The

alignment shall be based upon the preferred alignment of a PD&E study conducted to Federal NEPA standards (Ord. 2016-84, passed 10-17-17).

Policy TE-1.4G. During the right-of-way acquisition for the St. Johns Heritage Parkway, the City shall undertake a land use and transportation study to explore the impacts of the new interchanges and opportunities for additional east-west connectivity.

Objective TE-1.5

Increase ridership of mass transit and transportation disadvantage service within the City of Palm Bay.

Policy TE-1.5A. Participate in the planning of the Brightline rail service.

Policy TE-1.5B. Prepare and make available, through distributing brochures or by car/van pool information to all employees and citizens in Palm Bay.

Policy TE-1.5C. Incorporate provisions requiring, where appropriate, facilities such as bus benches, shelters, bus turnout facilities, park-and-ride lots, and bus stops, be included in design plans for new or revised development projects which include major trip generators and/or attractors.

Policy TE-1.5D. Continue to work with the Space Coast TPO, the FDOT, Aging Matters in Brevard, the Brevard Commission on Aging, the Space Coast Area Transit Authority and other appropriate agencies to provide public transit

and/or transportation disadvantage service to Palm Bay.

Policy TE-1.5E. Prepare and make available to the transportation disadvantaged, through brochures and newsletters, information regarding the availability of public transit and paratransit services.

Policy TE-1.5F. Continue to coordinate with the FDOT and all proposals for High Speed and Intercity rail to ensure that passenger rail routes through the City of Palm Bay include a passenger terminal serving Palm Bay.

Policy TE-1.5G. The City shall utilize annual ridership per capita as the indicator to measure progress toward achievement of mobility goals relating to public transit.

Objective TE-1.6

Transmit the needs of Palm Bay to service providers of existing and future airport facilities.

Policy TE-1.6A. The Planning Division shall review and provide written recommendations on all Melbourne International Airport Authority plans

and actions which increase the aircraft-related noise levels in Palm Bay.

Policy TE-1.6B. The Planning Division shall review and provide written recommendations on all Valkaria Airport plans and actions which would increase the aircraft-related noise levels in Palm Bay.

Policy TE-1.6C. Annually, the Planning Division shall review the FDOT Five-Year Transportation Plan for future airport sites and make written recommendations to City Council on any proposal for new airport facilities in South Brevard.

Objective TE-1.7

Transmit the needs of Palm Bay to service providers of existing and future port facilities.

Policy TE-1.7A. The Planning Division shall review, at least every five years, any plans of the Canaveral Port Authority and make written recommendations to the City Council on actions, if any, to be taken by the City.

Policy TE-1.7B. The City shall request voting representation on any committee/group planning new port siting's in South Brevard.

Objective TE-1.8

Provide bicycle/pedestrian facilities on all roadways.

Policy TE-1.8A. The City shall include bicycle/pedestrian facilities on all new roadways and major expansions of existing roadways.

the pedestrian/bicycle facilities in the City and recommend appropriate sources to the Palm Bay City Council for action.

Policy TE-1.8B. The City shall request Brevard County and the FDOT include bicycle/pedestrian facilities on all new roadways and major expansions of existing roadways.

Policy TE-1.8E. During the project review phase, ensure that pedestrian/bicycle facilities are included to promote the use of walking and bicycling.

Policy TE-1.8C. All new bicycle facilities designed or approved by the City shall conform to the FDOT design standards or other applicable engineering criteria.

Policy TE-1.8F. Annually update the City's Sidewalk and Bikeway Plan to include new facilities and proposed facilities.

Policy TE-1.8D. The City shall continue to seek alternative funding sources for the expansion of

Policy TE-1.8G. Update the City's Sidewalk and Bikeway Plan to include the South Space Coast TPO Trails program.

Objective TE-1.9

A multimodal transportation system which is coordinated with the Future Land Use Element.

Policy TE-1.9A. Request the Space Coast Area Transit authority to provide public transit service

to all major traffic generators and attractors in Palm Bay.

Policy TE-1.9B. The City shall utilize the following transportation demand management methods to modify peak hour travel demand and to reduce vehicle miles traveled per capita:

- Providing ridesharing/vanpooling information;
- Encouraging nonmotorized transportation methods such as walking or bicycling where appropriate;
- Encouraging micro-mobility opportunities to provide the last mile;
- Requesting the Space Coast Area Transit authority to provide public transit services to major employers and employment centers at negotiated fares; and
- Promoting flexible work hours, telecommuting and preferential parking for ridesharers or vanpoolers.

Policy TE-1.9C. The City shall utilize access management, signalization enhancements, Intelligent Transportation Systems (ITS) and similar system management techniques to improve the safety and efficiency of the transportation system.

Policy TE-1.9D. The City shall establish land use, site design, and building design guidelines for development along transit corridors.

The City shall ensure that the Transportation Element is consistent with the policies in the Future Land Use Element and takes into account development pattern, population densities, housing types, employment patterns, and land use patterns.

Objective TE-1.10

The City shall promote the use of multimodal transportation options such as mass transit, interconnected pedestrian facilities and bicycle facilities, wildlife and other natural system corridors and other connectivity projects, consistent with the following policies.

Policy TE-1.10A. Incorporate the use of alternative modes of transportation in new and existing developments based on the context, development form and land use.

Policy TE-1.10B. Continue to require pedestrian access features in new developments and require connection to intra-city and intercity pedestrian facilities.

Policy TE-1.10C. Require the connectivity of new developments to the pedestrian and bicycle facilities and use of public lands existing and planned for the City and neighboring jurisdictions.

Policy TE-1.10D. Ensure that transit stops are safe, convenient, and accessible.

Policy TE-1.10E. Continue to coordinate with Space Coast Area Transit (SCAT) to provide efficient and effective bus routes, ridesharing options, shelters, and transit stops/stations.

Policy TE-1.10F. Develop Complete Streets standards for roadway design that provide equal access for all users including pedestrians, bicycles, mass transit and other vehicles.

Policy TE-1.10G. Every five years, evaluate the effectiveness of the transportation goals, objectives, and policies in reducing vehicle miles traveled and traffic collisions.

Objective TE-1.11

Adoption of a Mobility Plan, consistent with the following policies, that supports mobility needs, reduces congestion, supports urban infill and redevelopment of lands within the City's service boundary in order to eliminate and discourage urban sprawl.

Policy TE-1.11A. Concurrent with the adoption of the Mobility Plan, modify all Transportation Level of Service standards to reflect the strategies contained in the Mobility Plan.

Policy TE-1.11B. During the preparation of the Mobility Plan, the City shall determine if transportation concurrency is necessary to achieve their mobility goals.

Policy TE-1.11C. Create an interconnected transportation system that accommodates public transit, ride sharing, bicycling, pedestrians and other vehicles by promoting multimodal opportunities in all new and redeveloped development projects.

Policy TE-1.11D. Focus transit resources on high volume corridors and destinations such as Brevard

Community College, major employment centers, major parks and similar high-volume locations, and large-scale higher density and intensity projects.

Policy TE-1.11E. Priority shall be given to land use modifications that support and incorporate multimodal transportation opportunities through density and design.

Policy TE-1.11F. Identify modifications to existing developed areas to encourage multimodal opportunities and establish a phased program to effectuate infill and redevelopment efforts to implement those opportunities.

Policy TE-1.11G. Coordinate land use and transportation opportunities to encourage mixed use developments with multimodal facilities.

(Ord. 2010-22, passed 07-08-10; Ord. 2015-56, passed 02-04-16; Am. Ord. 2016-84, passed 10-17-17)

GOAL HSG-1

Cultivate a diverse, safe, and affordable housing stock which meets the needs of all current and future residents of Palm Bay.

Objective HSG-1.1

Provide opportunities to diversify the types, price points, and location of housing choices within the City.

Policy HSG-1.1A. Continue to work with the development community to identify opportunities for diversifying the City’s housing inventory while meeting local housing demands.

Policy HSG-1.1B. Identify and eliminate regulations which may prevent the development of missing middle housing within the City.

Policy HSG-1.1C. Amend the LDC to permit missing middle housing options (including duplexes, triplexes, quadplexes, etc.) in select low density residential districts.

Policy HSG-1.1D. Amend the LDC to ensure that missing middle housing units are designed to

match the aesthetic and character of the surrounding community.

Policy HSG-1.1E. Update the LDC to permit non-traditional housing options within select residential zoning districts, such as accessory dwelling units (ADUs), tiny homes, houseboats, cottage neighborhoods, etc.

Policy HSG-1.1F. Work with existing and prospective landlords to expand the City’s supply of rental housing units.

Policy HSG-1.1G. Ensure that the FLUM and Zoning Map include categories/designations that allow mobile homes.

Objective HSG-1.2

Seek to repair and improve substandard housing to prevent the need for City-initiated demolitions.

Policy HSG-1.2A. All housing rehabilitation and demolition activities within the City shall be in conformance with the provisions of the Palm Bay Code of Ordinances.

Policy HSG-1.2B. Develop a formal and systematic process for conducting regularly scheduled reviews of local housing conditions. The results of these reviews shall be inventoried

and included in an report that is published by the City each year.

Policy HSG-1.2C. The City shall continue to utilize federal, state, and local housing assistance funds, as available, to work with property owners to conduct a substandard housing rehabilitation program.

Policy HSG-1.2D. Explore opportunities to establish a formal demolition prevention program within Palm Bay to limit the need for City-initiated demolitions of substandard housing units.

Policy HSG-1.2E. Amend the LDC to include strategies which protect culturally significant housing within the City.

Objective HSG-1.3

Seek to implement affordable housing solutions to serve very low-, low-, and moderate-income households within the City.

Policy HSG-1.3A. Regularly work with the housing developers to identify (and potentially eliminate) regulatory barriers to providing affordable housing units within the City.

Policy HSG-1.3B. Partner with developers to acquire and utilize vacant and blighted properties within neighborhoods as potential infill sites for affordable housing.

Policy HSG-1.3C. Explore amending the LDC to provide additional development flexibility for affordable housing projects.

Policy HSG-1.3D. Consider offering development bonuses to developers who provide affordable housing units in single-family subdivisions exceeding 25 units.

Policy HSG-1.3E. To the greatest extent practicable, coordinate with housing developers to avoid concentrations of affordable housing units within individual developments.

Policy HSG-1.3F. Provide expedited permitting for all affordable housing projects within the City.

Policy HSG-1.3G. Utilize Community Development Block Grant (CDBG), State Housing

Initiatives Program (SHIP), HOME Investment Partnership Program, and similar federal, state, and local grant funding sources to provide housing assistance to very low-, low-, and moderate-income households.

Policy HSG-1.3H. Assist in the establishment and growth of community land trusts which provide permanent affordable housing.

Policy HSG-1.3I. Continue to utilize the Community Development Advisory Board (CDAB) to review proposed amendments to the Palm Bay LDC and Comprehensive Plan which may impact the existing or future supply of affordable housing within the City.

Policy HSG-1.3J. Continue to implement and update the provisions of the 5-Year Consolidated Plan and annual Action Plan.

Policy HSG-1.3K. Housing programs shall be administered through the City's Housing and Community Development Department.

Policy HSG-1.3L. Provide guidance and encouragement for rental property owners who wish to participate in the Section 8 Program.

Objective HSG-1.4

Provide opportunities for the development of group homes, foster care facilities, homeless shelters, and other permanent or temporary housing options intended to serve populations with special needs.

Policy HSG-1.4A. Ensure that the LDC clearly identifies the zoning districts where group homes,

foster care facilities, homeless shelters, and other permanent or temporary housing options are permitted.

Policy HSG-1.4B. Explore the possibility of establishing a taskforce designed to study the needs of the area’s unsheltered population and increase the ability of the City to provide support services for those experiencing homelessness.

Policy HSG-1.4C. Seek to establish an incentive program for landlords who provide housing

opportunities for individuals and families experiencing homelessness.

Policy HSG-1.4D. Continue to work with local nonprofit organizations and government agencies to support the provision of services aiding populations experiencing homelessness.

Policy HSG-1.4E. Enact a public information campaign to destigmatize populations experiencing homelessness.

Objective HSG-1.5

Ensure relocation housing is readily available for persons displaced by actions of the City.

Policy HSG-1.5A. The City shall take no action to displace persons until a report is submitted to City Council identifying standard and affordable housing available to those individuals.

Policy HSG-1.5B. The City shall continue to enforce the provisions of the Fair Housing Act.

Objective HSG-1.6

Establish energy efficient building design requirements and standards for new, redeveloped and renovated housing within the City.

Policy HSG-1.6A. Identify and remove procedural or regulatory barriers to implementing energy efficient building practices.

Policy HSG-1.6B. Plan review, housing assistance and building inspection staff will be trained in energy efficient building materials, practices, and techniques on an on-going basis.

Policy HSG-1.6C. Continue to offer an energy efficiency package for rehabilitation projects through the City's Housing Rehabilitation Program that considers the extent of the rehabilitation project but includes appliances meeting energy-star or similar rating standards, window upgrades, insulation, lighting, water saving fixtures, water heater upgrades and more efficient HVAC systems.

GOAL CME-1

Protect Palm Bay’s coastal communities and resources.

Objective CME-1.1

Develop a Coastal Resiliency Plan for the City of Palm Bay.

Policy CME-1.1A. Seek to apply and obtain grant funding from the State of Florida and other sources to develop a Coastal Resiliency Plan for the City of Palm Bay.

Policy CME-1.1B. As part of the City’s resiliency planning effort, perform an exhaustive inventory

and vulnerability assessment of Palm Bay’s coastal population and natural and built environments.

Policy CME-1.1C. Update the provisions of Palm Bay’s Comprehensive Plan and LDC to incorporate the findings and recommendations of the Coastal Resiliency Plan.

Objective CME-1.2

Improve public access to the coastal zone.

Policy CME-1.2A. Utilize a combination of zoning controls, easements, donations, acquisitions, and development incentives to assure perpetual public access and vistas along the Indian River and Turkey Creek.

Policy CME-1.2B. Continue to seek grant funding at the federal, state, and county level to assist the City in acquiring lands which would provide greater public access and vistas to the Indian River and Turkey Creek.

Policy CME-1.2C. Prepare a waterfront master plan with the intent to cultivate a community-driven vision for the development of the City’s

coastal area and ensure the public’s perpetual access to the Indian River and Turkey Creek.

Policy CME-1.2D. Retain, in public ownership, all easements, rights-of-way, and other public access points to the shoreline.

Policy CME-1.2E. Amend the LDC to encourage the development of water-related and water-dependent uses which are designed in a manner to provide public access and vistas to shorelines without negatively impacting the natural environment.

Policy CME-1.2F. Incorporate provisions into the LDC which encourage the colocation of water-related and water-dependent uses.

Objective CME-1.3

Protect the Coastal Management Area's built environment.

Policy CME-1.3A. Continue to identify and implement regulations which would minimize the damage caused to coastal structures by hurricanes and other similar hazards.

Policy CME-1.3B. Amend the LDC to encourage natural means of shoreline stabilization rather than hardening when shoreline alteration is needed.

Policy CME-1.3C. The City shall mitigate Peril of Flood damage as follows:

- (a) Reduce the flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.
- (b) Encourage property owners to remove coastal real property from FEMA flood zone designations.
- (c) Be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations.
- (d) Require construction seaward of the coastal construction control line to be consistent with chapter 161, F.S., should the City annex lands on the barrier island.
- (e) Continue to participate in the National Flood Insurance Program Community Rating System (CRS) and maintain a CRS rating of 7 which affords City residents

with flood insurance premium discounts of 15 percent.

Policy CME-1.3D. Preserve historical and archeological resources in the Coastal Management Area consistent with the cultural preservation provisions of the Future Land Use Element.

Policy CME-1.3E. Limit public expenditures for infrastructure within the Palm Bay Coastal Management Area.

Policy CME-1.3F. Prepare and adopt a Post-Disaster Redevelopment Plan.

Policy CME-1.3G. Develop procedures concerning post-disaster actions which distinguish between immediate repair and clean-up activities needed to protect the public health and safety, versus long-term repair and redevelopment activities.

Policy CME-1.3H. Post-disaster redevelopment activities shall be required to meet the current development provisions of the LDC.

Policy CME-1.3I. The City shall utilize the following criteria for post-disaster redevelopment of public structures/facilities:

- (a) An analysis of the cost effectiveness of relocation versus repair;
- (b) Consideration of vertical relocation of the structure out of high hazard zones; and
- (c) Consideration of the need for physical protective structures such as seawalls.

Objective CME-1.4

Protect natural resources within the Coastal Management Area.

Policy CME-1.4A. Continue to enforce the water quality provisions of the Conservation Element and LDC to prevent the degradation of water quality within the Coastal Management Area.

Policy CME-1.4B. Prohibit the installation of new septic tanks within the Coastal Management Area.

Policy CME-1.4C. Maintain regulations which require vegetated buffer zones on development projects along the Indian River and Turkey Creek in order to preserve water quality through runoff and sedimentation control.

Policy CME-1.4D. Ensure the protection of wildlife habitats and species within the Coastal Management Area by continuing to enforce the wildlife protection provisions of the Conservation Element and the LDC.

Policy CME-1.4E. Continue to protect beaches within the City by enforcing the erosion control provisions of the Conservation Element.

Policy CME-1.4F. Adopt criteria in the LDC for marina siting and performance standards for shoreline development consistent with the Countywide Marina Siting Plan.

Policy CME-1.4G. Marinas which service boats with onboard sewage facilities shall be required to provide sewage pump out and treatment facilities and to provide appropriate effluent disposal.

Policy CME-1.4H. Amend the LDC to encourage marina owners to develop dry storage facilities as an alternative to wet storage.

Objective CME-1.5

Work with State, Regional, and County partners to ensure a timely and safe evacuation and sheltering process in the event of a major storm event.

Policy CME-1.5A. Continue to work with Brevard County and nearby jurisdictions to improve area evacuation times and the service capabilities of emergency shelters.

Policy CME-1.5B. The City will notify the County when new Future Land Use Map amendments are adopted by the City Council which increase the maximum density (and thus evacuation times) permitted within the Coastal Management Area.

Policy CME-1.5C. Explore amending the LDC to offer density bonuses and other incentives for

developers who provide onsite shelters within housing projects.

Policy CME-1.5D. As part of the Coastal Resiliency Plan, identify the needs of vulnerable populations during hurricane evacuations.

Policy CME-1.5E. Continue to coordinate with the County to ensure that designated public shelters have self-supporting or emergency power sources available.

GOAL ROS-1

An adequate recreation and open space system which offers a full range of active and passive recreation, including natural and historical resource protection

Objective ROS-1.1

The City shall maintain a park system that is adequate to serve the recreational needs of the current and future population.

Policy ROS-1.1A. The City shall maintain the neighborhood and community park levels of service stated in Policy CIE-1.5A for the provision of adequate recreation facilities.

Policy ROS-1.1B. Level of service standards shall be applied citywide, not on a parcel-by-parcel basis.

Policy ROS-1.1C. The City will consider a neighborhood park service areas of 3/4 miles to prioritize the development of new public recreation facilities in population centers not currently served by neighborhood or community parks.

Policy ROS-1.1D. The City shall prepare a Parks and Recreation Master Plan and update it every five to seven years.

Policy ROS-1.1E. The Parks Master Plan effort shall include robust public engagement activities including but not limited to surveys, and will include a thorough assessment of the city population to facilitate safe access for all individuals.

Policy ROS-1.1F. The City will continue to utilize an impact fee system to provide funding for new parks and park facilities/equipment.

Policy ROS-1.1G. Each year, the City will examine all federal, state, and local funding programs for assistance in developing and/or acquiring recreational lands.

Policy ROS-1.1H. The City will create an inventory of public sites and determine if any of them could be used for a neighborhood parks.

Policy ROS-1.1I. The City shall consider developing existing undeveloped recreation sites consistent with the area's recreational needs, and the City's ability to operate and maintain these sites.

Policy ROS-1.1J. The city shall utilize the following criteria for its Park Development Program:

- (a) facility construction over land acquisition;
- (b) shoreline over interior sites;
- (c) multi-purpose over single purpose projects;
- (d) larger sites over smaller sites;
- (e) access over enhancement; and
- (f) projects which serve low income over high income areas, and those which serve high density over low density areas.

Policy ROS-1.1K. Land Development Regulations shall continue to be implemented which provide for the development of water-oriented recreational facilities which are environmentally sensitive, and which provide public access/use.

Policy ROS-1.1L. The Parks and Recreation Master Plan shall assess existing park deficiencies that extend beyond park acreage and identify

programs and funding sources for eliminating these deficiencies.

Objective ROS-1.2

Coordinate with developers the provision of parks and open space within residential developments.

Policy ROS-1.2A. The City shall include in the Land Development Code a minimum open space requirement for all development. The minimum shall vary by zoning district but shall be no less than 20% per site.

Policy ROS-1.2B. Continue to enforce zoning and subdivision regulations to ensure that adequate open space requirements are maintained.

Policy ROS-1.2C. Continue to enforce Land Development Regulations which require cluster type developments which provide recreation or open space.

Policy ROS-1.2D. Open space standards shall include conservation lands but shall not include land designated for neighborhood or community parks or stormwater retention areas. Lakes may be counted as open space if access to water recreation is provided (e.g., boating, swimming, fishing).

Policy ROS-1.2E. The City shall review all proposed residential developments to ensure adherence to the recreational level of service standards.

Objective ROS-1.3

Provide for the use of private resources and citizen involvement in the development of recreational sites.

Policy ROS-1.3A. The Parks and Recreation Department shall continue to provide staff support to the "Adopt a Park" program by meeting with and encouraging neighborhood groups and service clubs to provide needed neighborhood and tot lot park equipment.

Policy ROS-1.3B. The City shall utilize the Recreation Advisory Board for achieving citizen involvement in the identification of potential sites

and facilities necessary to satisfy recreational needs.

Policy ROS-1.3C. Continue efforts to obtain non-development/scenic easements along the Indian River Lagoon through donations of properties and/or purchase using state and local grants.

Policy ROS-1.3D. The Land Development Regulations shall continue to require open space and/or recreational amenities in development projects, where appropriate.

Objective ROS-1.4

Annually notify appropriate governmental, quasi-public, and private agencies of the City's plans and needs in order to ensure the coordination of efforts and resources to meet recreation demands in the City.

Policy ROS-1.4A. The City will utilize intergovernmental coordination to alert the following agencies to the City's recreational needs:

Melbourne-Tillman Water Control District: public fishing access to canals.

Brevard Community College: use of lakes on the college site for public fishing/swimming and use of planned recreational facilities by the public.

U.S. Air Force: potential use of a portion of the Malabar tracking station land for an urban district park, passive recreation use, and/or a public golf course.

Brevard County Commission: park assistance/development.

School Board: use of recreation facilities by the public.

Brevard Soil and Water Conservation District: recreation opportunities and fish stocking.

Policy ROS-1.4B. Continue to coordinate the use and development of the community center site with the abutting property of the Audubon Society and Brevard County through the Recreation Advisory Board.

(Ord. 2015-56, passed 02-04-16)

GOAL CON-1

Maintain the environmental character of Palm Bay through the conservation, appropriate use, and protection of the natural resources of the City.

Objective CON-1.1

Maintain existing **air quality** which meets and exceeds the minimum air quality levels established by the Florida Department of Environmental Protection.

Policy CON-1.1A. Promote alternative transportation modes such as carpooling, public transit, bicycling, and pedestrian paths through public information programs in brochures and newsletters.

Policy CON-1.1B. The City shall promote public awareness about mass transit, car-pooling,

bikeways, park-and-ride lots, and other alternative transportation modes as a means to reduce automobile emission pollution.

Policy CON-1.1C. The City shall maintain tree protection regulations to sustain natural vegetative filters for air pollution.

Objective CON-1.2

Protect the surface **water quality** of the canals, Turkey Creek, the Indian River, and other surface water bodies to meet or exceed state and federal water quality standards.

Policy CON-1.2A. Support the Melbourne Tillman Water Control District western diversion plan.

Policy CON-1.2B. Request that the Melbourne Tillman Water Control District find long-term solutions to canal bank erosion.

Policy CON-1.2C. Protect the remaining natural retention areas in the City.

Policy CON-1.2D. Strictly enforce the provisions of the Stormwater Management Ordinance.

Policy CON-1.2E. Strictly enforce the provisions of the Driveway/Swale Ordinance.

Policy CON-1.2F. Design, manage and operate the City's public facilities, including stormwater systems, to avoid detrimental impacts on, and where possible to improve, surface water quality.

Policy CON-1.2G. The City shall coordinate with the Department of Environmental Protection and the St. Johns River Water Management District on prohibiting the removal of native vegetation in the littoral zone of surface water bodies except when necessary to provide "reasonable access" (as defined in the Regional Plan) or in a government sanctioned aquatic plant control program.

Policy CON-1.2H. The City shall give technical advice to developers and landowners on the best ways to manage stormwater.

Policy CON-1.2I. The City shall develop land use criteria and performance standards to keep hazardous industrial materials out of ground and surface waters.

Policy CON-1.2J. Establish an overlay zone for areas prone to erosion and sedimentation.

Policy CON-1.2K. Explore all reasonable means of increasing stormwater storage capacity within the City to reduce untreated discharge into Turkey Creek and the Indian River.

Policy CON-1.2L. Continue to work with the Town of Malabar to control stormwater discharge into Turkey Creek.

Policy CON-1.2M. Continue to work with the Florida Department of Transportation to control the runoff from U.S. 1 that is causing erosion on the Indian River Bluff.

Objective CON-1.3

Maintain **groundwater quality** which meets or exceeds all state and federal water quality standards.

Policy CON-1.3A. The City shall monitor groundwater quality in cooperation with Brevard County, the St. Johns River Water Management District and the Florida Department of Environmental Protection.

Policy CON-1.3B. Support the East Central Florida Regional Planning Council's program of developing a regional network of local hazardous waste collection stations by providing information to the public in newsletters and brochures.

Policy CON-1.3C. Continue the strict enforcement of the location of and the construction standards of gasoline/fuel tanks as listed in the Code of Ordinances.

Policy CON-1.3D. Require new development to connect to the central sanitary sewer system when it becomes available in conformance with City ordinance and state law.

Policy CON-1.3E. Continue to strictly enforce the provisions of the City's Wellhead Protection Ordinance.

Objective CON-1.4

Maintain the **quantity of groundwater** available.

Policy CON-1.4A. Support efforts to cap and plug free-flowing artesian wells.

Policy CON-1.4B. Adopt Land Development Regulations which limit the percentage of impervious surfaces in aquifer recharge areas.

Policy CON-1.4C. Continue to implement the water conservation programs of the City of Palm Bay Utility Department.

Policy CON-1.4D. The City will assist and support the St. Johns River Water Management District Water Conservation Plan through continued enforcement of the Water Shortage Emergency Ordinance.

Policy CON-1.4E. Promote cluster development away from the primary recharge areas.

Policy CON-1.4F. The City shall continue to implement a landscape ordinance that promotes conservation practices and the use of "Florida Friendly" landscaping.

Policy CON-1.4G. The City shall consider converting City properties from potable water irrigation to reuse irrigation, where feasible.

Policy CON-1.4H. The City shall consider establishing a public education program to inform the public on water conservation techniques.

Objective CON-1.5

The City shall protect its **natural resources** from the adverse impacts of development.

Policy CON-1.5A. The City shall continue to enforce land development regulations that require the preservation of existing vegetation over the provision of new plantings.

Policy CON-1.5B. The City shall emphasize the use of native vegetation in all development projects.

Policy CON-1.5C. The City shall consider enlisting knowledgeable groups (Native Plant Society, Audubon, Sierra Club, etc.) to identify areas/species of special concern and make the information available to the public.

Policy CON-1.5D. The City shall provide information to landowners and developers regarding the availability of volunteer groups to remove and replant native plants which would otherwise be destroyed by development.

Policy CON-1.5E. The City shall preserve and protect the natural open space areas identified in the Recreation and Open Space Element.

Policy CON-1.5F. The City shall continue enforcing its ordinance prohibiting land clearing without a permit from the City.

Policy CON-1.5G. The City shall protect the rare or endangered vegetative communities identified in this element by:

- (a) encouraging the clustering of dwelling units away from sensitive parts of each ecological community;
- (b) discouraging the fragmentation of large ecological community associations; and
- (c) requiring buffering of sensitive ecological areas.

Policy CON-1.5H. The City shall require developers to preserve habitats essential to endangered, threatened, or rare plants.

Policy CON-1.5I. The City shall continue to enforce the Tree Preservation Ordinance which prohibits the planting of Beefwood, Scaly-barked Beefwood, Australian Pine, Punk (Cajeput, Malaluca), Brazilian Pepper, Castor Bean, and Eucalyptus. Removal of these plants is encouraged since they displace native species.

Policy CON-1.5J. The City shall require that all developments locate the required open space in areas of native habitat, with a special emphasis on wetland and sand-pine communities.

Policy CON-1.5K. The City shall support programs that identify and protect critical habitat for endangered and threatened species by providing data and staff assistance.

Policy CON-1.5L. The City shall require private landowners to use good management practices to protect the most desirable habitats of endangered and threatened species.

Policy CON-1.5M. The City shall use conservation easements, transfer of development rights, fee simple acquisition, zoning, or a combination of techniques, to protect environmentally sensitive lands.

Policy CON-1.5N. Seek joint funding for the acquisition of natural areas for conservation.

Policy CON-1.5O. The City shall not allow City-owned conservation areas to be developed except with passive recreational facilities such as boardwalks, interpretive trails, and similar development.

Policy CON-1.5P. The City will cooperate with adjacent local governments, i.e., Brevard County, the Town of Malabar, and the City of Melbourne, to conserve, appropriately use, and protect environmentally sensitive areas that are located in more than one jurisdiction.

Objective CON-1.6

Protect and enhance populations of endangered and threatened species of **wildlife** and their critical habitat so there is no loss of such wildlife species in Palm Bay.

Policy CON-1.6A. The City shall continue requiring the conservation of habitats essential to endangered, threatened and rare species.

Policy CON-1.6B. The City shall use of conservation easements, transfer of development rights, fee simple acquisition, land development

regulations, or a combination of techniques to protect endangered, threatened or rare wildlife.

Policy CON-1.6C. The City will cooperate with adjacent local governments to protected critical wildlife habitat located in more than one jurisdiction.

Objective CON-1.7

Conserve **wetlands** in the City and protect them from physical and hydrologic alterations consistent with the regulations of the St. Johns River Water Management District.

Policy CON-1.7A. Request dedication or apply for grants to purchase wetland areas identified through the St. Johns River Water Management District Land Use Mapping Project. Priority shall be given to Turkey Creek and the Indian River and to other relatively undisturbed wetlands and wetlands facing development pressures.

Policy CON-1.7B. The City shall continue to require review and approval by the St. Johns River Water Management District for all wetlands.

Policy CON-1.7C. Review by the St. Johns River Water Management District shall continue to include analysis of types, values, functions, sizes,

condition and locations of wetlands consistent with the guidelines outlined in their Management and Storage of Surface Waters rules.

Policy CON-1.7D. The administrative site plan review process will continue to direct land uses which are incompatible with the protection of wetlands and wetland functions away from such wetland areas.

Policy CON-1.7E. Where wetland impact does occur, mitigation shall be required consistent with the requirements of the St. Johns River Water Management District.

Objective CON-1.8

Objective CON-1.9 Continue to enforce the **Mining** Ordinance to protect the City's air quality, groundwater and surface water quality, and quality of life.

Policy CON-1.8A. Buffers shall be required between mining activities and adjacent existing and future land uses to minimize the impact of the mining to the surrounding land uses.

Policy CON-1.8B. A reclamation plan shall be approved by the City before mining activities are permitted.

Policy CON-1.8C. Mining activities shall only be permitted through conditional use approval.

Objective CON-1.9

Reduce the rate of **soil erosion** in the City.

Policy CON-1.9A. The City shall assist the U.S. Soil Conservation Service in those activities directed at minimizing soil erosion by distributing information to the public in brochures and newsletters.

Policy CON-1.9B. The City shall continue enforcing standards to prevent soil erosion, and to require onsite stabilization for exposed soils.

Objective CON-1.10

Protect the 100-year **floodplain** so that flood carrying and flood storage capacities are maintained.

Policy CON-1.10A. The City shall continue to enforce the Floodplain Management Ordinance.

Policy CON-1.10B. The City shall continue to control development in the 100-year floodplain utilizing the following criteria:

- (a) Prohibit encroachment by new construction, including fill, within any designated floodway.
- (b) Protection of human life and health shall be maximized.
- (c) Prevent the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

(d) Determine the availability of alternative locations, not subject to flooding, for any proposed use and the necessity and importance of the facility.

(e) The safety and access to the property in times of flood for emergency vehicles.

(f) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters.

Policy CON-1.1A. Policy CON-1.12A Building in the floodplain must be consistent with the requirements of the Federal Flood Insurance Program.

Objective CON-1.11

Adopt programs which will reduce the per capita consumption of **energy resources** within the City.

Policy CON-1.11A. The City will promote the use of energy efficient building practices by:

- (a) Adopting and making available to all City residents and developers technical assistance, training and marketing

documents about energy efficient building practices,

- (b) Adopting a Green Building Incentive Program to establish standards and guidelines for energy efficient building practices, including from the Energy

Efficiency chapter of the Florida Building Code,

- (c) Implementing the residential rehabilitation energy retrofit standard for the City's housing rehabilitation programs, and
- (d) Providing an expedited permitting program for energy efficient construction projects consistent with the Green Building Incentive Program adopted by the City.

Policy CON-1.11B. The City will continue to implement standards and policies to preserve conservation areas, open spaces, parks, forested

areas, treed roadways and similar areas that promote the natural sequestering of carbon dioxide and reduce the heat island effects within the City as identified in the Green Development Incentive Program adopted by the City.

Policy CON-1.11C. Maintain the Green Local Government Standard (Silver Level) certification through the Florida Green Building Coalition.

Policy CON-1.11D. Maintain the ISO 14001 certification for both the water and wastewater treatment facilities Environmental Management System standard known locally as the Greenway program designation.

Objective CON-1.12

Maintain an environmental **information** program.

Policy CON-1.12A. Expand the educational use of the Turkey Creek Sanctuary through informational brochures, articles in local newspapers, and similar methods.

Policy CON-1.12B. Produce and distribute an educational pamphlet (print and online) describing the City's natural resources and the means whereby each resident can contribute towards preserving these natural resources.

Policy CON-1.12C. The City shall assist in coordinating local environmental education efforts between the Marine Resources Council, the Melbourne Tillman Water Control District, and the Brevard County Soil and Water Conservation District/U.S. Soil Conservation Service by providing meeting facilities and data to these groups when requested.

Policy CON-1.12D. Develop educational kiosks in conservation areas.

GOAL INF-1

To provide for an adequate potable water supply and needed public facilities and services which meet current and future needs, maximizes existing facilities, protects the environment, and promotes orderly, compact urban growth.

Objective INF-1.1

To provide the economic, efficient provision of necessary water supply and distribution system, and other needed public facilities and services to meet current and projected future needs of the Palm Bay Water Service Area.

Policy INF-1.1A. The City shall examine water supply alternatives in order to determine if the water service agreement with the City of Melbourne to ensure future water supply needs to be updated.

Policy INF-1.1B. Continue to implement the goals and improvements program delineated in the Water Master Plan to improve hydraulics and fire flow.

Policy INF-1.1C. Prepare an updated Water Master Plan which establishes priorities for correcting any existing facility deficiencies,

projects water demand and supply, analyses, alternatives for meeting needs, including distribution and fire flow needs, and schedules 5-year capital improvement program.

Policy INF-1.1D. The City shall amend its water supply plan within 18 months of the amended regional water supply to incorporate alternative water supply projects, traditional water supply projects and conservation measures and reuse necessary to meet the water needs identified in Section 373.709(2)(a), F.S.

Objective INF-1.2

To implement procedures and a timetable to ensure that, at the time a development permit is issued, adequate facilities and facility capacity are available, or will be available when needed, to serve development.

Policy INF-1.2A. The City shall maintain the level of service standard stated in Policy CIE-1.5A for the provision of adequate potable water facilities.

Policy INF-1.2B. All changes or improvements to water facilities in the City shall be reviewed for compatibility with the adopted level of service standards.

Policy INF-1.2C. Development orders or permits shall not be issued until the potable water

facilities are ready to meet the adopted level of service standards for the projected demand, including the proposed project.

Policy INF-1.2D. The City of Palm Bay shall develop methodologies and procedures for updating facility demand and capacity information as development orders or permits are issued and shall prepare annual summaries of capacity and demand information.

Objective INF-1.3

To conserve and protect potable water resources, groundwater recharge areas, natural drainage features and environmentally sensitive lands.

Policy INF-1.3A. Develop methodologies, performance standards and procedures for reviewing all development plans prior to issuance of a development order or permits for compliance in protection and conservation of potable water resources, groundwater recharge areas, and environmentally sensitive lands.

Policy INF-1.3B. Identify and develop Land Development Regulations to protect local prime recharge areas as well as any groundwater and surface water resources.

Policy INF-1.3C. Support the well-plugging program of the SJRWMD to protect the surface and Floridan aquifer water resources from potential pollution by reporting free-flowing well sites to the district by public education through newsletters and/or brochures.

Policy INF-1.3D. The City shall continue to promote and develop public education programs to establish an awareness of the need for water conservation and to affect a reduction in home water use. Topical information should include lawn irrigation, planting and landscaping with native flora, water saving devices, and commercial/industrial recycling programs.

Policy INF-1.3E. The City shall develop and adopt Land Development Regulations which encourage

each large water user to use the lowest acceptable water quality.

Policy INF-1.3F. The City shall develop and adopt Land Development Regulations which do not encourage irrigation but encourage the most efficient irrigation methods and use of greywater or highly treated wastewater for large irrigation uses, rather than groundwater, surface water, or potable water.

Policy INF-1.3G. Coordinate with the St. Johns River Water Management District and the Melbourne-Tillman Water Control District to develop programs and methodologies to maintain water tables needed by private and public wells.

Policy INF-1.3H. The City shall update its Wellhead Protection Ordinance to be consistent with Chapter 62-521, F.A.C.

Policy INF-1.3I. The City shall encourage water conservation measures that promote and encourage the use of low impact development techniques such as those that use the Florida Water Star Program.

Policy INF-1.3J. Utilize conservation measures such as the utilization of reclaimed water, leak detection and repair programs, fixture exchanges, and public education.

Objective INF-1.4

Funding priority shall be given to new potable water facilities located within the adopted urban service areas.

Policy INF-1.4A. The City shall include provisions in the CIP process for giving priority to potable water capital improvements located in the urban service areas.

Policy INF-1.4B. Ensure that any extension of the distribution system does not contribute to urban sprawl.

GOAL INF-2

To provide for adequate sanitary sewer services and needed public facilities and services which meet current and future needs, maximize existing facilities, protect the environment, and promote orderly, compact urban growth.

Objective INF-2.1

Correct existing sanitary sewer facility deficiencies.

Policy INF-2.1A. The City shall fund all improvements needed to correct existing deficiencies in the 5-Year Capital Improvements Program.

Policy INF-2.1B. Continue intergovernmental coordination with the City of Melbourne.

Policy INF-2.1C. Improvements shall be in accordance with the recommendations of the Sanitary Sewer Master Plan and the 5-Year Capital Improvement Program.

Objective INF-2.2

At the time a development permit is issued, facilities and facility capacity, meeting all adopted LOS standards shall be available to serve the development.

Policy INF-2.2A. The City shall maintain the level of service standard stated in Policy CIE-1.5A for the provision of adequate sanitary sewer facilities.

Policy INF-2.2B. Any changes or improvements in sanitary sewer facilities in the City shall be compatible with the adopted level of service standards.

Policy INF-2.2C. The City of Palm Bay shall develop methodologies and procedures for

updating facility demand and capacity information as development orders or permits are issued, and shall prepare annual summaries of capacity and demand information.

Policy INF-2.2D. Development orders or permits shall not be issued until the sanitary sewer facilities are ready to meet the adopted level of service standards for the projected demand, including the proposed development.

Objective INF-2.3

To conserve and protect potable water resources, groundwater recharge areas, natural drainage features, and environmentally sensitive lands that might be affected by sanitary sewer systems.

Policy INF-2.3A. The City of Palm Bay shall develop and incorporate into the Land Development Regulations methodologies,

performance standards and procedures for reviewing all development plans, prior to issuance of development orders or permits, for compliance

in protection and conservation of water resources, groundwater recharge areas, and environmentally sensitive lands.

Policy INF-2.3B. Prohibit uses that would be detrimental to aquifer recharge areas. Prohibited uses that include disposal of hazardous substances, underground storage of hazardous substances, automotive and marine repair facilities, automotive impounding yards, automotive and marine paint and body shops, solid waste disposal activities, new sanitary sewage treatment plants, including privately owned package plants and septic systems.

Policy INF-2.3C. When adopted, the City shall coordinate with the Florida Department of Environmental Protection (FDEP) to implement the Basin Management Action Plan (BMAP) for the Indian River Lagoon Basin. The BMAP is the "blueprint" for restoring the impaired waters of the Indian River Lagoon by reducing pollutant loadings to meet allowable loadings established in a Total Maximum Daily Load (TMDL). The City will continue to coordinate with the Florida Department of Environmental Protection and St Johns River Water Management District to implement the (TMDL) program.

Objective INF-2.4

Funding priority shall be given to new sanitary sewer facilities located within the adopted urban service area.

Policy INF-2.4A. The City shall include provisions in the CIP process for giving priority to sanitary

sewer capital improvements located in the urban service area.

GOAL INF-3

Minimize the amount of solid waste generated by the City of Palm Bay and protect the citizens and natural resources of the City from the results of improper handling of hazardous wastes.

Objective INF-3.1

To reduce the amount of solid waste generated per capita by the City of Palm Bay.

Policy INF-3.1A. Work closely with the City's hauler and Brevard County to understand the amounts of solid waste generated by the City of Palm Bay.

Policy INF-3.1B. Based upon more specific knowledge of wastes generated, determine what additional local recycling, recovery or decomposing programs would be appropriate and develop such programs.

Policy INF-3.1C. Enlist support of local environmental groups in the development and implementation of recycling programs.

Policy INF-3.1D. Promote the benefits of the selected solid waste reduction programs by various public informational mechanisms.

Policy INF-3.1E. Encourage safe disposal of hazardous waste.

Policy INF-3.1F. The City shall maintain the level of service standard stated in Policy CIE-1.5A for the provision of adequate solid waste facilities.

Objective INF-3.2	Programs, policies, and enforcement be undertaken by the City to reduce littering and illegal dumping.
-------------------	--

Policy INF-3.2A. Increase public awareness of problems and cost to taxpayers resulting from littering and illegal dumping.

Policy INF-3.2B. Increase enforcement of anti-littering laws to more effectively reduce littering.

Objective INF-3.3	Build public awareness of hazardous waste programs available to the community.
-------------------	--

Policy INF-3.3A. Continue to participate in the development and implementation of the Brevard Prepares Local Mitigation Strategy.

Policy INF-3.3C. If determined appropriate, pursue federal and/or state grants to finance solutions.

Policy INF-3.3B. Policy INF-2.3B Meet with Brevard County and other governmental agencies to identify potential or existing hazardous waste problems in the City and gain awareness of mechanisms available to provide solutions.

Policy INF-3.3D. Provide a centralized location for disbursement of general public informational pamphlets and appropriate contact personnel information.

Objective INF-3.4	To protect the functions of natural drainage features, aquifer recharge areas, and affected land uses from any future landfills that might be located in the City.
-------------------	--

Policy INF-3.4A. The City shall coordinate with Brevard County and any other Governmental agencies in the siting of any landfills to ensure

that natural drainage features, aquifer recharge areas, and land uses are buffered and protected from such facilities.

Objective INF-3.5	Objective Funding priority shall be given to new solid waste services within the adopted urban service area.
-------------------	--

Policy INF-3.5A. The City shall request Brevard County to give funding priority for new solid waste services within the City’s urban service area.

GOAL INF-4

To provide adequate drainage facilities and services which meet current and future needs, affords reasonable protection from flooding, prevents and reduces degradation of surface and groundwater quality, maintains the functions of natural systems, protects the environment, and promotes orderly, compact urban growth.

Objective INF-4.1

Provide for protection and conservation of the environment and natural drainage features, protection and reduction in the degradation of surface and groundwater quality, the prohibition of higher intensity development within flood prone areas, and to ensure the compatibility of future development.

Policy INF-4.1A. The City of Palm Bay shall establish water quality characteristics and non-point source control techniques for surface water runoff and drainage facility discharge, in conformance with the recommendation of the Brevard County Stormwater Program and the St. Johns River Water Management District criteria.

Policy INF-4.1B. The City of Palm Bay shall require that all new development be compatible with, and developed in conformance with, the Stormwater Management and Conservation Ordinance.

Policy INF-4.1C. The City shall request the Melbourne-Tillman Water Control District to

model a 50-year and a 100-year storm event to determine the extent the system will be able to carry away water and the effect of the downstream discharge of water into the Turkey Creek and into the Indian River.

Policy INF-4.1D. The City shall develop, in conjunction with appropriate agencies, a monitoring program for urban stormwater runoff to identify specific areas with high pollutant loads, and to assess implementation/performance of water control techniques and requirements designed to protect, restore and maintain the chemical, physical and biological integrity of the areas surface and groundwater resources.

Objective INF-4.2

To ensure the economic, efficient provision of drainage and stormwater management facilities to meet current and future needs of the non- Melbourne-Tillman Water Control District area of the City..

Policy INF-4.2A. The City of Palm Bay shall continue to operate the drainage system facilities, increase its level of maintenance of drainage facilities, and continue to acquire property or

easements to ensure maintenance of facilities systemwide.

Policy INF-4.2B. The City shall continue to implement the recommendations for

improvements contained within the Stormwater Management Master Plan, especially as they relate to: (1) upgrading the system, to accommodate at least the 10-year, 24-hour design storm; (2) implementing regular updates of facilities mapping as improvements are accomplished; (3) accounting for sea level rise; (4) preparing an updated schedule for providing improvements; and, (5) encouraging new developments to effect recommended area drainage system improvements.

Policy INF-4.2C. The City shall prepare an updated Stormwater Management Master Plan which establishes priorities for correcting existing drainage system facility problems or deficiencies, projects needed improvements, analyzes alternatives for providing needed improvements, and schedules 5-year capital improvement program.

Policy INF-4.2D. The City shall expand the "Old Palm Bay" Stormwater Management Master Plan study area and mapping to include all drainage facilities and systems within (1) the coastal zone; (2) all the land area south of Turkey Creek to the

City limits; and, (3) that portion of the land area between Port Malabar Boulevard and the C-1 Canal, which discharges to the east directly into Turkey Creek, and the Indian River. In addition, the off-site area and impacts of stormwater flowing into the district from the north (Melbourne) and the south (Malabar) shall be quantified.

Policy INF-4.2E. The City shall continue to provide the City of Melbourne, Brevard County and the Town of Malabar with City stormwater management plans, and regulations for shared watersheds/basins and shall request reciprocal actions.

Policy INF-4.2F. The City shall maintain the level of service standard stated in Policy CIE-1.5A for the provision of adequate stormwater management facilities..

Policy INF-4.2G. The City shall maintain the level of service standard stated in Policy CIE-1.5A for the provision of adequate stormwater management facilities.

Objective INF-4.3

Funding priority shall be given to new drainage facilities located within the adopted urban service area.

Policy INF-4.3A. The City shall include provisions in the CIP process for giving priority to drainage

capital improvements located in the urban service area.

(Ord. 2015-56, passed 02-04-16)

GOAL ICE-1

Effective coordination with federal, state, regional, and local jurisdictions and agencies to maximize efficiency in providing services and facilities.

Objective ICE -1.1

Coordinate growth and development with neighboring jurisdictions and agencies.

Policy ICE-1.1A. The Growth Management Department shall coordinate requests for development approval with appropriate adjacent jurisdictions, special districts, the East Central Florida Regional Planning Council, state agencies and federal agencies through written notification to affected jurisdictions soliciting comments/ input. Request that this policy be reciprocated.

Policy ICE-1.1B. The City shall utilize the ECFRPC informal mediation process to resolve land use conflicts between adjacent RPC member governments and Palm Bay when such conflicts cannot be resolved locally.

Policy ICE-1.1C. The City shall request comments and recommendations from the Brevard County Planning Department on all proposed annexations. Comments and recommendations received shall be included as a part of the staff reports presented to the City Council.

Policy ICE-1.1D. The City shall continue to utilize its membership on the Facilities Planning Committee of the School Board to coordinate population projections and facility needs and siting.

Policy ICE-1.1E. The City shall continue to coordinate the expansion of public infrastructure necessary to support school locations with the Facilities Planning Committee.

Policy ICE-1.1F. The City shall continue to be represented on committees or advisory groups for Brevard County which advise the County Commission on the location of facilities of countywide significance.

Policy ICE-1.1G. All special districts located within the City of Palm Bay shall submit public facilities reports to the City as required by Section 189.08, Florida Statutes.

Policy ICE-1.1H. Although not listed as a military base requiring land use compatibility cooperation in Section 163.3175, F.S., the City will continue to collaborate with the Malabar Air Force Base Annex to ensure the economic vitality of the community and the base's operations are protected.

Policy ICE-1.1I. The City shall update the Data & Analysis and Goals, Objectives, and Policies of every element of this Comprehensive Plan every five (5) years.

Objective ICE -1.2

Coordinate with the appropriate agencies to implement the policies from other elements of this Plan.

Policy ICE-1.2A. Coordinate with the Chamber of Commerce, interested developers, and other groups to attract clean, light industry that will employ the local labor force.

Policy ICE-1.2B. The City of Palm Bay shall continue to coordinate with the Melbourne-Tillman Water Control District regarding implementation of the established drainage LOS standards.

Policy ICE-1.2C. The City will work with FDOT to:

- (a) Jointly develop the “Master Plan” for public use and access to the shoreline;
- (b) Provide scenic overlooks to the Indian River;
- (c) Assure that future U.S. 1 improvements include the provision for a bicycle facility to allow City residents safe and convenient access to the shoreline; and
- (d) Restore and enhance the scenic quality of the Coastal Zone area.

Policy ICE-1.2D. Advise Brevard County of the need for a Countywide and Comprehensive Environmental Education Program which would organize an environmental education network between public agencies, local sources and schools.

Policy ICE-1.2E. The City will help coordinate environmental education efforts between the Marine Resources Council, the Melbourne-Tillman Water Control District, the Brevard County Soil and Water Conservation District and other applicable entities through the Parks and Recreation Department’s support of the Sanctuary’s Nature Interpretation Center.

Policy ICE-1.2F. The City will coordinate planning and implementation activities with the Melbourne Tillman Water Control District through appointment of City representatives on the Melbourne Tillman Water Control District governing board.

Policy ICE-1.2G. The City shall continue to work with local, state, and federal agencies to provide housing meeting the needs of all citizens of Palm Bay.

Objective ICE -1.3

The City shall continue to coordinate with the Brevard County School Board to ensure that the City Comprehensive Plan and School Board plans and programs are consistent, reflect City and School Board needs, provide for adequate educational facilities and implement school concurrency pursuant to state law and interlocal agreements.

Policy ICE-1.3A. The City shall coordinate with the Brevard County School Board to ensure school sites are available to accommodate projected increases in enrollment.

Policy ICE-1.3B. The City shall continue to participate as members of School Board

committees established in the Interlocal Agreement to assist with the coordination of school placement, review of School Board data, development of student enrollment projections, identification of development trends, and similar common concerns.

Policy ICE-1.3C. The City shall provide the School Board with applications for new residential development for concurrency review/determinations in accordance with the provisions of the Interlocal Agreement.

Policy ICE-1.3D. An applicant may proceed with development, notwithstanding a failure to satisfy school concurrency, if the development is:

- (a) consistent with the comprehensive plan.
- (b) the CIE and the School Board of Brevard County's educational facilities plan provide for facilities adequate to serve the development, or
- (c) the applicant demonstrates that the facilities needed as a result of the project can be reasonably provided; and the city and school board accept proportionate share payments.

Policy ICE-1.3E. Update the Capital Improvement Program annually to be consistent with the School Board's capital improvement program.

Policy ICE-1.3F. In conjunction with the School Board, the City will continue to implement the Interlocal Agreement including procedures for:

- (a) Coordinating and sharing information
- (b) Placement of schools and ancillary facilities
- (c) Amendment and review of the Comprehensive Plan
- (d) Site design and development plan review
- (e) Implementation of school concurrency
- (f) Interlocal Agreement amendments
- (g) Resolution of disputes

GOAL CIE-1

The City shall provide adequate services and facilities in a timely and efficient manner.

Objective CIE-1.1

Provide all needed facilities, including those related to growth, existing deficiencies and replacement, as identified in the Five-Year Capital Improvements Schedule.

Policy CIE-1.1A The City shall continue to adopt a Five-Year Capital Improvements Schedule as part of its annual budgeting process.

Policy CIE-1.1B The Five-Year Capital Improvements Program adopted as part of the City's annual budget shall be consistent with the Five-Year Capital Improvements Schedule contained in this element.

Policy CIE-1.1C Annually update the Capital Improvements Schedule to reflect a change in conditions, completed projects and to extend the Schedule out for a new five-year period and annually submit the Capital Improvement Schedule to the Florida Department of Economic Opportunity, which does not get reviewed as an amendment to the plan.

Policy CIE-1.1D The City shall include in the Capital Improvements Schedule all capital improvements identified in the Comprehensive Plan as needed within the 5-year time frame of the Schedule.

Policy CIE-1.1E The City shall establish an evaluation system for determining capital improvement priorities which considers the following:

1. Elimination of public hazards;
2. Impact to the annual budget;
3. Elimination of capacity deficits identified in the Plan;
4. Projected growth patterns and the needs for future development and redevelopment; and
5. Plans of county, state and regional agencies which provide public facilities within the City.

This system shall be used to evaluate proposed capital improvement projects and shall relate to the Comprehensive Plan's elements.

Objective CIE-1.2

Limit public expenditures that subsidize development in identified coastal high hazard area of the City to those identified in the Coastal Management Element.

Policy CIE-1.2A The City shall strive to maintain the existing capacity of public facilities and services in

the coastal high hazard area through replacement and maintenance only. New public facilities are to be avoided.

Policy CIE-1.2B Public expenditures for meeting other goals, objectives and policies of the Coastal Management Element such as public access and recreation/conservation objectives shall be permitted.

Policy CIE-1.2C The City will investigate funding sources for the urban waterfront study from the Florida Department of Environmental Protection, the Federal Office for Coastal Management, the Florida Department of Transportation and other applicable entities.

<p>Objective CIE-1.3</p>	<p>Impact fees shall be utilized to ensure that all new development bear a fair share of the cost of improvements necessary to maintain adopted level of service standards.</p>
---------------------------------	---

Policy CIE-1.3A The City shall continue to assess impact fees for water, sanitary sewer, recreation and roads.

Policy CIE-1.3B The City, through its development ordinances, shall not exact from new development more than its fair share of improvement costs.

<p>Objective CIE-1.4</p>	<p>The City shall manage its finances to ensure the provision of capital improvements for existing and future development by annually adopting a Five-Year Capital Improvements Program as part of the annual budget adoption.</p>
---------------------------------	--

Policy CIE-1.4A The City shall continue to seek a reasonable method by which to promote sewer and water hookups in vested subdivisions.

Policy CIE-1.4B The City shall continue to maximize the use of grants and other forms of funding.

Policy CIE-1.4C The annual capital budget shall be consistent with the adopted Capital Improvements Schedule adopted in the Capital

Improvements Element of the Comprehensive Plan.

Policy CIE-1.4D The City shall continue to manage its finances to conform to the requirements of the Florida Constitution, State Statutes, including F.S. 200.181, and the Charter of the City of Palm Bay.

Policy CIE-1.4E The City hereby adopts by reference Resolution No. 2022-45, as amended, as the Five-Year Capital Improvements Schedule.

Objective CIE-1.5

The City shall adopt level of service standards as part of its concurrency management system to ensure adequate public facilities are available at time of development or within a reasonable timeframe.

Policy CIE-1.5A The City shall utilize the following Level of Service Standards (LOS) in assessing the ability of the infrastructure to support development:

Wastewater Treatment:

City of Palm Bay Service Area

Capacity: The City of Palm Bay allocates and reserves 210 gallons per day (GPD) per equivalent residential connection for the Palm Bay Service Area sanitary sewer system.

Collection and Transmission System: The City of Palm Bay's collection and transmission system will provide for safe and dependable conveyance of wastewater from customers to the master meter and then on to the treatment and disposal facilities. The future level of service for Palm Bay provided wastewater treatment and effluent disposal shall include secondary wastewater treatment through filtration adequate for public reuse through golf course irrigation and other public area irrigation within the City.

Compliance with Standards: The City's wastewater system generally complies with the standards for wastewater and the Florida Administrative Code, Chapters 62.

Potable Water:

City of Palm Bay Service Area

Capacity: The City of Palm Bay allocates 225 GPD per equivalent residential connection for the Palm Bay Service Area.

Pressure: The City of Palm Bay Service Area water system shall maintain a minimum fire flow pressure of 20 psi, a minimum domestic flow pressure during a peak hourly event of 35 psi, and a maximum system pressure of 75 psi.

Water Quality: To meet the primary and secondary drinking water standards and to provide aesthetic, clear and enjoyable water supplies.

Drainage:

Capacity: Level of service shall be the 10-year return frequency, 24-hour duration storm event for all areas of the City.

Treatment: Stormwater shall be treated pursuant to the requirements of the Stormwater Management and Conservation Ordinance including but not limited to, detention of the first inch of runoff from impervious surfaces for a period of not less than seventy-two (72) hours.

Solid Waste:

The City hereby adopts a LOS of 7.51 pounds per capita per day for solid waste.

Recreation:

Neighborhood Parks:	4 acres/1000 population
Community Parks:	4 acres/1000 population

Transportation:

The LOS standards for all roadway segments shall be:

1. LOS D for all State freeway and principal arterial segments:
 - a. U. S. Highway #1;
2. LOS E for all State minor arterial segments;
 - a. Babcock Street from North City Limits to Malabar Road;
 - b. Malabar Road from I-95 to the east City Limits;
3. LOS E for all County roadway segments;
 - a. Palm Bay Road from Minton Road to Robert J. Conlan Boulevard;
 - b. Minton Road from North City Limits to Malabar Road; and
 - c. Babcock Street from Malabar Road to South City Limits.
4. LOS D for all City roadway segments.

These LOS standards shall be based on the "urban area" peak hour service volume tables contained in "2013 Quality/Level of Service Handbook" as adopted by the Florida Department of Transportation. Detailed analysis based on the "2010 Highway Capacity Manual" is also acceptable.

Policy CIE-1.5B The cost for provision and expansion of facilities and services shall be the responsibility of those benefitting. Dedications, construction of improvements, impact fees, or other funding alternatives may be required.

Policy CIE-1.5C The City shall not approve extension of urban growth beyond areas that can be adequately served by public services and facilities.

Policy CIE-1.5D Develop and incorporate into the land development regulations criteria that provide development orders and permits for new development and redevelopment shall only be granted if all public facilities (which meet level of service standards of this Comprehensive Plan) will

be available concurrent with the impacts of the development.

Policy CIE-1.5E The provision and extension of public services and infrastructure shall be based upon the Capital Improvements Element, and development orders and permits specifically conditioned on the availability of facilities and services necessary to serve the proposed development.

Policy CIE-1.5F The City shall continue to provide funding in the CIP to correct existing deficiencies and to provide public facilities to developments for which development orders have been issued.

Policy CIE-1.5G The City shall continue to implement a Concurrency Management System and Proportionate Fair Share Ordinance as adopted in the Land Development Regulations to ensure that development permits are not issued until it is determined that all LOS criteria established by this Plan are maintained. The Concurrency Management System must be consistent with the requirements of Chapter 163, F.S. and shall utilize the following minimum criteria.

- a. For sanitary sewer, solid waste, drainage, and potable water facilities, at a minimum, a local government shall meet the following standards to satisfy the concurrency requirements:
 1. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or
 2. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place and

available to serve new development at the time of the issuance of a certificate of occupancy or its functional equivalent.

- b. For parks and recreation facilities, at a minimum, a local government shall meet the following standards to satisfy the concurrency requirement:
 - 1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or
 - 2. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the local government, or funds in the amount of the developer's fair share are committed; and
 - a. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government 5-year schedule of capital improvements; or
 - b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or
 - c. At the time the development order or permit is issued, the necessary facilities

and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

- c. For transportation facilities (roads and mass transit designated in the adopted local government comprehensive plan), at a minimum, a local government shall meet the following standards to satisfy the concurrency requirement.
 - 1. At the time a development order or permit is issued, the necessary facilities and services are in place or under construction; or
 - 2. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government five-year schedule of capital improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program. The Capital Improvements Element must include the following policies:
 - a. The estimated date of commencement of actual construction and the estimated date of project completion.
 - b. A provision that a plan amendment is required to eliminate, defer, or delay construction of any road or mass transit facility or service which is

needed to maintain the adopted level of service standard and which is listed in the five-year schedule of capital improvements; or

3. At the time a development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction no more than three years after the issuance of a certificate of occupancy or its functional equivalent; or
4. At the time a development order or permit is issued, the necessary facilities and

services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380 Florida Statutes, to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent.

5. The City may accept contributions from multiple applicants for a planned improvement if it maintains contributions in a separate account designated for that purpose.

(Ord. 2015-56, passed 02-04-16)

GOAL PPR-1

In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3), that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision-making.

Objective PPR-1.1

The city will respect judicially acknowledged and constitutionally protected private property rights. To ensure these rights are protected, the following policies are established:

Policy PPR-1.A The right of a property to physically possess and control his or her interests in the property, easements, leases, or mineral rights.

Policy PPR-1.B 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 ordinance.

Policy PPR-1.C The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy PPR-1.D The right of a property owner to dispose of his or her property through sale or gift.