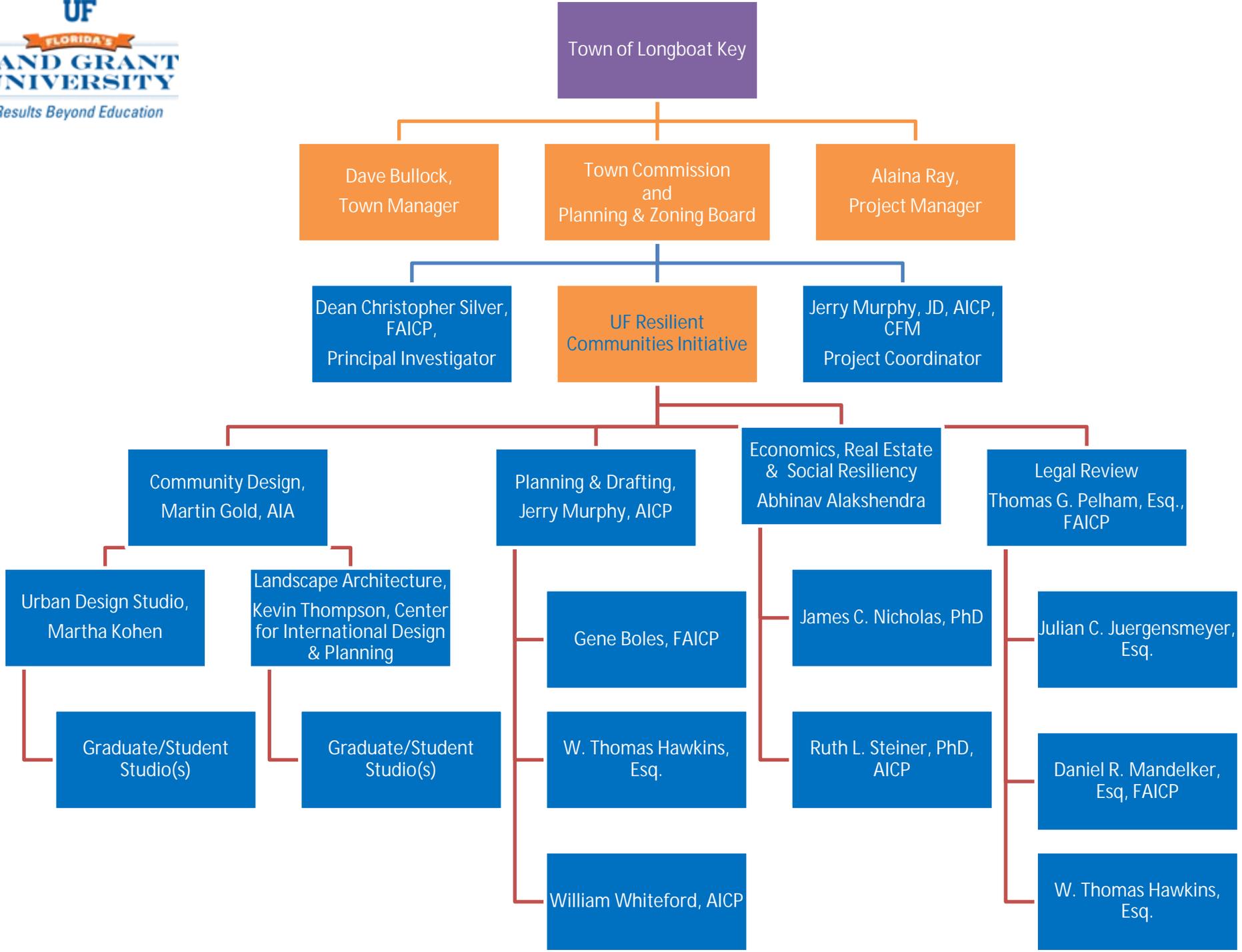




**TOWN COMMISSION
PLANNING & ZONING BOARD
JOINT MEETING
OCTOBER 20, 2014**

**TOWN OF LONGBOAT KEY
AND
UNIVERSITY OF FLORIDA**





Florida's Land Development Overview

Comprehensive Plan

Land Development Code

Zoning

Development Standards

Subdivision Review

Site Plan Review

Concurrency

Horizontal Construction
Technical Manuals

Vertical Construction
Building Codes

Comprehensive Plan

MANDATED AND GUIDED BY:
FLORIDA STATUTES CHAPTER 163
INTERGOVERNMENTAL PROGRAMS

163.3164 (10) “Comprehensive plan” means a plan that meets the requirements of ss. 163.3177 and 163.3178.

163.3177 (1)

The comprehensive plan shall provide the principles, guidelines, standards, and strategies **for the** orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments **to implement the plan and its elements.** *Emphasis supplied.*

163.3177(1) (continued)

These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. *Emphasis supplied.*

163.3177(1) (continued)

It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. *Emphasis supplied.*

163.3177(1) (continued)

The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

Emphasis supplied.

Comprehensive Plan Elements

- GOALS, OBJECTIVES POLICIES AND STRATEGIES
 - Based on surveys, studies, community goals and vision, etc., such as:
 - Vision Plan
 - Core Values
 - Urban Land Institute Study
- These serve to help community leaders implement the priorities and wishes of the community.



Commercial Tourism Redevelopment Issues

Current Policy Review and
Implications for a
Resilient Economic Future

Longboat Key Town Charter

- Article II, Section 22. **Comprehensive plan** for town.
- Section 22(a) The Town **shall** cause plans to be developed on a **continuing basis** for the **future development and maintenance** of the town, **considering** the health, safety, morals, environmental protection, aesthetics, convenience and general welfare of the town and its residents.

Longboat Key Town Charter

Article II, Section 22. **Comprehensive plan** for town.

Section 22(b) The present **density limitations** provided in the existing comprehensive plan as adopted March 12, **1984** shall not be increased without the **referendum** approval of the electors of Longboat Key.

FUTURE LAND USE ELEMENT

GOAL 1

To preserve and enhance the character of the Town of Longboat Key by the following: 1) ensuring that the location, density, intensity, and character of land uses are responsive to the social and economic needs of the community and are consistent with the support capabilities of the natural and manmade systems; and 2) maintaining an environment that is conducive to the health, safety, welfare, and property values of the community.

OBJECTIVE 1.1

The Town will manage land development through the preparation, adoption, implementation, and enforcement of land development regulations.

Policy 1.1.1

The Town has adopted land development regulations, which address the location and extent of land uses, in accordance with the Future Land Use Map and the policies and descriptions of types, densities, and intensities of land uses contained in this element.

NONCONFORMING STRUCTURES

INVOLUNTARY DESTRUCTION

Policy 1.1.5 (A)

It is the intent of the Town that, in the event of involuntary destruction due to natural events, noncompliant structures may be allowed to rebuild to the same density and building cubic volume, and allowed to increase height to correspond with the increase of height required by flood regulations, so long as the non-conformities are reduced or eliminated, to the greatest extent possible, as determined by the Town and consistent with the Town Code.

VOLUNTARY RECONSTRUCTION

Policy 1.1.5 (B)

It is the intent of the Town that, for the purposes of voluntary reconstruction, noncompliant structures may be allowed to rebuild to the same density and building cubic volume, allowed to increase height to correspond with the increase of height required by flood regulations, and allowed additional standards to encourage redevelopment while reducing or eliminating non-conformities to the greatest extent possible, as determined by the Town and consistent with the Town Code.

NONCONFORMING LOTS AND USES

Policy 1.1.6

Buildings, lots, structures, or uses which were lawful at the effective date of the applicable zoning regulation, but were prohibited, regulated, or restricted under the terms of zoning regulations promulgated thereafter, shall be permitted to continue until they are voluntarily removed, determined to be unsafe, or abandoned. The non-conformities shall not be enlarged, expanded, intensified or extended except in conformance with the goals, objectives and policies of this comprehensive plan and a strict application of the Town's land development regulations.

FUTURE LAND USE MAP, TABLE 1, MAXIMUM DENSITIES AND INTENSITIES

Policy 1.1.10

The Future Land Use Map, Figure 2, shall contain the following future land use categories, which are further detailed in and implemented by the land development regulations. Table 1 illustrates the maximum densities and intensities of development for each future land use category. Height restrictions for each category shall not apply to antennae, enclosed elevator shafts, enclosed stairwells and their parapet walls, enclosed mechanical equipment areas, chimneys, or house of worship spires, but the Town land development regulations shall limit their height.

TABLE 1 (excerpt)

Symbol	Category	Tourist Units	Residential Density
OS	Open Space	None	None
IP	Island Preserve	None	1 dwelling unit/5 acres
RL (1, 2)	Low Density SF Residential	None	1, 2 dwelling units/acre
RM (3, 4)	Medium Density SF/Mixed Residential	None	3, 4 dwelling units/acre
RH-6	High Density SF/Mixed Residential	None	6 dwelling units/acre
TRC-3	Medium Density Tourist Resort/Commercial	3 units/acre	3 dwelling units/acre
TRC-6	High Density Tourist Resort/Commercial	6 units/acre	6 dwelling units/acre
MUC-1	Mixed Use Community (Bay Isles)	None	3.26 dwelling units/acre
MUC-2	Mixed Use Community (Islandside)	5.05 units/acre	5.05 dwelling units/acre
MUC-3	Mixed Use Community (Promenade/Water Club)	None	11.26 dwelling units/acre
INS	Institutional	None	None
OI	Office-Institutional	None	None
CL	Limited Commercial	None	None
CG	General Commercial	None	None
CH	Highway Commercial	3 units/acre	None
MCS	Marine Commercial Services		1 accessory dwelling unit located on the same lot

EXISTING TOURISM UNITS ON LONGBOAT KEY

- **Total existing Tourisms Units on LBK = 1,460 (approx.)**
- **Total existing Tourism Units that could be lost due to existing density and zoning limitations = 600 (approx.)**



NONCONFORMING COMMERCIAL/TOURISM POLICY CONSIDERATIONS

**TOWN COMMISSION
PLANNING & ZONING BOARD
JOINT SPECIAL WORKSHOP
OCTOBER 20, 2014**



POLICY CONSIDERATIONS

1. Guiding Document Provisions
2. Current Policy Issues
3. Potential Options to Address Policy Issues



POLICY CONSIDERATIONS

2007 Referendum - Approved

For the properties that have more dwelling or tourism units than currently allowed, but which were legal at the time they were created, may the Town consider and grant approval to allow those properties to rebuild to their current dwelling or tourism unit levels in the event of involuntary or voluntary destruction?



POLICY CONSIDERATIONS

GUIDING DOCUMENTS: Resolution 2011-32

1. The Vision Statement: foresees that the Town will embrace “visionary planning” to enhance “your way of life.”
2. The Mission Statement:
“To **vigorously** maintain and preserve Longboat Key’s status as a premier residential and **visitor destination** that supports the **historic balance** between residential, recreational, tourism, and commercial attributes, through a commitment to long-term and short-term **planning excellence and measurable results.**”



POLICY CONSIDERATIONS

GUIDING DOCUMENTS: Resolution 2011-32

3. The Core Values:

1. A framework of “**sound fiscal planning.**”
4. The town will **strengthen** the ability of businesses to thrive year round on Longboat Key by **encouraging** commercial revitalization, development, and maintenance through clear **regulations and incentives** that support long-term planning for vibrant integrated commercial centers.



POLICY CONSIDERATIONS

GUIDING DOCUMENTS: Resolution 2011-32

3. The Core Values (continued):

6. The town will **maintain** Longboat Key as a **premier vacation destination and enhance year round tourism through continued revitalization, development, and maintenance of tourism-oriented businesses and amenities** such as; lodging, cultural attractions, restaurants, golf courses, tennis facilities and beaches.
11. The town recognizes the need to **provide suitable amenities** for visitors and residents of all ages.



POLICY CONSIDERATIONS

GUIDING DOCUMENTS: ULI Study Report

Implementation Considerations

IMPLEMENTATION ITEM	WHO	COMMENTS	PRIORITY
1 Rezoning the Colony	Town of Longboat Key	Institutionalizing the hotel zoning of the Colony ensures that the high-end tourist facility will return to the site and enable process when development is ready to proceed.	High
2 Land use planning efforts for Whitney Plaza	Town of Longboat Key, property owners, business leaders, neighborhood residents, and other stakeholders	A vacant or at best underused shopping center that is likely better served in the future as a mixed-use development. Doing the vision/zoning upfront that enables the desirable development for community will streamline the process. As part of this process, interim uses should be explored to backfill with creative uses such as an incubator or a community kitchen.	High
3 Comprehensive/vision plan update	Town of Longboat Key, residents, business leaders, property owners, and other stakeholders	The comprehensive plan for the town has not been updated in 30 years. A new plan is needed that reflects the changes that have occurred in the past 30 years and the changes desired for the next 30.	High
4 Developing and adopting modern codes and permit processes	Town of Longboat Key staff	The panel heard from multiple business leaders that current codes and permit processes make business investment frustrating at best and unlivable at worst. Town codes should provide certainty to investors and help implement the vision plan for the town.	High
5 Master plan for Publix supermarket area	Town staff and stakeholders	The Publix site is the center of Longboat Key and should be developed into a pedestrian-friendly town center that primarily serves local residents but also visitors.	High



POLICY CONSIDERATIONS

GUIDING DOCUMENTS: ULI Study Report

Implementation Considerations (p. 40):

1. Rezoning the Colony [PRIORITY: High]
2. Land use planning efforts for Whitney Plaza [PRIORITY: High]
3. Comprehensive/vision plan update [PRIORITY: High]
4. Developing and adopting modern codes and permit processes [PRIORITY: High]



POLICY CONSIDERATIONS

TOWN CHARTER: Article II, Section 22(b)

ISSUES:

1. Currently removes the power to grant density increases from the Town Commission; that power is only granted to the electorate.
2. Currently restricts requests for density increases to the referendum process, the availability of which is timed with the election cycle—infrequently.



POLICY CONSIDERATIONS

TOWN CHARTER: Article II, Section 22(b)

OPTIONS:

1. No change: Any density increase needs referendum.
2. Amend the Charter through referendum process to eliminate the restriction, e.g., delete subsection (b).
3. Amend the Charter through referendum process to modify the restriction to provide Commission with some authority to approve certain density increases.
4. Direct the question to a Charter Review Commission.



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: **POLICY 1.1.5 (A) INVOLUNTARY DESTRUCTION**

ISSUES:

1. Currently constrains post-disaster reconstruction / redevelopment of non-compliant structures to the same density and cubic content (“box”) existing before the event (with height allowance for floodplain regulations).
2. Requires reduction or elimination of nonconformities “to the greatest extent possible.”



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: **POLICY 1.1.5 (A) INVOLUNTARY DESTRUCTION**

OPTIONS:

1. No change.
2. Revise Policy to direct post-disaster rebuilding provisions to the land development regulations, with no policy considerations for additional density.
3. Revise Policy as 2., above, but consider additional density and/or expansion of the “box.” (ORD 2007-48)



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: **POLICY 1.1.5 (B) VOLUNTARY RECONSTRUCTION**

ISSUES:

1. Currently constrains pre-disaster reconstruction / redevelopment of non-compliant structures to the same density and “box” existing before the event (with height allowance for floodplain regulations).
2. Allows standards to encourage redevelopment.
3. Requires reduction or elimination of nonconformities “to the greatest extent possible.”



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: **POLICY 1.1.5 (B) VOLUNTARY RECONSTRUCTION**

OPTIONS:

1. No change.
2. Revise Policy to direct voluntary rebuilding provisions to the land development regulations, with no policy considerations for additional density.
3. Revise Policy as 2., above, but consider additional density and/or expansion of the “box.” (ORD 2007-48)



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: **POLICY 1.1.6 NONCONFORMING LOTS AND USES**

ISSUES:

1. Currently prohibits properties made nonconforming due to changed zoning regulations from enlarging, expanding, intensifying or extending, except as otherwise allowed by the Plan and a strict application of the land development regulations.



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: **POLICY 1.1.6 NONCONFORMING LOTS AND USES**

OPTIONS:

1. No change.
2. Revise Policy to direct provisions to the land development regulations [Obj. 1.1] with no policy considerations for additional intensity or expansion of the “box.”
3. Revise Policy as 2., above, but consider additional intensity and expansion of the “box.”



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: POLICY 1.1.10 and TABLE 1, MAXIMUM DENSITIES AND INTENSITIES

ISSUES:

1. Currently limits maximum densities and intensities for each future land use, and
2. In conjunction with Charter Article II, Section 22, requires referendum for any density increases. However, Plan changes regarding existing nonconforming densities could be addressed without a referendum (ORD 2007-48).



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE ELEMENT: POLICY 1.1.10 and TABLE 1, MAXIMUM DENSITIES AND INTENSITIES

OPTIONS:

1. No Changes to Referendum process in Art. II, SECTION 22(b).
 - A. Revise Policy 1.1.10 and Table 1 to accommodate additional “flexibility” for the “box.” (Staff would provide various illustrative scenarios Commission/ Board/ Community consideration.)
 - B. Create new density categories to accommodate existing nonconforming densities. (ORD 2007-48)



POLICY CONSIDERATIONS

COMPREHENSIVE PLAN—FUTURE LAND USE

ELEMENT: POLICY 1.1.10 and TABLE 1, MAXIMUM DENSITIES AND INTENSITIES

OPTIONS (cont.):

2. Referendum revises Art. II, Section 22(b) to allow Town Commission density increases.
 - A. Would allow additional density in Policy 1.1.10 and Table 1 to be revised by ordinance. (Staff would provide various illustrative scenarios for Commission/Board/Community consideration.)



ADDITIONAL POLICY CONSIDERATIONS

1. New Future Land Use Map categories (and Zoning Districts) that eliminate the concepts of “units” and “density” for commercial tourism uses and replace with development standards for the “box.”
2. Differentiate between multiple-owner (condominium / cooperative) and single-owner commercial tourism properties as to whether the number of units is a controlling factor.



ADDITIONAL POLICY CONSIDERATIONS

3. Establish revisions in an ordinance and conduct one Town-initiated referendum to approve the revisions (Plan amendments, Future Land Use Map amendments, land development regulations, Zoning Map, etc.)
4. Allow property owners to opt-in through public hearing process.
5. Retain public hearing/referendum/rezone process.



End of Agenda Item