

Regular Workshop – December 12, 2016
Agenda Item 8

Agenda Item: Proposed Ordinance 2016-35, Amending Policy 1.1.10 and Policy 1.1.11 of the Future Land Use Element of the Town's Comprehensive Plan

Presenter: Town Manager and Staff

Summary: Over the last few months, the Planning & Zoning (P&Z) Board reviewed proposed Code provisions to create new Planned Unit Development (PUD) zoning districts. As a result of those deliberations, the P&Z Board requested revisions to the Town's Comprehensive Plan related to the Opportunity Area Future Land Use (FLU) Categories.

The P&Z Board recommended approval of Ordinance 2016-35 at their November 15, 2016 Regular Meeting.

Staff recommendation is for first reading to be held at the January 9, 2017 Regular Meeting, which provides authorization to forward to the Florida Department of Economic Opportunity (FDEO) for review and comment. Following FDEO review and comment, second reading and public hearing can be scheduled.

Attachments: 11-29-16 Memo, PZB Director to Manager;
12-05-16 Memo, P&Z Board Chair to Town Commission;
11-02-16 Staff Report, PZB Director to P&Z Board;
PowerPoint Presentation;
11-15-16 P&Z Board Regular Meeting Minutes;
Proposed Ordinance 2016-35.

Recommended

Action: Pending discussion, forward Ordinance 2016-35 to the January 9, 2017, Regular Meeting for first reading and public hearing.

M E M O R A N D U M

DATE: November 29, 2016

TO: Dave Bullock, Town Manager

FROM: Alaina Ray, AICP
Director – Planning, Zoning and Building Department

SUBJECT: Proposed Ordinance 2016-35, Amending Policy 1.1.10 and Policy 1.1.11 of the Future Land Use Element of the Town’s Comprehensive Plan

PLANNING AND ZONING BOARD DIRECTION

Over the last few months, the Planning and Zoning (P&Z) Board reviewed proposed code provisions to create new Planned Unit Development (PUD) zoning districts. As a result of those deliberations, the Board requested revisions to the Town’s Comprehensive Plan related to the Opportunity Area Future Land Use (FLU) Categories.

PROPOSED ORDINANCE 2016-35

Per the P&Z Board’s direction and recommendation of approval, Ordinance 2016-35 reflects the following revisions to the existing Opportunity Area FLU Categories in the Town’s Comprehensive Plan:

1. Deletion of the word “dynamic” in relation to development in the Opportunity Areas.
2. Add language related to the intent of the Opportunity Areas.
3. Include a target amount of tourism units for the island, equal to a ratio of approximately 80 percent residential uses to 20 percent tourism uses, or approximately 1,800 tourism units.
4. Require that all properties proposed for development through an Opportunity Area FLU, or those properties that are currently nonconforming for density but wish to be classified as conforming, must rezone to one of the new PUD zoning districts.
5. Delete the Open Space Opportunity Area FLU and the Single-Family Opportunity Area FLU, as these were originally added in an overabundance of thoroughness, in the event a need for them could be determined. However, after further analysis and consideration, no practical use for these two categories is anticipated.
6. Clarify the intended uses within the Opportunity Areas.
7. Confine the use of the legacy Outline Development Plan process to the Mixed-Use Community (MUC) Districts, as those districts are subject to certain legal determinations and the processes must be preserved for the MUCs.

8. Add notations in Table 1, indicating that Land Use Densities and Intensities for the Opportunity Areas are established per provisions within the Land Development Code for these FLU categories.

Next Steps

January 9, 2017: First reading of Ordinance 2016-35 (provides for staff to forward to Florida Department of Economic Opportunity (DEO) for review and comment.

January – February, 2017: DEO review and comment period.

March 6, 2017: Second reading, public hearing and adoption of Ordinance 2016-35.

MEMORANDUM

DATE: December 5, 2016

TO: Honorable Mayor and Town Commission

THROUGH: Dave Bullock, Town Manager

FROM: Jim Brown, Chair
Planning and Zoning Board

SUBJECT: Proposed Ordinance 2016-35, Comprehensive Plan Amendment,
Future Land Use Element

During the public hearing held on November 15, 2016, the Planning and Zoning Board recommended APPROVAL of Ordinance 2016-35, with amendments. The specific motion from the November 15, 2016, meeting of the P&Z Board is as follows:

MS. BISHOP MOVED THE P&Z BOARD RECOMMEND APPROVAL OF ORDINANCE 2016-35 WITH SPECIFIC CHANGES TO TABLE 1 AS DISCUSSED, AND OTHER ISSUES PREVIOUSLY DISCUSSED INCLUDING THE HISTORIC BALANCE. MR. HAYCOCK SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: BISHOP, AYE; BROWN, AYE; GARNER, AYE; HAYCOCK, AYE; SYMANSKI, NO.

Enclosed, for your review and consideration, please find the following support documentation:

1. Ordinance 2016-35;
2. Staff Report, dated 11-02-2016, PZB Director to P&Z Board;
3. PowerPoint presentation; and
4. Draft minutes from the 11-15-2016 regular P&Z Board meeting on this issue.

If you should have any questions, or desire any additional information, please do not hesitate to contact me.

JB/dmc

M E M O R A N D U M

DATE: November 2, 2016

TO: Planning and Zoning Board

FROM: Alaina Ray, AICP
Director – Planning, Zoning and Building Department

SUBJECT: Proposed Ordinance 2016-35: Amending Policy 1.1.10 and Policy 1.1.11 of the Future Land Use Element of the Town’s Comprehensive Plan

PLANNING AND ZONING BOARD DIRECTION

At the October Planning and Zoning Board (“Board”) meeting, the Board directed Staff to bring forward an ordinance to amend the Town’s Comprehensive Plan to accommodate the following revisions:

1. Remove the word “dynamic.”
2. Reconsider the term “Opportunity Area.”

PROPOSED ORDINANCE 2016-35

Proposed Ordinance 2016-35 reflects the deletion of the word “dynamic” in relation to the Opportunity Areas. In addition, Staff has provided language related to the intent of the Opportunity Areas and descriptions of potential uses within these areas that reflects the language the Board has reviewed and considered in Ordinance 2016-32 for the Planned Unit Development provisions within the Land Development Code.

As to the reconsideration of the term “Opportunity Areas,” staff has included the materials and minutes from prior Town Commission meetings where this issue was previously discussed. At their Regular Meetings on May 4, 2015 and July 6, 2015, the Town Commission discussed various potential terms and, at their July 6, 2015, Regular Meeting, reached consensus to adopt the terms “Established Areas” and “Opportunity Areas.”

If the Board reaches consensus to recommend a change to the term “Opportunity Area,” this should be included in the recommendation to the Town Commission for both Ordinance 2016-35 and 2016-32.

In addition to the above, Staff has included a revision that deletes the Open Space Opportunity Area and Single Family Opportunity Area from the Future Land Use categories in the Comprehensive Plan. When the Opportunity Areas were initially adopted, the Open Space and Single Family categories were included in an overabundance of thoroughness, in the event we could determine a need for them. However, after further analysis and consideration, Staff can find no practical use for these two categories. Therefore, Staff recommends these two categories be deleted from the Future Land Use Categories.

PATH FORWARD

November 15, 2016: Planning and Zoning Board forwards recommendation of Ordinance 2016-35 to the Town Commission.

December 12, 2016: Ordinance 2016-35 presented to Town Commission at their Regular Workshop.

January 2, 2017: First Reading of Ordinance 2016-35; ordinance forwarded to Florida Department of Economic Opportunity (DEO) for Review.

January – February, 2017: DEO Review and Comment Period.

March 6, 2017: Second Reading and Adoption of Ordinance 2016-35.



Ordinance 2016-35

Comprehensive Plan: Future Land Use Element

Town Commission Regular Workshop
December 12, 2016



Planning & Zoning Board Recommendations

1. Delete the word “dynamic” in relation to development in the Opportunity Areas.
2. Add language related to the intent of the Opportunity Areas.
3. Include a target amount of tourism units for the island, equal approximately 80 percent residential uses to 20 percent tourism uses, or approximately 1,800 tourism units.



Planning & Zoning Board Recommendations

4. Require properties proposed for development through an Opportunity Area FLU, or properties that are currently nonconforming for density but wish to be classified as conforming, rezone to one of the new PUD zoning districts.
5. Delete the Open Space Opportunity Area FLU and the Single-Family Opportunity Area FLU, as no practical use for these two categories is anticipated.



Planning & Zoning Board Recommendations

6. Clarify the intended uses within the Opportunity Areas.
7. Confine the use of the legacy Outline Development Plan process to the Mixed-Use Community (MUC) Districts.
8. Add notations in Table 1, indicating that Land Use Densities and Intensities for the Opportunity Areas are established per provisions within the Land Development Code for these FLU categories.



Recommendation

The Planning and Zoning Board recommended approval of Ordinance 2016-35 at their meeting on November 15, 2016.

Agenda Item 5
Ordinance 2016-35, Comprehensive Plan Amendment
Future Land Use Element

Pursuant to published notice, the public hearing was opened.

Ms. Ray explained that the P&Z Board had requested, during their October meeting, for staff to bring forward a change to the Future Land Use Element to remove the word 'dynamic' from the 'Opportunity Areas.' Staff also provided information on how the 'Opportunity Areas' were named (different variations of naming were provided to the P&Z Board and Town Commission in 2015), and how the Town Commission ultimately came to their decision. She mentioned the intent language of the 'Opportunity areas' was tightened up in keeping up with the language that has been contemplated by the P&Z Board in the Planned Unit Development (PUD) ordinance. The language was lifted from the PUD ordinance and imbedded in this ordinance so that the Comprehensive Plan has the additional guidance established within it. Ms. Ray commented the only other item was that initially when the 'Opportunity Areas' were adopted, they were adopted for all the land use areas, but after further consideration, it was felt two of the categories were superfluous (Open Space and Single-Family categories), and staff was requesting those be stricken from the ordinance.

Mr. Symanski believed he had requested consideration of the use of the word 'revitalization.' Ms. Ray responded the Board had requested staff bring forward the information related to the 'Opportunity Area' naming, and she indicated she would bring forward the information from the previous meeting where the terms were selected. She did not recall there was a consensus at the last meeting from the Board to change the name to a specific term. Chair Brown commented that he had also suggested the name 'revitalization,' and the minutes reflected that. Ms. Ray pointed out that the Board had also indicated they wished to allow the 'Opportunity Areas' to be used for new development, and not just redevelopment; however, the term 'revitalization' suggested redevelopment. She noted that staff would change the term to whatever the Board agreed upon. Chair Brown commented he was not privy to the discussion before the Town Commission; he did not know anything about the reasons. He did not understand how they came to the terminologies. Ms. Ray pointed out the 'Established Areas' in the Future Land Use Element (FLUE) would not be used for a PUD. PUDs were only for the 'Opportunity Areas.' Chair Brown questioned what was a PUD-SP. Ms. Ray explained that a PUD-SP were for those properties developed above allowed density or otherwise non-conforming, that would like to rezone so their properties become conforming. They were not moved into an 'Established Area,' but become an 'Opportunity Area – SP.' She explained 'Established Area' were those areas that were conforming and do not plan to redevelop. Chair Brown commented they could be one of the other PUDs. Ms. Ray pointed out they would have to change their FLU category and rezone. Chair Brown commented that an 'Established Area', if they wished to request anything other than what they have, would have to go into a PUD. Ms. Ray responded that everything on the island would be considered an 'Established Area,' because there were no properties that have moved into an 'Opportunity Area' FLU

category. She explained that in 2015 all FLU categories were put into 'Established Areas,' because they were built; however, if the non-conforming properties wished to redevelop and keep their existing non-conforming density, plus other areas that might be non-conforming (height, setbacks, open space, etc.), those properties would first ask for a change to their FLU category out of the 'Established Area' they were currently categorized as, and would request a change into an 'Opportunity Area' FLU, and then rezone into a PUD.

Discussion ensued on:

- If there was a conforming property in an 'Established Area,' and they wished to change from residential to commercial, they would need to request a rezoning under the existing rules
- Request for staff to define 'historic balance'; idea was to have a measurement or range, but also there was a question of whether the Town wished to use the remaining units from the 250 tourism units
- Staff had researched the numbers from the 1990s to 2000s, and the total units on the island in the late 1990s to early 2000s was approximately 80 percent of the units were residential and 20 percent were tourism; current day was 14 percent tourism and 86 percent residential
- The 14 percent included the Colony Beach & Tennis Resort units, the additional units at the Hilton Hotel site, but did not include the 165 units remaining in the pool
- Whether should have a ratio or a number; the problem with a number was that the residential unit numbers changed, and if the Town wished to maintain a balance, then need to look at the ratio between the two
- The main intent of allowing the additional 250 tourism units was because the commercial component was impacted by the lack of tourism units
- That this was guideline, and why they could not approve both

Mr. Schneier believed it sounded like the percentage was a good way to target the future. Ms. Ray explained if the Board decided to imbed the number into the Comprehensive Plan, then if there was a proposal that was presented for a conversion to an 'Opportunity Area,' then staff would bring information to the Board as to what it would do to the ratio and what the hard numbers of residential and number of tourism units looked like. Mr. Symanski did not understand the ratio; the purpose of tourism was to support the level of commercial, which required 'x' number of rooms and not a ratio. Ms. Ray commented they could use a percentage, but could also state, "and work not to reduce the number of tourism units below that hard number." Mr. Symanski replied "or approximately 'x' units." Ms. Ray believed the number was between 1,700-1,800 tourism units. She mentioned it could state it needed to be 20 percent or 'x' number, whichever is greater, or approximately.

Chair Brown explained the referendum request for the 250 units was a reaction to the shock in the decline in commercial business activity. He believed people booking residential units were effecting some of the numbers, because there was no way of knowing what was being rented. Ms. Ray pointed out the town had seen a significant

decrease in year-round population; in the last ten years the town has lost approximately 1,000 full-time residents.

Chair Brown noted the reason the Board was asking all these questions, because the Board had concern with the terms as they seem to imply 'dynamic' redevelopment. He commented the word 'opportunity' indicated there was an allowance to do what they wish; as opposed to using terms 'revitalization,' which is what the Town wished to do – revitalize the area. In other words, the Board's concerns were with terms that seem to imply something different. Ms. Bishop agreed and commented that instead of obscure terms, why they did not use 'redeveloped' or 'developed' areas, and 'redeveloped' would clearly include those that choose to rezone, and 'develop' for those that wish to expand. Mr. Schneier commented that many years ago there were tough steps to control the growth on the island and believed it has been addressed as there was a reduction in residents. He thought the purpose of the process was to get attention of the older facilities that were becoming decrepit. He voiced concern with placing too many restrictions.

Mr. Symanski also voiced concern with 'Commercial Tourism Destination Opportunity Areas,' which were not only tourism. He believed a major part of the exercise was to renew or redevelop what existed, and this district did not fit that category. He referred to page 5 of 12, TRC-3 and TRC-6 zones, pointing out that it noted uses included multi-family dwelling units, which he believed historically was a mistake to place tourism and multi-family in the same district. The 'Commercial Tourism Destination Opportunity Areas' district does not rehabilitate, renew, or revitalize anything existing, but created something different with unknown affects. He did not believe it should include residential; It should be only a tourism zone. Ms. Ray explained the 'Tourist Resort Commercial Established Areas' was what existed at this time and had been in the Comprehensive Plan for years, and everyone zoned T-3 and T-6, by right, were allowed to have multi-family. The 'Commercial Tourism Destination Opportunity Area' was that pure tourism district the Board was asking for, but the Board also indicated they wished to allow a residential unit for an on-site manager or groundskeeper, so that was the reason it stated a limited number of residential units may be permitted for on-site personnel. Mr. Symanski questioned the term 'limited,' with Chair Brown noting the Board needed to say what was the limit. Ms. Ray pointed out it was entirely up to the Board and Town Commission to make that determination. Mr. Symanski asked what were 'limited concierge-type apartment style tourism units.' Ms. Ray responded it was similar to the Colony Beach Resort; they were apartment style tourism units that may have access to concierge services that were provided by the resort. She noted it was a pure tourism use.

There was discussion on the following points:

- The conversation has been on creating a guideline for the future of Longboat Key, but the one overriding factor was the financial impact to a developer; the Town can legislate anything, but it would not happen if it was not economically feasible

- The words 'Opportunity Area' was significant, because it encouraged development programs; the Town wants to promote flexibility to encourage the opportunity of submission of development plans and then make a decision
- Concerning the 'Commercial Tourism Destination Opportunity Area,' they could note that residential uses were not permitted, strike 'as a *principal use*,' except that a limited number; could eliminate the word 'full' before 'full resort amenities'
- That 'limited concierge type' meant the majority of the resort would be the typical small hotel room and not an apartment style
- Not sure why the Board was discussing 'concierge-type' or 'timeshare-type' as it was up to a developer as to how they wish to mix the project; not sure why the language was in the ordinance
- The Board wished to only state 'tourism unit;' and tourism was defined in the LDRs and included the 'concierge-type, 'timeshare –type,' etc. tourism units
- Staff could remove the 'whole allowable uses' sentence, or state, 'allowable uses include, but are not limited to...'; suggestion to remove the word 'limited' before 'concierge type' in order to provide flexibility

Ms. Bishop noted the definition was included in the LDRs, and asked if there was a consensus that the Board had defined 'tourism units' as units not occupied for more than 30 days.

MR. GARNER MOVED THE BOARD USE THE LANGUAGE 'TOURISM UNITS,' WHICH WAS A UNIT OCCUPIED FOR NO MORE THAN 30 CONSECUTIVE DAYS AND ELIMINATE THE LANGUAGE REFERENCING 'CONCIERGE-TYPE' AND 'TIMESHARE-TYPE,' BECAUSE IT WAS ALREADY INCLUDED IN THE LDRs; AND INCLUDE THE REVISION TO REMOVE THE WORD 'FULL' RELATED TO THE RESORT AMENITIES.

Chair Brown referred to the 'Commercial Tourism Destination Opportunity Areas' commenting that he had reviewed 1000s of codes across the country and most always had the ability to have a manager's apartment. He was not sure they had to reference it. Ms. Ray responded the Board needed to include and say that it was allowed for that purpose in order for it to be included. She mentioned the last sentence from Mr. Schneier's recommendations was, "*residential uses were not permitted, except that a limited number of residential units may be permitted for on-site personnel.*"

MR. SCHNEIER SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: BISHOP, AYE; BROWN, AYE; GARNER, AYE; HAYCOCK, AYE; SCHNEIER, AYE; SYMANSKI, AYE.

Mr. Symanski questioned how staff would handle addressing the historic balance. Ms. Ray responded she had in her notes that the Board decided on 20 percent or approximately 'x' number. Staff would insert that number in the ordinance when it went for adoption before the Town Commission.

The Board recessed from 10:10 am - 10:20 am.

Chair Brown commented when reviewing the CTDO zoning district, staff stated the terms, that the Board just voted to remove, were included in the LDRs and questioned their location. Ms. Ray pointed out the terms were in the LDRs definitions and in the description of tourism in those regulations. Chair Brown asked if the Board needed to review those terms, because they were trying to clarify the definitions and the language for these things, and was concerned with having conflicting language elsewhere. Ms. Ray replied there was not conflicting language. She discussed the definition of 'tourism use' in the code. Mr. Symanski questioned if there would be a problem having a Comprehensive Plan term defined in the LDRs rather than in the Comprehensive Plan. Attorney Mooney-Portale replied no. Ms. Ray reiterated that the Board wished to: 1) keep the first sentence, but remove the word 'full;' 2) remove the 'allowable use' sentence; and, 3) retain the 'residential use' sentence; but remove 'as a principal use' and insert 'except that a limited number of residential units.'

- Proposed revisions would state: *"This category is intended for destination resort developments with resort amenities and uses which enhance the purpose of the tourism use. Residential uses are not permitted except that a limited number of residential units may be permitted for on-site personnel. Additional development criteria, parameters, and standards are provided in the land development regulations."*

Attorney Mooney-Portale reviewed the definition of 'Tourism Use' that was in the LDRs.

MS. BISHOP MOVED THE APPROVAL OF THE LANGUAGE AS PRESENTED BY STAFF. MR. HAYCOCK SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: BISHOP, AYE; BROWN, AYE; GARNER, AYE; HAYCOCK, AYE; SCHNEIER, AYE; SYMANSKI, AYE.

Mr. Haycock referred to page 3, Exhibit 'A,' and suggested the Board ensure there was consensus for the definitions for 'Opportunity Areas' and 'Established Areas.' Chair Brown commented he did not know how they could determine that 'Established Areas' were not anticipated to change; it was more determined by the economy. Ms. Ray reiterated everything on the island was an 'Established Area' unless a property owner came and asked to be placed in an 'Opportunity Area.' Mr. Haycock suggested the Board was really defining a process than a category. Ms. Ray responded it was a floating land use category that someone could avail themselves of if they made the argument to the P&Z Board and Town Commission that their property was appropriate for an 'Opportunity Area,' because of either anticipated redevelopment or development, or because they wished to memorialize some non-conforming issues, such as density.

Chair Brown voiced concern with the use of the word 'Opportunity.' He understood the Town Commission approved it, but asked what options they were provided. Ms. Ray noted the Town Commission had discussed a number of options. Mr. Haycock commented that the statement was made that all the property on Longboat Key was an 'Established Area,' and now someone wishes to do something with their property; why did they have to go through the process in order to become an 'Opportunity Area.' Ms. Ray explained if someone wished to either ask for additional density, or wished to memorialize certain non-conforming density that might exist, or other certain non-

conforming conditions, then they would need to change the FLU category. She mentioned that if someone wished to redevelop, but wished to lower the density and conform, then they were not required to rezone, they were not required to go into another FLU category, but only submit a site plan.

MR. GARNER MOVED THE P&Z BOARD RECOMMEND APPROVAL OF ORDINANCE 2016-35 AS AMENDED. MS. BISHOP SECONDED THE MOTION.

Brenda Patten, attorney with Berlin, Patten & Ebling, representing Unicorp National Developments, Inc., commented that her understanding of the FLU standards for 'Opportunity Areas' was taken from the last sentence in the description – *“additional development criteria parameters and standards are provided in the land development regulations”*. She pointed out that in Table 1 of the proposed ordinance, there was no development criteria for the 'Opportunity Areas,' and she assumed those would be handled through the LDRs, based on the underlying zoning and the criteria of the Opportunity Area Zoning District, which was being created in the LDRs. She voiced concern that during the Board's discussion of Ordinance 2016-32, they would be discussing proposed ways to increase height in the 'Opportunity Area Zoning Districts' if they provided greater open space or setbacks; Table 1 did not recognize those opportunities. She suggested the addition of a footnote to Table 1 (page 12 of 12) for the 'Opportunity Areas,' which stated: *“additional height may be approved within 'Opportunity Area' Future Land Use categories through a rezoning to 'Planned Unit Development- 'Opportunity Area' (PUD-OA) consistent with the Land Development Regulations.”* Ms. Ray commented the language was not necessary, because the Comprehensive Plan did not have limits, so there was no reason to add language that implied there was; there was nothing in the Comprehensive Plan that limits the height. Chair Brown noted if they made changes in the LDRs, then they would have to change in the Comprehensive Plan. Ms. Ray replied yes. Ms. Bishop asked Attorney Mooney-Portale if she was comfortable with staff's opinion on the issue. Attorney Mooney-Portale responded since the issues were just brought to her attention, she would need to review the language more before providing an opinion.

Chair Brown questioned the impact if the Board approved the ordinance, and then made changes to the LDRs. Attorney Mooney-Portale noted if that was the direction the Board wished to go, they could delay a decision and continue this proceeding, as opposed to voting and then reopening the issue for discussion.

MS. BISHOP MOVED TO CONTINUE DISCUSSION OF AGENDA ITEM 5 UNTIL AFTER DISCUSSION OF AGENDA ITEM 6. MR. GARNER SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: BISHOP, AYE; BROWN, AYE; GARNER, AYE; HAYCOCK, AYE; SCHNEIER, AYE; SYMANSKI, AYE.

Agenda Item 5
Ordinance 2016-35, Comprehensive Plan Amendment
Future Land Use Element
(continued discussion)

Ms. Bishop commented the Comprehensive Plan should make specific reference to land development ordinances for all requirements in the 'Opportunity Areas.' Ms. Ray replied staff would include a note in those specific cells to refer to the LDRs. Attorney Mooney-Portale explained that staff would include language that stated "*height standards were provided within the LDRs for PUD-OA areas.*" The footnote, with an asterisk, would state as such. Ms. Ray noted staff could put in the language and fill in the cells in Table 1.

MS. BISHOP MOVED THE P&Z BOARD RECOMMEND APPROVAL OF ORDINANCE 2016-35 WITH SPECIFIC CHANGES TO TABLE 1 AS DISCUSSED, AND OTHER ISSUES PREVIOUSLY DISCUSSED INCLUDING THE HISTORIC BALANCE. MR. HAYCOCK SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: BISHOP, AYE; BROWN, AYE; GARNER, AYE; HAYCOCK, AYE; SYMANSKI, NO.

The Board recessed for lunch from 12:28 pm – 1:07 pm.

ORDINANCE 2016-35

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, ADOPTING AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; AMENDING POLICIES 1.1.10 AND POLICY 1.1.11 OF THE FUTURE LAND USE ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the goal of the Town's Comprehensive Plan Future Land Use Element is to preserve and enhance the character of the Town of Longboat Key by ensuring that 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 to maintain an environment that is conducive to the health, safety, welfare, and property values of the Town; and

WHEREAS, the Town is in the process of developing and adopting new Planned Unit Development Zoning Districts within the Town's Land Development Code; and

WHEREAS, these pending revisions to the Town's Land Development Code necessitate amendments to the Future Land Use Element of the Town's Comprehensive Plan; and

WHEREAS, the Town Commission seeks to amend the Town's Comprehensive Plan to provide guidance related to the application of these Planned Unit Developments within certain future land use categories; and

WHEREAS, the Community Planning Act (Act), Sections 163.3161 through 163.32466, Florida Statutes, authorizes and requires the Town of Longboat Key to adopt and amend a Comprehensive Plan in accordance with the Act; and

WHEREAS, pursuant to the Act, Chapter 33 of the Town of Longboat Key Code of Ordinances designates the Town of Longboat Key Planning and Zoning Board as the local planning agency responsible for the preparation of the Comprehensive Plan and amendments thereto; and

WHEREAS, the Town provided due public notice of the Planning and Zoning Board public hearing that was conducted in a manner affording public participation to the fullest extent possible for the review of the proposed Comprehensive Plan amendments; and

WHEREAS, the Town's Planning and Zoning Board, as the local planning agency, held a public hearing on November 15, 2016, to consider the proposed Comprehensive Plan amendments and provided recommendations to the Town Commission as the local governing body; and

WHEREAS, after due public notice, the Town Commission held a workshop on December 12, 2016, and considered the recommendations of the Town's Planning and Zoning Board; and

WHEREAS, on _____, 20__, the Town Commission conducted a duly noticed initial public hearing on the proposed Comprehensive Plan amendments and upon a majority vote of the Town Commission approved the forwarding of the Comprehensive Plan amendments to the applicable reviewing agencies as provided for in section 163.3184, Florida Statutes; and

WHEREAS, the Town Commission of the Town of Longboat Key wishes to adopt the Comprehensive Plan amendments and transmit them to the Florida Department of Economic Opportunity for review pursuant to Chapter 163, Part II, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Recitals above are ratified and confirmed as true and correct.

SECTION 2. The Comprehensive Plan amendments attached hereto and incorporated herein as Exhibit "A" are hereby adopted by the Town of Longboat Key.

SECTION 3. If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance is valid.

SECTION 4. This Ordinance becomes effective when adopted in accordance with Florida law and the Charter of the Town of Longboat Key.

Passed on the first reading and public hearing the _____ day of _____, 201_.

Adopted on the second reading and public hearing the _____ day of _____, 201_.

Terry A. Gans, Mayor

ATTEST:

Trish Granger, Town Clerk

Exhibits:

"A": Amended Comprehensive Plan Future Land Use Element:
Policies 1.1.10, 1.1.11, and Table 1

EXHIBIT 'A' FUTURE LAND USE ELEMENT

GOAL 1

OBJECTIVE 1.1

Policy 1.1.10

The Future Land Use Map, Figure 2, contains the following future land use categories that are further detailed in and implemented by the land development regulations. Table 1 divides real property on the island into two (2) overarching types of future planning areas: Opportunity Areas and Established Areas.

Opportunity Areas are real properties that are undeveloped or are suitable for dynamic redevelopment. Opportunity Areas are intended to enable flexibility of design and to encourage imaginative, functional, high-quality land planning developments which are compatible with adjacent and nearby lands and activities, are in keeping with the existing character of the Town, and help to preserve the historic balance of residential to tourism uses, equating to approximately 80 percent residential uses and 20 percent tourism uses, or approximately 1,800 tourism units. These categories are also intended to accommodate existing built density and consideration of requests for additional density that exceeds the density limits allowed in an Established Area category, while recognizing and keeping with the relatively low-density nature of the community. Requests for additional residential or tourism density, exceeding that which is allowed in an Established Area category or has been approved by previous referendum, must be authorized by referendum of the qualified voters of Longboat Key prior to being considered by the Town.

Established Areas are real properties the development of which are mature in nature and whose development character is not anticipated to change beyond what is currently existing, foreseen by the current future land use categories of the Comprehensive Plan, or the applicable uses and standards of the land development regulations. Table 1 provides the maximum densities and intensities of development for each future land use category in the Established Areas. Height restrictions for each category do 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 limit their height. Additional development criteria, parameters, and standards for future land use categories in the Opportunity Areas are provided in the land development regulations. All properties proposed for development within the Opportunity Area Future Land Use Categories must be rezoned to Planned Unit Development – Opportunity Area.

~~Open Space Opportunity Areas (OSO). This category includes lands that are publicly owned or controlled, and are designed, used, or intended to be used for open space and recreational activities by residents and visitors. Additional development criteria, parameters, and standards are provided in the land development regulations.~~

Open Space – Active Established Area (OS-A). Uses include, but are not limited to, on-site improvements, structures, or other active, player-oriented facilities such as recreation centers, community centers, playgrounds, ballfields, tennis courts and

associated accessory facilities. Impervious surface coverage is limited to 30 percent of the lot or parcel.

Open Space – Passive Established Area (OS-P). Uses include those that allow for primarily less-active leisure pursuits, such as, but are not limited to, nature trails, nature centers and associated accessory structures such as restrooms, boardwalks, docks, and parking areas (including ingress/egress aisles). Impervious surface coverage is limited to 15 percent of the lot or parcel.

Open Space – Conservation Established Area (OS-C). Uses include those that allow for the protection and management of natural areas or archaeological sites, to remain in their natural state with little or no disturbance. Structures are limited to improvements such as boardwalks, permeable pathways, and signage necessary for conservation management, limited public access, and resource-related educational activities.

Island Preserve Established Area (IP). This residential category addresses residentially developed islands offshore of the mainland of Longboat Key. Density is limited to one dwelling unit per five acres. Public service facilities must be provided by the developer prior to construction of any habitable structures.

~~Single-Family Residential Opportunity Areas (SFRO). This category permits single-family dwelling units. Additional development criteria, parameters, and standards are provided in the land development regulations.~~

Low-Density Single-Family Residential Established Area (RL-1). This category is intended to protect and preserve opportunities for detached single-family units, at a density of up to one (1) unit per acre. This category is located at highly valued water-oriented sites along the bay, bayou, or gulf. It provides for land area to accommodate a unique lifestyle that cannot be accommodated in the more dense residential areas. Development and redevelopment must be compatible with the need for preserving an estate residential character and minimize potential adverse impacts to fragile natural systems, including estuaries and dune systems.

Low-Density Single-Family Residential Established Area (RL-2). This category is intended to protect and preserve single-family residential areas for detached single-family units, at a density up to two (2) units per acre. This category is appropriate for larger lots located along Gulf of Mexico Drive adjacent to saltwater bodies. It provides land area to accommodate a unique lifestyle that cannot be accommodated in the more dense residential areas. Development and redevelopment must be compatible with the preservation of the prevailing density pattern and minimize potential adverse impacts to fragile natural systems.

Multiple-Family Residential Opportunity Area (MFRO). This category is intended for multi-family residential developments and associated accessory uses and amenities that are limited to use by residents and guests of the development ~~permits multiple-family residential development~~. Additional development criteria, parameters, and standards are provided in the land development regulations.

Medium-Density Single-Family/Mixed Residential Established Area (RM-3). This category allows medium-density residential development, including single-family detached units, multiple-family units, or a mixture of single-family detached units and multiple-family units, at a density of no more than three (3) units per acre.

Medium Density Single-Family/Mixed Residential Established Area (RM-4). This category allows medium-density residential development, including single-family detached units, multiple-family units, or a mixture of single-family detached units and multiple-family units, at a density of no more than four (4) units per acre.

High Density Single-Family/Mixed Residential Established Area (RH-6). The high density single-family/mixed residential category permits dwelling units and community residential homes with six or fewer residents plus staff per dwelling unit. This category allows high density residential development, including single-family detached dwelling units, multiple-family dwelling units, or a mixture of single-family detached dwelling units and multiple-family dwelling units, at a density of no more than six dwelling units per acre. Specific density of future development proposals within these areas shall must provide for smooth transitions in residential density and compatibility with the surrounding area, preserve stability of established residential areas, and include sufficient open space, parking and landscaping to reinforce goals and objectives for quality living areas.

Commercial Tourism Destination Opportunity Areas (CTDO). This category is intended for tourism units in destination resort developments with resort amenities and uses which enhance the purpose of the tourism use. Allowable uses include hotels, restaurants, meeting space, timeshares/fractional-ownership units, recreational amenities, and limited concierge type apartment-styled tourism units with full access to resort amenities. Residential uses are not permitted, as a principal use, but except that a limited number of residential units may be permitted for on-site personnel. permits resort-style tourism uses. Additional development criteria, parameters, and standards are provided in the land development regulations.

Tourist Resort Commercial Established Area (TRC-3/TRC-6). These categories permit the unique needs for resort-oriented facilities. These facilities generally are marketed as vacation accommodations for tourists and other transients seeking an environment with a high level of amenities. Uses include multifamily dwelling units, time-share units, and tourism units. Associated resort amenities, such as restaurants, shops, and recreational facilities, may be permitted on the site in conjunction with a tourist resort commercial development. All commercially provided recreational activities requiring shoreline or near-shore water utilization must be concentrated at the commercial hotel facilities. Additional tourism units may be allowed pursuant to Future Land Use Policy 1.1.11. Lot coverage may exceed the standard lot coverage by up to 10%, and height may exceed the standard height by one story as shown on Table 1, through the ~~Outline Development Plan (ODP)~~ Site Plan process of the land development regulations. Table 1 provides associated density, height, and lot coverage allowances and limits for these categories. The additional story as shown in Table 1 for TRC-6 may also be approved through the final site plan approval process for properties that are granted additional tourism units through section 158.180 of the land development regulations.

Commercial/Residential Mixed Use Opportunity Area (CRMO). This category is intended for developments that contain a complimentary mixture of commercial office, commercial retail, commercial tourism, and residential uses that have been planned in a manner that takes advantage of the complementary nature of the uses and their proximity to one another. This category encourages ~~permits~~ a vertical mix of residential and nonresidential uses. Additional development criteria, parameters, and standards are provided in the land development regulations.

Mixed Use Community. The mixed use community (MUC) categories allow a mix of residential and nonresidential uses in planned communities developed through the planned unit development–mixed-use community (PUD-MUC) procedures and standards of the land development regulations. The MUC categories encompass mixed use communities approved under prior adopted resolutions and ordinances of the Town Commission, which prior approved uses, densities and intensities are hereby recognized and affirmed. In each MUC, density is calculated on the basis of the average overall density of tourism and dwelling units per acre of all property included in the respective MUC. Clustered development patterns are encouraged and thus the density of separate parcels within each MUC may exceed the average overall density of the MUC category. No boundary of any existing MUC shall be expanded to include additional lands unless contiguous to the boundaries of the MUC as it existed as of December 31, 2010. Redevelopment may occur up to the maximum densities designated herein, and consistent with the public health, safety and welfare, best quality design, expanded recreational and open space amenities, and adequate public infrastructure and services. Within the acreage allocated for nonresidential uses, tourism units and associated resort amenities, commercial/office uses, and institutional uses must not exceed a maximum lot coverage of 30 percent of a project site per use, except an additional 10% of lot coverage per use may be permitted through the PUD-MUC procedures and standards of the land development regulations to improve the design of the community and functionality of the uses, as shown on Table 1. Similarly, the standard height of nonresidential structures in MUC-1 may be increased by one story through the PUD-MUC procedures and standards of the land development regulations to improve the design of the community and functionality of the uses, as shown on Table 1.

A minimum of 50% of the total property within the MUC must be maintained in open space. Open space means an area comprised of permeable open surfaces excluding structures and impermeable surfaces. Recreation uses include, but are not limited to, those uses allowed in the Open Space – Active and Open Space – Passive land use categories, the recreational facilities identified in Table 1 of the Recreation and Open Space Element, and golf courses. Recreational acreage is not limited. The mix of uses within the contiguous boundaries of each MUC, as calculated prior to the application of the 50% open space requirement, is allocated as follows:

Mixed Use Community – Bay Isles Established Area (MUC-1). This category encompasses the Bay Isles community, formerly delineated as the Planned Development (PD) FLUM category. Average overall density within the entire contiguous boundaries of the MUC-1 must not exceed 3.26 dwelling units per acre. The maximum percentages of uses do not include 7.1% for existing recreational uses

including, but not limited to, the clubhouse, yacht club, and recreational maintenance buildings.

<u>Use</u>	<u>Maximum Percent of Total Property Within the MUC</u>
Residential	37%
Tourism (units and associated resort amenities)	0%
Commercial/Office	4%
Institutional	2.5%

Mixed Use Community – Islandside Established Area (MUC-2). This category encompasses the Islandside community, formerly delineated as the Gulf Planned Development (GPD) FLUM category. Average overall density within the entire contiguous boundaries of the MUC-2 must not exceed 5.05 units per acre. The maximum percentages of uses do not include 1.5% for existing recreational uses including, but not limited to, the clubhouse and recreational maintenance buildings.

<u>Use</u>	<u>Maximum Percent of Total Property Within the MUC</u>
Residential	33%
Tourism (units and associated resort amenities)	12%
Commercial/Office	1.5%
Institutional	0%

Mixed Use Community – Promenade/Water Club Established Area (MUC-3). This category encompasses the Promenade/Water Club communities, formerly delineated as the Negotiated Planned Development (NPD) FLUM category. Density in this category recognizes the transfer of density accomplished by Town Resolution 81-8, for 175 dwelling units to the NPD in exchange for approximately 18.64 acres of land on a site located near the mid-point of the key that became Joan M. Durante Park. Average overall density within the entire contiguous boundaries of the MUC-3 must not exceed 11.26 dwelling units per acre.

<u>Use</u>	<u>Maximum Percent of Total Property Within the MUC</u>
Residential	100%
Tourism	0%
Commercial/Office	0%
Institutional	0%

Institutional Established Area (INS). This category is for use by public and semipublic facilities including, but not limited to schools, government buildings, civic centers, utilities, houses of worship, parks and recreation areas, cemeteries, and nursing homes. Lot coverage may exceed the standard lot coverage by up to 10%, as shown on Table 1, through the ~~Outline Development Plan (ODP) Site Plan~~ process of the land development regulations.

Office-Institutional Established Area (OI). This category allows for a variety of office and private institutional uses including, but not limited to, banks and other financial institutions. Tourism units may be allowed pursuant to Future Land Use Policy 1.1.11.

A maximum of 15% additional lot coverage may be granted as a waiver in conjunction with the revitalization of the development, as further detailed in and implemented by the land development regulations. Lot coverage also may exceed the standard lot coverage by up to 10%, as shown on Table 1, through the ~~Outline Development Plan (ODP)~~ Site Plan process of the land development regulations.

Commercial Opportunity Area (COMO). This category permits office-institutional uses as well as retail sales and services. Additional development criteria, parameters, and standards are provided in the land development regulations.

Limited Commercial Established Area (CL). This category is intended to provide essential tourist or household services in locations highly accessible to residential areas and major thoroughfares. Uses may include neighborhood shops with limited inventory or goods, and specialty shops oriented to services and goods for resort uses in the immediate vicinity, and those uses allowed in the Office/Institutional category. Structures may not exceed lot coverage of 30 percent, and maximum height is 30 feet.

General Commercial Established Area (CG). This category is intended to accommodate general retail sales and services located in highly accessible areas adjacent to major or minor arterials. Uses may include those uses allowed in the Office/Institutional and Limited Commercial categories but not activities or trades that generate nuisance impacts such as noise, air pollutants or fire hazards, nor is wholesaling or warehousing allowed. Structures may not exceed lot coverage of 30 percent, and maximum height is 40 feet.

Highway Commercial Established Area (CH). This category is intended for uses that require access to major arterials and sufficient area for internal vehicular circulation and parking. Uses may include, but are not limited to, vehicular service stations, hotels, motels and restaurants, and retail sales and services oriented to the motoring public or transient resident. Lands designated in this category must not be located adjacent to residential development. Office/Institutional, Limited Commercial and General Commercial uses may be allowed. Structures may not exceed lot coverage of 40 percent and maximum height is 40 feet. Tourism units must not exceed three (3) units per acre, except as allowed by Future Land Use Policy 1.1.11.

Marine Commercial Service Established Area (MCS). This category is intended for sales and services oriented to the marine industry, such marine repair and services, employee services, storage and commercial support services. One accessory dwelling unit located on the same lot may be permitted as provided in the land development regulations. Structures may not exceed lot coverage of 40 percent and maximum height is 30 feet.

In each of the Commercial Established areas (CL, CG, CH, and MCS) described above, tourism units may be allowed pursuant to Future Land Use Policy 1.1.11. A maximum of 15% additional lot coverage may be granted as a waiver in conjunction with the revitalization of the commercial development, as further detailed in and implemented by the land development regulations. Lot coverage also may exceed the standard lot coverage by up to 10%, as shown on Table 1, through the ~~Outline~~

~~Development Plan (ODP)~~ Site Plan process of the land development regulations. A waterfront restaurant may be allowed an additional five feet in building height above the maximum allowed in the land use category.

Whitney Beach Overlay (WBO). The Whitney Beach Overlay category is intended to provide incentives that encourage redevelopment in a mixed use pattern that promotes high quality site design while protecting adjacent residential areas. Owners within the WBO may choose to develop pursuant either to the underlying Future Land Use categories for their properties, or the WBO standards herein. Development proposals must include a substantial consolidation of properties within the WBO and at least two (2) land use types from the following: residential, tourism units, commercial, office, public facility, private institutional, or recreational. One land use type must not exceed 80% of the total site. Residential uses must not exceed 30% of a mixed use project. Development approval must follow the ~~outline development~~ PUD process of the land development regulations. A complete application for development approval pursuant to the WBO will receive priority for Town development review and determination. Development densities and intensities of the underlying Future Land Use categories may be transferred within and between properties that are combined in one (1) development proposal under the WBO criteria. The nonresidential intensities of the underlying Future Land Use category may be increased by 10% additional lot coverage through the ~~planned unit development or outline development plan~~ PUD processes. Administrative waivers for parking flexibility, setbacks, awning overhangs, internal circulation, and open space may be provided pursuant to the land development regulations.

Policy 1.1.11

Historically, tourism has been an important element of the Town's economy. The Town will maintain land development regulations that implement the Town referendum vote of March 16, 2008, that permits a limited increase of no more than a total additional 250 tourism units islandwide to help restore the historic balance between residential and tourism uses. Development of the 250 tourism units, which are additional to allowed under the Comprehensive Plan at the time of the referendum, will be limited to parcels within the Medium Density Tourist Resort/Commercial (TRC-3), High Density Tourist Resort/Commercial (TRC-6), Limited Commercial (CL), General Commercial (CG), Highway-Oriented Commercial (CH), Office-Institutional (OI), and Marina Commercial Service (MCS) future land use categories and parcels in residential future land use categories that contain an existing legal tourism use. Requests for additional tourism units, other than the 250 tourism units previously authorized by the referendum vote of March 16, 2008, must be authorized by separate referendum and are limited to parcels within the Commercial Tourism Destination Opportunity Areas (CTDO) or the Commercial/Residential Mixed Use Opportunity Area (CRMO). Tourism units on Longboat Key must provide transient lodging accommodations of less than 30 consecutive calendar days or one entire calendar month, whichever is less, and are not to be used as dwelling units for permanent occupancy.

In the Medium Density Tourist Resort/Commercial (TRC-3), High Density Tourist Resort/Commercial (TRC-6), Limited Commercial (CL), General Commercial (CG), Highway-Oriented Commercial (CH), Office-Institutional (OI), and Marina Commercial Service (MCS) categories, the standard maximum lot coverage and height of the future

land use category in which the tourism units are located applies, except that up to an additional 10% of lot coverage and an additional story as shown in Table 1 may be approved through the ~~Outline Development Plan (ODP)~~ Site Plan process of the land development regulations. The additional story shown on Table 1 for TRC-6 may also be approved through the final site plan approval process for properties that are granted additional tourism units through section 158.180 of the land development regulations. In the residential land use categories, the standard maximum lot coverage and height of the zoning district in which the tourism units are located applies, except that up to an additional 10% of lot coverage may be approved through the ~~ODP~~-Site Plan process of the land development regulations.

The town must find by competent substantial evidence that the project incorporating the tourism units is in the best interest of the town and its citizens and does not adversely impact or affect the public interest.

**Table 1
Land Use Densities and Intensities in the Town of Longboat Key**

OPPORTUNITY AREAS		ESTABLISHED AREAS						
Symbol	Category	Symbol	Category	Density	Nonresidential Intensities			
					Maximum Lot Coverage		Maximum Height (stories/feet)	
					Standard	PUD or ODP	Standard	PUD or ODP
OSO	Open Space	OS	Open Space					
		OS-A	Open Space – Active		30%			
		OS-P	Open Space – Passive		15%			
		OS-C	Open Space – Conservation		See Policy 1.1.10			
		IP	Island Preserve	1 du/5 ac				
SFRO	SF Residential							
		RL-1	Low Density SF Residential	1 du/ac				
		RL-2	Low Density SF Residential	2 du/ac				
MFRO	Multiple-Family Residential			<u>Refer to Land Development Code</u>				
		RM-3	Medium Density SF/Mixed Residential	3 du/ac				
		RM-4	Medium Density SF/Mixed Residential	4 du/ac				
		RH-6	High Density SF/Mixed Residential	6 du/ac				
CTDO	Commercial Tourist Destination			<u>Refer to Land Development Code</u>		<u>Refer to Land Development Code</u>		<u>Refer to Land Development Code</u>
		TRC-3	Medium Density Tourist Resort/Commercial	3 u/ac	25%	35%	3/40	4/55
		TRC-6	High Density Tourist Resort/Commercial	6 u/ac	30%	40%	4/50	5/65**

Table 1—continued
Land Use Densities and Intensities in the Town of Longboat Key

OPPORTUNITY AREAS		ESTABLISHED AREAS						
Symbol	Category	Symbol	Category	Density	Nonresidential Intensities			
					Maximum Lot Coverage		Maximum Height (stories/feet)	
					Standard	PUD or ODP	Standard	PUD or ODP
CRMO	Commercial/ Residential Mixed Use			<u>Refer to Land Development Code</u>		<u>Refer to Land Development Code</u>		<u>Refer to Land Development Code</u>
		MUC-1	Mixed Use Community (Bay Isles)	3.26 du/ac	30%	40%	4/50	5/65
		MUC-2	Mixed Use Community (Islandside)	5.05 u/ac	30%	40%	4/50	12/130 (tourism units) 8/87 (other)
		MUC-3	Mixed Use Community (Promenade/Water Club)	11.26 du/ac				
		INS	Institutional		30%	40%	2/30	
COMO	Commercial			<u>Refer to Land Development Code</u>		<u>Refer to Land Development Code</u>	<u>Refer to Land Development Code</u>	
		OI	Office-Institutional		30%	40%	2/30	
		CL	Limited Commercial		30%	40%	2/30*	
		CG	General Commercial		30%	40%	3/40*	
		CH	Highway Commercial	3 tourism u/ac	40%	50%	3/40*	
		MCS	Marina Commercial Service	1 accessory du located on the same lot	40%	50%	2/30*	

Note 1: Dwelling units per acre (du/ac) refers to residential units; units per acre (u/ac) includes both tourism units and residential units.

Note 2: For all Opportunity Area Future Land Use Categories, refer to Land Development Code for Intensities (density, lot coverage, height).

* An additional five feet in building height allowed for a waterfront restaurant.

** This additional story for TRC-6 properties may also be approved through the final site plan approval process for properties that are granted additional tourism units through section 158.180 of the land development regulations.



End of Agenda Item