

SECTION 1. FUTURE LAND USE ELEMENT

- GOAL:** Provide the fiscal and regulatory conditions necessary to protect the health, welfare, safety and quality of life of city citizens consistent with continued economic development and private property rights; and establish a defined pattern of land use intended to guide the provision of public facilities and provide predictability in managing development.
- Objective 1.1:** The City shall continue to coordinate future land use with appropriate topography, soil conditions, and availability of public facilities and services. Such coordination shall be accomplished by designation of land use categories on the Future Land Use Map; and through regulation of development based upon the following policies.
- Policy 1.1.1:** **Topography** - For any development proposed for areas in which the topographic slope exceeds twenty percent (20%) (a drop of twenty [20] feet in one hundred [20] feet of horizontal distance] development permits shall not be issued until such time as the developer can demonstrate on the design drawings that appropriate soil conditions exist, or structural modifications are used, to guarantee the safety and stability of such development.
- Policy 1.1.2:** **Soil Conditions** - The City shall continue to restrict development activities in those areas with severe limitations on building site development and sanitary facilities as described in the *Soil Survey of Jackson County, Florida*. Restrictions shall include limitations on densities or intensities of land use, limitations on use of fill, requirements for special construction methods, and limitations on use of septic tanks.
- Policy 1.1.3:** **Availability of Facilities and Services** - No development order or permit shall be issued until the concurrency requirements are met.
- Policy 1.1.4:** The City shall regulate land use categories shown on the Future Land Use Map through detailed and specific provisions to be included in its Land Development Regulations. Implementation and application of the Land Development Regulations shall be based upon the following guidelines for each land use category shown on the Future Land Use Map.
- (a) Residential (RES)
- (1) *Intent* - To provide areas dedicated for housing and related accessory uses in order to reduce the potential for incompatible land uses and preserve the integrity, stability and value of such residential areas.

SECTION 5. CONSERVATION ELEMENT

GOAL: Provide the circumstances necessary for the conservation, protection, and use of natural resources.

Objective 5.1: Continue to maintain air quality at existing levels or as consistent with Chapter 62-204, Florida Administrative Code.

Policy 5.1.1: The City shall continue to prohibit development which causes degradation of air quality below existing levels or established State standards (Chapter 62-204, Florida Administrative Code).

Policy 5.1.2: The City shall decrease air pollution from auto emissions by maintaining established level of service standards and through provision of non-automotive vehicular and pedestrian facilities.

Objective 5.2: Identify, and provide reasonable conservation measures consistent with private property rights, for locally significant environmental resources.

Policy 5.2.1: Locally significant environmental resources are as follows:

1. Soils;
2. Wetlands;
3. Flood Zones;
4. Chipola River;
5. Aquifer Recharge Areas;
6. Natural Vegetation;
7. Wildlife Habitat; and,

Policy 5.2.2: Environmentally sensitive resources which shall be shown as "Conservation" on the Future Land Use Map are as follows:

1. Chipola River;
2. Wetlands;
3. Flood Zones; and
4. Soils with severe limitations to development.

Policy 5.2.3: The City shall provide detailed and specific requirements for the protection of environmentally significant and sensitive resources based upon the following criteria and standards. The provision of central sewer services shall not provide justification for any increase in allowable densities or intensities for development within the Conservation land use

category above those limits specified in this policy. Residential density shall be no greater than one (1) dwelling unit per acre.

1. *Soils* - All grading, filling, excavation, storage or disposal of soil and earth materials associated with development activities shall be undertaken so as to reduce the potential for soil erosion and sedimentation of water bodies or drainageways. Erosion control measures shall be required for all such activities.

As part of the development review process required pursuant to Future Land Use Element Policy 1.5.2 of this Plan, a developer shall include an "Erosion and Sediment Control Plan". Such plan shall include:

1. Calculations of maximum runoff based on the 25-year, 24-hour storm event;
2. A description of, and specifications for, sediment retention devices;
3. A description of, and specifications for, surface runoff and erosion control devices;
4. A description of vegetative measures;
5. A map showing the location of all items listed in (1) through (4) in this paragraph.

A developer may propose the use of any erosion and sediment control techniques provided such techniques represent best management practices, and are certified by a registered professional engineer.

Once development activity begins, the developer shall maintain in good order all erosion and sediment control measures specified in the "Erosion and Sediment Control Plan" regardless of whether the development project is completed or not.

No development which will use a septic tank shall be permitted in areas with severe soils limitations on septic tanks until such time as a permit is obtained by the developer pursuant to Chapter 10D-6, Florida Administrative Code.

2. *Wetlands* - Most wetlands constitute a productive and valuable public resource, the unnecessary alteration or destruction of which should be considered contrary to the public interest. As such, the following procedures and restrictions shall apply to development activities in wetlands identified by the City.
 - 1) *Identification* - The City shall identify those areas which exhibit physical features indicative of wetlands and shall

depict such areas on a wetlands inventory map. Wetland areas shown on the wetlands inventory map shall be subject to the restrictions set forth in paragraph (b) unless the developer(s) of such areas can satisfactorily demonstrate to the City that wetlands do not exist on the site. In the identification of wetland areas, the City and the developer shall use guidelines set forth in the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands," January, 1989 and the definition of "wetland" set forth in the definitions section of this Plan.

- 2) *Development Restrictions* - The following restrictions shall apply to development activities in wetlands identified pursuant to paragraph (a), and in wetland areas identified by jurisdictional interpretation through FDEP or the Army Corps of Engineers.

- (i) Use of fill, by dredging or any other means, is prohibited.

1. Buildings or structures may be constructed on piles, posts or piers in wetlands provided:

- There are no upland areas suitable for development after wetlands have been delineated;
- The building or structure is constructed so as to allow for the continuation of natural functions such as drainage patterns, sedimentation patterns, and natural flushing characteristics;
- The elevation of the lowest habitable floor is at least one (1) foot above the base flood elevation;
- All development activity is confined to the land area upon which the building is located ("building footprint"); and,
- Development is undertaken in a manner so as to preserve wetlands on the building site.

- (ii) All required permits must be obtained from the FDEP or Army Corps of Engineers, as applicable.

1. Residential density shall not exceed one (1) dwelling unit per five (5) acres.
 2. Lot coverage shall be no greater than thirty percent (30%) of the wetland area.
 3. A buffer of natural vegetation at least ten (10) feet in width shall be maintained between delineated wetlands and any upland development.
 4. Development shall be clustered on upland areas of the development site and shall be eligible for density or intensity bonuses as specified in the Land Development Regulations.
- (iii) Structures used for public utilities or other public purpose may be located in wetland areas provided that disturbance of the wetland is limited to the immediate area necessary to locate such structure.
3. *Flood Zones* - All development activity undertaken within designated A-zones as shown on the official Flood Insurance Rate Map for Marianna, Florida published by the Federal Emergency Management Agency shall be subject to the restrictions and standards of the City's Flood Damage Prevention Ordinance (Ordinance No. 731). Insofar as all requirements of this Ordinance are met, no additional development restrictions shall apply except for the Chipola River floodplain as described in paragraph 4.
4. *Chipola River*
- 1) As an "Outstanding Florida Water", the Chipola River shall be subject to the requirements of Section 17-4.242, Florida Administrative Code.
 - 2) For development adjacent to the riverine shoreline, all vegetation shall be preserved except for that which must be removed to provide access and to provide a building site. Any vegetation removed shall be limited to the immediate area necessary to locate such buildings ("building footprint").
 - 3) No development activity shall be permitted which can reasonably be expected to damage or destroy the natural functions and values of the riverine system.
 - 4) All septic tanks shall be located no closer than one hundred (100) feet from the ordinary high water line.

- 5) No hazardous material or waste shall be stored or located within five hundred (500) feet of the ordinary high water line.
- 6) Development in the floodplain shall be restricted to conservation, recreation, residential, or public purposes only; except that commercial land uses may be allowed adjacent to US Highway 90 provided that lot coverage is limited to no more than fifty percent (50%) of the total lot or parcel.

5. *Aquifer Recharge Areas*

- 1) The City shall restrict lot coverage to thirty percent (30%) of the lot or parcel to be developed in identified aquifer recharge areas.
- 2) All stormwater detention or retention structures shall be constructed so as to comply with minimum groundwater criteria specified in Chapter 62-302, Florida Administrative Code.
- 3) A minimum ten (10) foot vegetated buffer shall be required between habitable structures and identified aquifer recharge areas.
- 4) The development of public or private facilities which have the potential to discharge pollutants or otherwise contaminate the surface or deep aquifer shall be prohibited in identified aquifer recharge areas, unless the developer can provide assurances that reasonable measures will be undertaken to prevent aquifer contamination.

6. *Natural Vegetation* - The City will preserve natural vegetation as buffers described in Conservation Element Policy 5.4.1. In addition, the City shall provide for protection of trees in its Land Development Regulations which will indicate type, size, replacement and removal requirements for protected trees.

7. *Wildlife Habitat* - Development shall not be permitted which will significantly damage or destroy the habitat of species listed as endangered or threatened as specified in the "Official Lists of Endangered Fauna and Flora in Florida", published by the Florida Game and Fresh Water Fish Commission.

The developer of any areas identified as containing wildlife habitat shall be responsible for the conduct of an analysis to determine the value and extent of such habitat. This habitat analysis shall form the basis of habitat conservation and preservation measures to be established either as a condition of development approval or

in an enforceable development agreement pursuant to Section 163.3220, Florida Statutes.

- Objective 5.3:** The City shall continue to protect the quality and quantity of water sources.
- Policy 5.3.1: The City shall continue to make improvements in its water system as needed to ensure that potable water is being distributed in an efficient manner and to reduce the potential for possible contamination.
- Policy 5.3.2: The City shall continue to identify possible stormwater pollution sources into surface water bodies and shall undertake measures to reduce pollutant loads consistent with Chapter 62-346, Florida Administrative Code.
- Policy 5.3.3: The City shall continue to reserve approval of development permits until stormwater discharge permits are obtained by developers pursuant to Chapter 62-346, Florida Administrative Code.
- Policy 5.3.4: The City shall continue to evaluate the available quantity of water on an annual basis so as to provide potable water based on current needs and projected demand.
- Policy 5.3.5: The City shall continue to cooperate with, and assist in the implementation of the *Water Shortage Plan* (January 1984, Revised 1985) of the NFWFMD should a water conservation emergency arise.
- Policy 5.3.6: The City shall continue to require installation of water-conservation plumbing fixtures as part of any new development pursuant to Section 553.14, Florida Statutes.
- Policy 5.3.7: The City shall continue to protect the water quality of water bodies within the City by including requirements for treatment of stormwater, requiring buffers or setbacks in areas adjacent to surface waters, drainageways, or wetlands and other similar provisions to be included in the Land Development Regulations as specified in Conservation Element Policy 5.2.3.
- Objective 5.4:** The City shall protect and conserve identified vegetative communities through restrictions on development and the implementation of conservation practices.
- Policy 5.4.1: The City shall continue to protect native vegetation and mature hardwoods through requirements in the Land Development Regulations.
- Policy 5.4.2: Within areas containing identified vegetative communities, lot coverage may be limited along with residential density.
- Policy 5.4.3: The City shall cooperate with Jackson County to protect vegetative communities located within more than one jurisdiction through application of provisions within the Land Development Regulations.

- Objective 5.5:** Continue to implement procedures to reduce soil erosion and reduce sedimentation into water bodies.
- Policy 5.5.1: The City shall identify in its Land Development Regulations specific standards for soil conservation, in coordination with the Soil and Water Conservation District and as specified in Conservation Element Policy 5.2.3.
- Policy 5.5.2: At a minimum, land clearing or development activities which cause direct soil erosion or sedimentation of water bodies shall be undertaken in conformance with Chapter 62-346, Florida Administrative Code and Conservation Element Policy 5.2.3.
- Objective 5.6:** The City shall include provisions for conservation and protection of fisheries, wildlife, wildlife habitat and river habitat in the development review and approval process.
- Policy 5.6.1: The City shall evaluate impacts on fisheries, wildlife habitat and river habitat as part of its development review and approval process. Development activities which will destroy identified wildlife or habitat shall be restricted through use of an enforceable development agreement pursuant to Section 163.3220.3243, Florida Statutes, or appropriate mitigation measures pursuant to Section 17-312, Florida Administrative Code. Development activities which cause destruction of endangered or threatened species shall be prohibited.
- Objective 5.7:** Continue to establish procedures which will require that development activities which involve handling and storage of hazardous wastes are managed in a manner which will reduce threats to natural resources.
- Policy 5.7.1: The City's Police and Fire Departments shall continue to coordinate with the Jackson County Department of Emergency Management as prescribed in the *Comprehensive Emergency Management Plan for Hazardous Materials* in the event of a hazardous materials emergency.
- Policy 5.7.2: The City shall require that all stationary above-ground and underground petroleum storage tanks conform to the provisions of Chapter 17-61, Florida Administrative Code, and that permits be obtained from FDEP prior to installation or removal of such tanks.
- Policy 5.7.3: The City shall require that all small quantity generators of hazardous waste register with Jackson County as specified under Sections 430.7234 and 403-7236, Florida Statutes.
- Objective 5.8:** Eliminate septic tank deficiencies which have the potential to endanger public health or contaminate environmental resources.
- Policy 5.8.1: Although no areas which contain concentrations of deficient septic tanks have been identified, the City will take action to make central sewer available to any area which has identified public health or environmental problems.

- Objective 5.9:** The City shall conserve natural resources such as water and open space to minimize energy used and GHG emissions and to preserve and promote the ability of such resources to remove carbon from the atmosphere.
- Policy 5.9.1: The City shall require use of water conservation fixtures and techniques for all new development or redevelopment as specified in Section 553.14, Florida Statutes.
- Policy 5.9.2: The City shall coordinate with Jackson County and the Northwest Florida Water Management District on reuse projects and programs. If and when a plan to extend reclaimed water facilities in the City is created, the City will require developers to install dry lines for reclaimed water when the availability of such facilities is imminent.
- Policy 5.9.3: The City shall coordinate with Jackson County to provide education regarding water conservation.
- Policy 5.9.4: The City shall encourage the use of water efficient irrigation and xeriscape landscaping techniques for all new development and shall amend the landscape provisions of the Land Development Regulations to provide standards for xeriscape landscaping techniques.
- Policy 5.9.5: The City shall encourage the use of Low Impact Development techniques, such as rain gardens and ecologically enhanced stormwater basins.
- Policy 5.9.6: An Alternative Transportation Map, depicting energy conservation measures for the City, can be found in the Future Land Use Map series.
- Objective 5.10:** Capitalize on the City's ecological and natural areas in an effort to increase ecotourism and to provide recreational opportunities for residents and visitors.
- Policy 5.10.1: The City shall coordinate with the Jackson County Development Council (JCDC) to encourage the development of ecological, agricultural, and heritage related tourism.
- Policy 5.10.2: Upon completion of the Chipola Greenways Master Plan, the City shall adopt the Plan and develop implementation strategies to support the development of the recreational facilities proposed within the plan.
- Policy 5.10.3: The City shall pursue opportunities for ecological and natural area connections, such as greenways and blueways, in order to provide connections between greenway parcels and other government owned lands when feasible.