

Future Land Use Element

Objective 14:

Sustainable Community Overlay

Please note this is a new objective and supporting policies proposed to be added to the Future Land Use Element of the Highlands County Comprehensive Plan.

In an effort to promote ease of review, underlining for proposed language has not been provided since this entire objective and policies is new.

Objective 14: Sustainable Community – Consistent with the General Growth Management Strategy

In the long term planning horizon, a Sustainable Community employing Smart Growth Principles may be allowed outside of the Urban Growth Area as depicted on the General Growth Management Strategy Map.

Policy 14.1: Sustainable Community Overlay and Sustainable Community – Characteristics

A Sustainable Community Overlay is characterized as a mixed use urban development located outside of the Urban Growth Area that is intended to accomplish the goals of enhancing agricultural sustainability, encouraging conservation of key habitats, and preserving unique natural resources while allowing growth in a higher density urban community with a sustainable mix of uses.

Developments within a Sustainable Community Overlay may only occur on a fraction of the lands within a Sustainable Community Overlay parent parcel creating a Compact Urban Development Area (CUDA).

A Sustainable Community Overlay employs Smart Growth Principles.

A Sustainable Community Overlay protects and improves the quality of environmental features within the Sustainable Community Overlay by directing development away from those features and into a compact mixed use, urban development area.

A Sustainable Community provides a functional mix of land uses including institutional, recreational, residential, public service uses, commercial, office, industrial, and other employment generating land uses within the CUDA of a Sustainable Community Overlay.

A Sustainable Community Overlay is capable of being planned for long term development and being developed in sustainable phases, creating a high quality, mixed use, sustainable living environment. Areas outside the CUDA allow agricultural uses, conservation, and preservation.

A Sustainable Community Overlay limits its CUDA for urban development to the land which is the least environmentally sensitive within the Sustainable Community Overlay and is otherwise appropriate for urban development.

A Sustainable Community Overlay discourages urban sprawl by providing opportunities for the diversification and integration of a wide range of land uses, providing affordable housing, advancing energy efficient land use patterns, and creating quality neighborhoods while maintaining a desirable ratio between jobs and housing. A Sustainable Community Overlay further discourages sprawl by transferring residential density from areas of Sustainable Green Assets. Without such transfer, very low density residential subdivisions are permissible.

A CUDA within a Sustainable Community Overlay provides multiple neighborhoods that are compact and walkable with an interconnected grid street pattern.

A CUDA within a Sustainable Community Overlay provides pedestrian connectivity and places precedence to the pedestrian over the convenience for the automobile.

A CUDA within a Sustainable Community Overlay provides a diversity of housing types to enable citizens from a range of economic levels and age groups to live within the community.

A CUDA within a Sustainable Community Overlay provides a town center with an appropriate mix of urban uses and public spaces.

A CUDA within a Sustainable Community Overlay provides neighborhood densities and intensities that are generally arranged in a hierarchical pattern radiating from the center to the edge.

A CUDA within a Sustainable Community Overlay provides a system of mobility and land use mix which increases internal trip capture and shortens length of trip.

A CUDA within a Sustainable Community Overlay provides densities and intensities that support transit and alternative modes of transportation and reduces reliance on personal motor vehicles.

A CUDA within a Sustainable Community Overlay provides centralized water and wastewater systems that are highly efficient in operation and conservation of water resources.

A CUDA within a Sustainable Community Overlay is located at the intersection of an arterial road with another arterial or collector roadway.

The Sustainable Community Overlay does not preclude such a development in the CUDA from being subjected to the Development of Regional Impact process.

Policy 14.1.1: Sustainable Community Overlay – Threshold

A Sustainable Community Overlay must contain a minimum of 50,000 acres.

Policy 14.1.2: Sustainable Community Overlay – Establishment

Sustainable Community Overlays are established through:

- Designation of an Overlay on the Future Land Use Map in an area outside of the Urban Growth Area consistent with the characteristics outlined in Policy 14.1.
- Development of a Master Community Plan designating future land uses and phasing plans in the Overlay within the CUDA within seven (7) years of the establishment of the Overlay.
- Detailed development plans in the CUDA through the Planned Development (PD) regulations and development monitoring through the annual Capital Improvement Element and schedule updates.

Policy 14.1.3: Sustainable Community Overlay – Compact Urban Development Area (CUDA)

A Sustainable Community Overlay must limit the CUDA to no more than 15% of the total acreage of the Sustainable Community Overlay.

Policy 14.1.4: Sustainable Community Overlay – Sustainable Green Assets

Lands from which residential development rights have been transferred in exchange for bonus dwelling units within the Sustainable Community Overlay shall be known as Sustainable Green Assets. Sustainable Green Assets may include environmentally significant lands and agricultural lands.

Sustainable Green Assets shall be protected in perpetuity through the recordation of one or more Restrictive Covenants that shall preclude residential development on the protected lands but otherwise allow all other non-urban uses which are permitted under this comprehensive plan. Such Restrictive Covenants shall be recorded in conjunction with, and as a condition precedent to, a Planned Development that utilizes density bonus units from such protected lands becoming legally effective. Such Restrictive Covenant shall be recorded within the Official Records of Highlands County. Development rights may be transferred from lands within the Sustainable Community Overlay in one or more phases.

Sustainable Green Assets may remain under private ownership or be sold to a public agency or a conservation land trust, however the Restrictive Covenant shall run with the land

Policy 14.1.5: Compact Urban Development Area - Establishment of Density

Density for a CUDA within a Sustainable Community Overlay shall be created through a combination of currently entitled dwelling units within the Sustainable Community Overlay and bonus dwelling units in exchange for prohibiting urban development on lands outside of the CUDA, allowing only agricultural, conservation and preservation uses, otherwise known as Sustainable Green Assets, on those areas outside the CUDA.

For each currently entitled dwelling unit within the Sustainable Community Overlay allowed by this comprehensive plan that is transferred into the CUDA, a property owner shall be awarded two (2) bonus dwelling units. The bonus dwelling units are granted to the property owner for removing residential entitlements from the lands for agriculture, conservation, and preservation land uses (Sustainable Green Assets).

While a property owner may determine how many currently entitled units to transfer into the CUDA in exchange for bonus dwelling units awarded for the protection of Sustainable Green Assets, all other requirements provided for herein shall be required to be met.

Bonus density units awarded for the protection of Sustainable Green Assets shall supplement currently entitled units within the CUDA of the Sustainable Community.

Each currently entitled unit that is within the footprint for a CUDA shall be awarded two bonus dwelling units for being part of the CUDA and not single use urban sprawl.

| Dwelling Unit Transfer & Bonus Dwelling Unit Formula | | |
|---|--------------------------|--|
| 1 dwelling unit from existing entitlement under this comprehensive plan | + 2 bonus dwelling units | = 3 total dwelling units to be transferred to Sustainable Community Overlay's Compact Urban Development Area |

Policy 14.1.6: Sustainable Community Overlay – Future Land Use Plan Amendment

A Sustainable Community Overlay shall be established via a plan amendment to the Future Land Use Map of the Comprehensive Plan. Specific policies establishing the number of current entitlement dwelling units, amount of bonus dwelling units to be awarded for the protection of Sustainable Green Assets, minimums and maximums for density and intensity of development, and illustrative graphics representative of the policies shall be established in the Future Land Use Element.

A comprehensive plan amendment for a Sustainable Community Overlay shall be adopted prior to a comprehensive plan amendment for a Master Community Plan for a Sustainable Community Overlay in order to establish the specific form for the Sustainable Community.

Policy 14.2: Sustainable Community Overlay - Master Community Plan

Within seven (7) years after the Sustainable Community Overlay becomes legally effective, the property owner shall request approval of a comprehensive plan amendment for a Master Community Plan. Failure to meet the seven (7) year deadline and receive approval for the Master Community Plan shall thereafter preclude the County from awarding bonus dwelling units and the County shall eliminate the Overlay from the Future Land Use Map as a part of the Evaluation and Appraisal Report process.

Policy 14.2.1: The Master Community Plan shall be adopted by amendment to the Highlands County Comprehensive Plan.

Policy 14.2.1.1: The Master Community Plan for a Sustainable Community Overlay shall provide for future development which:

- A. Establishes future land use patterns within the Sustainable Community and the maximum and minimum densities and intensities of use for all land uses within a Sustainable Community;
- B. Identifies regionally significant natural resources within the Sustainable Community;
- C. Identifies regionally significant public facilities within the Sustainable Community;
- D. Establishes guiding principles that address urban form and interrelationships of anticipated future land uses; and
- E. Identifies procedures to ensure intergovernmental coordination to address extra jurisdictional impacts from the Sustainable Community Overlay.

Policy 14.2.1.2: The Master Community Plan shall provide policies and exhibits to ensure future compliance with all requirements for a Sustainable Community by addressing, at a minimum, the following issues:

- A. Open Space Areas
- B. Compact Urban Development Area (CUDA)
- C. Governmental/Educational/Civic Uses
- D. Capital Improvements Planning and Financing
- E. Existing Water Well Locations
- F. Water Use and Conservation
- G. Water and Wastewater
- H. Surface Water Management
- I. Significant Archaeological, Historic, and Environmental Resources
- J. Major Multimodal Transportation Network
- K. Integrated Pedestrian and Trail System
- L. Relationship/Integration with Adjacent Uses

Policy 14.2.1.3: To ensure a sustainable mix of residential and non-residential uses the following criteria shall be met.

- A. Prior to completion of 35% of the Residential Components, 10% of the Non-Residential square footage must have final site plan approval.

- B. Prior to completion of 50% of the Residential Components, 10% of Non-Residential square footage must have certificate of occupancy and an additional 15% of the Non-Residential square footage must have final site plan approval.
- C. Prior to completion of 75% of the Residential Components, 25% of Non-Residential square footage must have certificate of occupancy and an additional 25% of the Non-Residential square footage must have final site plan approval.
- D. Prior to completion of 90% of the Residential Components, 50% of the Non-Residential square footage must have certificate of occupancy and an additional 25% of the Non-Residential square footage must have final site plan approval.

Policy 14.2.1.4: Development, other than minor encroachment for utilities must be mitigated consistent with all permitting requirements, is prohibited in the following areas:

- A. Floodways
- B. River and Stream Corridors
- C. Drainage ways
- D. Wetlands
- E. Cutthroat Seeps

Development shall be discouraged within areas of the 100 year floodplain.

Policy 14.2.1.5: Floodways, river and stream corridors, drainage ways, wetlands, and cutthroat seeps may be crossed by roads and utilities, when mitigated consistent with all permitting requirements, subject to the following limitations:

- A. Pre-development volume, direction, distribution and surface water hydro-period shall be maintained by culverting or bridging the crossing
- B. Impacts to the area are minimized
- C. Travel movements by wildlife known to be in the area are accommodated

D. All local, state and federal permits are obtained

Policy 14.2.2: Sustainable Community Overlay – Sustainable Green Assets

Sustainable Green Assets include agricultural lands, natural resource lands and other lands to be preserved within the Sustainable Community Overlay.

Policy 14.2.2.1: Agriculture

Agricultural lands are intended for the long term use of viable agri-business. These lands shall be limited to bona fide agricultural uses and support activities. This includes limited residences for a property manager(s) and workers and their families at a density of 10 dwelling units per acre as permitted by Policy 9.1 of the Housing Element.

Mining operations and confined feed lots are prohibited.

Policy 14.2.2.2: Natural Resource Lands

Natural Resource Lands are lands with significant environmental resources.

Natural Resource Lands contribute to the long-term ecological function of surrounding properties and watersheds. These lands sustain and/or expand regional habitat linkages and improve and protect native habitat.

Restoration of degraded environmental resources shall be encouraged as development progresses within the Sustainable Community Overlay.

Natural Resource Lands shall be configured, when appropriate, to create connections to off-site environmentally sensitive lands to form viable habitat corridors.

Policy 14.2.3: Sustainable Community Overlay – Green Initiatives

The development within the CUDA shall strive to exceed minimum LEED certification requirements.

All development within the CUDA shall strive to incorporate green community design and building techniques which will conserve energy, conserve water, and minimize the carbon footprint.

Landscaping within the CUDA shall be consistent with water wise, drought resistant, Florida Friendly Plants.

Policy 14.2.4: Sustainable Community Overlay – Development Form

The CUDA of the Sustainable Community shall follow the concepts of Traditional Neighborhood Design by placing emphasis on quality public spaces, environmental protection, mobility options, pedestrian scale, mixed uses, and variety of recreational options, along with site and building designs which minimize the reliance on and the visual impact of automobiles.

A CUDA shall create a positive identity through building design and materials, signage, landscape design and materials, civic spaces, and focal points.

Development layout and design within a CUDA shall demonstrate avoidance of environmentally sensitive lands, if any; preserving the function, purpose, and integrity of the natural resource.

Policy 14.2.4.1: Sustainable Community Overlay – Transportation and Mobility

The CUDA within a Sustainable Community Overlay shall be designed to encourage pedestrian movement, the use of alternative transportation modes, and designed to promote the use of non-motorized vehicles, consistent with Traditional Neighborhood Design.

As part of the Master Community Plan, thoroughfares and major transportation linkages will be identified.

The Master Community Plan will shall show the thoroughfare roadways, number of lanes on thoroughfare roadways, and non-motorized amenities. Principal internal and external connections to the CUDA will be shown in relation to the adopted Long Range Transportation Plan.

Alternative transportation methods shall be developed to create a community that is not solely reliant on the automobile for all transportation trips. At a minimum, this will address conceptual designs to accommodate: transit, pedestrians, bicycles, and alternative vehicles (i.e. electric vehicles, etc.)

Policy 14.2.4.2: Sustainable Community Overlay – Central Wastewater and Water Systems

All development within the CUDA of a Sustainable Community Overlay shall connect to a central water and wastewater system except for isolated uses such as guardhouses, golf course facilities, or other non-residential uses with minimal wastewater flows (less than a standard single family home). In such cases, installation of Performance Based Septic Systems shall be allowed.

The central system shall be developed to be highly efficient in operation and conservation of water and energy resources.

Policy 14.2.4.3: Sustainable Community Overlay – Reclaimed Wastewater for Irrigation

Wastewater reclamation for irrigation purposes shall be encouraged within the CUDA of a Sustainable Community Overlay. Such a system may provide water for the irrigation of yards (residential and non-residential), irrigation of public lands, and/or irrigation of agricultural operations, and other beneficial uses within the Sustainable Community Overlay.

Policy 14.2.4.4: Sustainable Community Overlay – Recreation and Open Space

Development within the CUDA of a Sustainable Community Overlay shall include both active and passive recreational opportunities. These shall include various types of parks, multi-use trails, outdoor civic space, neighborhood greens, and land use buffers.

Active and passive recreational opportunities shall be distributed throughout the CUDA of a Sustainable Community Overlay.

Co-location of civic spaces, schools, and active park space is encouraged within the CUDA of a Sustainable Community Overlay.

A multi-use trail system is required to be developed throughout the CUDA of a Sustainable Community linking residents to recreation, shopping, civic space, employment, and any future off-site regional trail system.

Recreational land within or outside of the CUDA of a Sustainable Community Overlay shall be dedicated to the County at the time of Planned Development approval to maintain the minimum Level of Service standard for parks and recreation.

Policy 14.2.5: Sustainable Community Overlay - Work Force/Affordable Housing

A wide range of housing, accommodating diverse income levels, age groups, and housing needs shall be provided within the CUDA of a Sustainable Community Overlay.

A Work Force/Affordable Housing Plan for the CUDA shall be developed and approved by Highlands County during Planned Development and shall be based on a Work Force/Affordable Housing Plan which shall address:

- A. The needs of very low, low, and moderate income households expected with the population and employment growth within the Sustainable Community.
- B. The opportunities for rental and home ownership opportunities.
- C. The financing, land ownership alternatives, and other mechanisms that produce work force/affordable units.
- D. The dispersal of work force / affordable housing shall be dispersed throughout the CUDA of a Sustainable Community Overlay with special effort to locate such housing adjacent to employment opportunities, schools, and/or recreational facilities.
- E. The design standards that shall ensure the exterior appearance of work force/affordable housing units shall be harmonious with market rate housing in the immediate area.

Policy 14.2.6: Sustainable Community Overlay – Fiscally Neutral or Positive for Highlands County

A infrastructure and services within and supporting the CUDA of the Sustainable Community Overlay shall be fiscally neutral or fiscally positive for the County.

Development generated capital improvements shall be the responsibility of the Developer, however, public facilities may be financed, constructed, operated, or maintained by any governmental entity allowed by law, including but not limited to independent special districts, one (1) or more

property owners associations, homeowners associations, or community development districts.

Highlands County will coordinate closely with the developer throughout the development of the CUDA and the Sustainable Community Overlay to ensure compliance with all Level of Service standards established in this Comprehensive Plan for infrastructure and services supporting and within the CUDA.

The developer shall coordinate and cooperatively address the needs of other governmental services such as law enforcement, fire protection, libraries, and schools in conjunction with Planned Development approval.

Policy 14.2.7: Sustainable Community Overlay – Land Development Regulations

Land development regulations implementing the Sustainable Community Overlay shall be developed within 24 months of the effective date of adoption of Objective 14 and its supporting policies.

The Master Community Plan shall be implemented with one or more Planned Developments, each of which shall develop an overall public facilities and financing plan including a 5-year schedule of Capital Improvements which shall be updated annually.

Policy 14.3: Sustainable Community – Planned Development (PD) and Capital Improvements Element and Schedule

The distribution, extent, and location of land uses approved within any CUDA Planned Development shall be consistent with the Master Community Plan.

The Master Community Plan shall guide the preparation and adoption of the Planned Development and Capital Improvements Schedule.

Policy 14.3.1: The Planned Development shall be consistent with the land uses of the Master Community Plan and the urban form criteria.

Policy 14.3.2: Sustainable Community – Planned Development (PD) – Public Facilities

The PD shall identify the projected demand for all public facilities for which the County has adopted levels of service, and shall identify capital

improvements required to meet projected demands in order to achieve and maintain adopted public facilities level of service standards. The Public Facilities Plan shall provide:

- A. County Water Use Permit capacity; location, service area(s) and capacity of regional, county or municipal water treatment plants; major potable water distribution facilities if located within 2 miles of the Sustainable Community Overlay CUDA.
- B. Location, service area and capacity of regional, county or municipal wastewater treatment plant(s) within 2 miles of the Sustainable Community Overlay CUDA; major wastewater transport facilities such as force mains and lift stations.
- C. If existing facilities are not to be extended to serve the PD, then details of capacity construction scheduling and financing shall be included.
- D. Major roadways and multi-modal transportation systems within the transportation study area and a full transportation analysis with agreement as to the methodology with the Florida Department of Transportation, the Central Florida Regional Planning Council and Highlands County.
- E. Parks and recreation facilities located within the Sustainable Community Overlay CUDA consistent with the County's adopted levels of service standards for recreation and open space.
- F. Solid waste disposal for waste generated by the PD from CUDA within the Sustainable Community Overlay.
- G. Coordination with the Highlands County School District to address demands for, and proposed siting of, public school facilities within the CUDA of the Sustainable Community Overlay.

To address public facility concurrency requirements, all approved PDs shall, at a minimum, identify a financially feasible 5-year capital improvement schedule for public facility needs identified consistent with applicable adequate public facility requirements.

The developer of a Sustainable Community Overlay shall provide an annual report to Highlands County no later than August 1 of each year

after the PD is approved detailing development amounts completed and updating the 5-year Capital Improvements Schedule.

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