

ORDINANCE NO. #1083

AN ORDINANCE OF THE CITY OF MARIANNA, FLORIDA AMENDING THE LAND DEVELOPMENT CODE AND ZONING MAP OF THE CITY OF MARIANNA CODE, PROVIDING FOR A MEDICAL SERVICES OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Marianna Planning & Zoning Board held a Public Hearing to consider the recommending changes to the City of Marianna Land Development Code on March 25, 2019, and recommended adoption of Ordinance #1083; and

**WHEREAS**, in exercise of its authority, the City Commission of the City of Marianna finds it necessary and desirable to adopt and does hereby adopt Ordinance #1083 amending the City of Marianna Land Development Code to encourage development of medical services in the vicinity of Jackson Hospital within the City.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA THAT:

**SECTION 1. Authority.** The authority for enactment of this ordinance is Article 1, Section 1.06 and 1.07 of the Charter of the City of Marianna. Amendment consists of the attached hereto as Exhibit A and Exhibit B, and made a part hereof and which will be incorporated in the current Land Development Code of the City of Marianna.

**SECTION 2. Amendment.** The Land Development Code, Section 4-2.2(5) of the Code of Ordinances for the City of Marianna, is hereby amended to read as follows:

**SECTION 3. Severability.** Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions there of shall remain valid and enforceable.

**SECTION 4. Effective Date.** This Ordinance shall become effective upon its adoption by the City Commission as provided by law.

PRESENTED AND READ BY TITLE TO THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

PASSED AND ADOPTED BY THE CITY COMMISSION OF MARIANNA, FLORIDA ON  
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

ATTEST:

Marianna City Commissioners

\_\_\_\_\_  
Kimberly J. Applewhite, City Clerk

\_\_\_\_\_  
John E. Roberts, Mayor/Commissioner

Exhibit A

**NOTE: STRIKE THROUGH INDICATES LANGUAGE DELETED AND UNDERLINE INDICATES LANGUAGE ADDED.**

18. Medical Services Overlay District (MSOD)

- a. Purpose. The purpose of the Medical Services Overlay District is to encourage and sustain growth of medical service/support development in proximity to Jackson Hospital.
- b. Applicability. The Medical Services Overlay District shall be considered an overlay district on the designated zoning district upon which it is superimposed. Unless otherwise specified, the underlying district requirements, including allowable uses, densities, intensities, etc., shall also be applicable within Medical Services Overlay District.
- c. Special Provisions.
  - i. Medical related support activity is acceptable development within the overlay boundary regardless of the underlying zoning designation.
  - ii. Owners of adjoining properties or adjoining but for public right-of-way may petition the City for inclusion in the district.
  - iii. Existing residential development may continue and is allowable within the overlay district.
  - iv. Visual buffers between new medical related support development and existing residential development is required. This buffer shall provide 90% visual obscurity up to a height of 8 feet along the adjoining residential property line(s). This buffer can be a combination of fencing and vegetation. Developers may offer means to provide this obscurity which must be approved by the City and adjacent land owner.

198. PUD, Planned Unit Development

- a. Purpose. The purpose of the planned unit development zoning district is to promote innovative and sustainable development. Each PUD should achieve the following objectives when possible:
  - i. promote sustainable development that utilizes innovative design features;

- ii. preserve and incorporate natural environments into the design of development;
  - iii. integrate different housing types that fulfill the housing needs of a diverse population of various income levels; and
  - iv. provide for a functionally integrated, mixed use community.
- b. Review Criteria.
- i. Compliance with the City's Comprehensive Plan. Each PUD shall comply with all requirements of the future land use designation for the property proposed to be zoned PUD.
  - ii. Specifications as set forth in these Land Development Regulations shall serve as the minimum standards. Innovative and creative alternative designs are encouraged.
  - iii. Permitted uses. A PUD must contain a minimum of two uses with one use being residential and the other being recreation and open space. It may include any use allowed in any zoning district provided such use is consistent with the future land use category for the property. PUDs shall not be permitted within the RT zoning category.
  - iv. Area. A PUD must be a minimum of 10 acres.
  - v. Density. The maximum density for residential uses is 16 dwelling units per acre.
  - vi. Intensity. The maximum intensity for nonresidential uses is 90% lot coverage.
  - vii. Maximum Building Height. The maximum building height within the PUD shall be 70 feet above base flood elevation.
  - viii. Compatibility. All development proposed within the PUD shall be compatible with surrounding existing uses.

- ix. Natural features. All development proposed within the PUD shall minimize adverse impacts of development on the natural features and maximize the natural features as amenities for the development.
  - (1) When possible, trees with a diameter of 18” or larger at 54” above ground level shall be preserved.
  - (2) Care should be taken during construction to avoid killing roots of trees slated for preservation.
  
- x. Transportation network. The transportation network for each PUD shall comply with the following requirements:
  - (1) Traffic network. The PUD shall provide for the continuation of all existing highway, arterial, and collector roadway traffic. The transportation system shall connect to existing adjacent streets, pedestrian ways, and bicycle paths.
  - (2) Circulation. The transportation network within the PUD shall be designed to:
    - (a) Provide safe and efficient flow of traffic;
    - (b) Provide safe and effective access to land uses within the development and roadways adjacent to the development;
    - (c) Accommodate future traffic circulation at established level of service standards; and
    - (d) Achieve interconnectivity among land uses when possible.
  - (3) Access. Each unit or permitted use in the PUD shall have access to a public street directly or via an approved road, pedestrian way, court, or other area dedicated to public or private use, or a common element that guarantees such access.

- (4) Parking, loading, and storage. Parking, loading, and storage within a PUD shall be designed to be functionally integrated into the development.
      - (5) Pedestrian/bicycle network. Each PUD should include a unified pedestrian and bicycle circulation system when possible.
      - (6) Street design. Specifications for street materials as set forth in the city ordinances shall serve as the minimum standards. Innovative and creative alternative designs for lane width, curbs, and drainage are encouraged in order to calm traffic, encourage non-vehicular transportation, and achieve design goals.
    - xi. Open spaces and recreation areas. Each PUD shall include open spaces and recreation areas in order to provide appropriate recreational opportunities, protect sensitive natural areas, conserve areas of unique beauty or historical significance, provide structure to neighborhood design, and achieve compatibility with surrounding land uses.
  - c. Procedure for PUD Zoning. Applications for PUD Zoning shall be submitted, processed and reviewed as for other amendments to the Zoning Map. Material submitted with the application, or on subsequent request by the Director, shall include the specific zoning district classification requested, the material required by Article 2 and other plans, maps, studies and reports, as required below, with sufficient copies for necessary referrals and records.
    - i. Preapplication Conference. The applicant shall participate in at least one preapplication conference with the Municipal Development Department.
    - ii. PUD Application. An application for a rezoning to the PUD zoning district shall include the following:
      - (1) The name, addresses, and phone numbers of the owner, applicant, and representatives of the applicant.
      - (2) Legal description including total acreage.

- (3) A document that demonstrates unified ownership or control of the property.
- (4) A master site plan that contains the following:
  - (a) general types and locations of proposed development, lot sizes and setbacks, open space, conservation areas, transportation networks, and buffers;
  - (b) a general transportation circulation plan; and
  - (c) a description of uses including total number of dwelling units, total square footage of nonresidential uses, housing types, heights of buildings, and total amount of open space.
- (5) A project narrative that demonstrates compliance with each of the standards set forth in 4-1.7.16.c.
- (6) An analysis of the future land use categories and zoning districts for the properties surrounding the property proposed to be rezoned to PUD.
- (7) An analysis of each requested deviation from the requirements of the City's land development regulations. Such analysis shall include:
  - (a) a description of each requested deviation; and
  - (b) a comparison between the applicable requirement of the City's land development regulations and the requested deviation.
- (8) A list of the public benefits proposed in the PUD and an analysis which demonstrates that such proposed public benefits are sufficient to justify the requested deviation(s) from the City's land development regulations.
- (9) An environmental assessment report.

- (10) A proposed development phasing schedule.
- (11) An analysis of the anticipated impacts of the proposed development, including:
  - (a) potable water demand
  - (b) wastewater demand
  - (c) stormwater facilities
  - (d) transportation impacts
  - (e) park and open space
  - (f) solid waste demand
  - (g) school impacts
- iii. Expiration. The master site plan for the PUD shall expire two years from the date of approval by the City Commission unless the applicant obtains a development order from the City for a phase. Subsequent phases must receive a development order within two years upon completion of previous phase. If the master site plan expires, the applicant must reapply for a PUD zoning and conform to the current requirements of the City's Land Development Code.
- iv. Extension. An applicant may request a one-year extension of the expiration date, provided such request is filed with the City 45-days prior to the expiration date.
- v. Modifications. All modifications to the PUD, including the master site plan, must be reviewed by the Planning and Zoning Board, and approved by the City Commission with the same process as required for the initial approval of the PUD rezoning.
- vi. Issuance of development orders. City Commission approval of an application for a rezoning to the PUD zoning district shall be required prior to or concurrent with the granting of any development order for a PUD project.



**Exhibit B**  
**Site Location**  
**Ordinance #1083**

