

PLANNING AND ZONING BOARD
July 24, 2023
4:00 PM

Old City Hall Commission Room
2895 Jefferson Street
Marianna, FL 32446

1. Call To Order

2. Minutes

2.A. Minutes June 2023

Documents:

[6.26 MINUTES.PDF](#)

3. Comprehensive Plan

3.A. Ordinance #1153 - EA 2023-01

Documents:

[ORDINANCE 1153.PDF](#)
[STAFFREPORT.PDF](#)

4. Other Business

5. Adjournment

The City of Marianna is an Equal Opportunity Employer and a Drug-Free Workplace. In accordance with the adopted Section 504 Policy, the City will take affirmative steps to reasonably accommodate the disabled and ensure their needs are equitably represented in City programs and activities. Pursuant to Title VI and the Civil Rights Act of 1964, the City will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, language, income, handicap, genetics or familial status. For assistance with EEO, Title VI or Section 504 matters contact Julie Chance at 850-482-4353. The City also has a Fair Housing Ordinance. For assistance with Fair Housing matters contact Kay Dennis at 850-482-4353. In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the City Clerk's Office at 850-482-4353 no later than three days prior to the meeting. City Hall is located at 2898 Green Street, Marianna, Florida.



**CITY OF MARIANNA
PLANNING & ZONING BOARD
REGULAR MEETING
July 24, 2023**

**June 26, 2023
MINUTES**

MEMBERS & STAFF PRESENT

Jonathan Fuqua, Chairman - Present

Diane Pate – Present

Dr. Matt Payne – Present

Ann Jones- Present

Matt Fuqua, City Attorney-Present

William Long, City Manager - Present

Kay Dennis, Municipal Development
Director – Present

Chierstin Rasmussen, Administrative
Assistant to Municipal Development
Director - Present

Ashley Bradie, Code Enforcement
Officer—Present

I. Call to Order

The meeting was called to order at 4 pm by chairman Jonathan Fuqua.

II. Reading and Approval of the Minutes

Ms. Pate moved to approve the minutes of May 22, 2023. Mrs. Jones seconded this motion, and the minutes were approved with a 4:0 vote.

III. Variance Request—Cancun’s Mexican Grill

Mr. Fuqua recognized Mrs. Kay Dennis, who apprised the Board of a request for a variance from front buildings setbacks on parcel #04-4N-10-0271-0000-0070. The parcel is located in the Commercial Zoning District, but the existing building is not parallel to the road. The proposed porch addition meets the setbacks on one side, but not the other. The request is being made to provide an area for patrons to wait outside while avoiding inclement weather conditions. After a brief discussion, Ms. Pate moved to approve the development order request. Mrs. Jones seconded this motion, which carried 4:0 in favor of approval.

IV. 2023-2024 Dilapidated Structures List

Mr. Fuqua recognized Mrs. Kay Dennis, who informed the Board of the 2023-2024 Dilapidated Structures List. Mr. Shane Tipton of 4085 Circle Drive addressed the Board to request an extension to address the nuisances on his property. Mr. David Barrentine of 2811 Caledonia Street requested the Board grant an extension to allow him time to address the nuisances on his property. After a brief discussion, Ms. Pate moved for staff to move forward with the proposed Dilapidated Structures List subject to review on January first. Dr. Payne, who arrived late, seconded this motion which carried 5:0 in favor of recommending approval.

V. Other Business

Mrs. Kay Dennis reminded the Board to submit their financial disclosure forms

VI. Adjournment

With no further business for discussion, the meeting was adjourned.

ORDINANCE NO. 1153

AN ORDINANCE AMENDING ORDINANCE 812, WHICH ADOPTED THE CITY OF MARIANNA COMPREHENSIVE PLAN AND ORDINANCE 1148, WHICH AMENDED THE CITY OF MARIANNA COMPREHENSIVE PLAN AND FUTURE LAND USE MAP TO PROVIDE FOR THE ADOPTION OF A CERTAIN COMPREHENSIVE PLAN AMENDMENT (EA 2023-01) TO THE CITY OF MARIANNA COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires the City of Marianna ("City") to prepare, adopt, enforce and update a Comprehensive Plan; and

WHEREAS, the City of Marianna Planning & Zoning Board held a Public Hearing to consider the recommended amendment to the Comprehensive Plan on July 24, 2023, and recommended the Amendment be transmitted by the City Commission for Adoption to the Florida Commerce Department and other State, Regional and County agencies; and

WHEREAS, the City Commission of Marianna, Florida held a public hearing as required by Florida Chapters 163, laws of Florida, with due public notice having been provided, and having reviewed and considered all comments received during the public hearings, and provided for necessary revisions; 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 the Amendment to the Comprehensive Plan.

NOW, THEREFORE, 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 made a part hereof and which will be incorporated in the current Land Development Code of the City of Marianna.

SECTION 2. Amendment. The Future Land Use Element, Comprehensive Plan for the City of Marianna, is hereby amended to read as follows in Exhibit A.

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 1st DAY OF AUGUST, 2023.

PASSED AND ADOPTED BY THE CITY COMMISSION OF MARIANNA, FLORIDA ON THIS THE _____ DAY OF _____, 2023.

ATTEST:

Marianna City Commissioners

Kimberly J. Applewhite, City Clerk

John Roberts, Mayor/Commissioner

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.

(2) *Density* - The Land Development Regulations shall provide for the following densities and intensities of development:

With the use of septic tanks and individual water wells, establish a maximum density of two (2) dwelling units per acre for undeveloped and previously unplatted areas having severe septic tank soil suitability ratings.

With the use of septic tanks and on a central water system, establish a maximum density of four (4) dwelling units per acre for undeveloped and previously unplatted areas having severe septic tank soil suitability ratings.

With the use of central sewage treatment, but on individual wells, establish a maximum density limitation of (5.8) single family units per acre or sixteen (16) apartments per acre.

With the use of central sewage treatment and central water, establish a maximum density limitation of (5.8) single family units per acre or sixteen (16) apartments per acre.

(3) *Intensity* - No more than fifty percent (50%) lot coverage for single-family dwellings and seventy-five percent (75%) lot coverage for multi-family dwellings.

(4) *Maximum Building Height* - No more than 35 feet unless within the Downtown Improvement Special Treatment District which has a height limitation of 70 feet.

(b) Mixed Use (MU)

(1) *Intent* - To provide areas for an attractive and functional mix of residential, professional office, neighborhood commercial, and other similar low intensity land uses. This category is further intended to provide for a range of land uses for the purpose of stimulating the redevelopment or revitalization of underutilized or blighted areas.

(2) *Mix of Uses* - Properties within this category must develop with a mix of at least two uses, one of which is required to be residential. Residential uses shall comprise a minimum of 50% of the development. The remainder uses may include office commercial uses including professional office uses, medical uses, personal services, and public institutional uses; retail commercial uses; and recreational uses. All of the land uses do not have to be developed at the same time, nor is one land use a prerequisite to another land use.

(3) *Density or Intensity* - Residential densities and intensity shall be the same as those for the "Residential" category.

All other uses shall not exceed an intensity of seventy-five percent (75%) lot coverage.

- (4) *Maximum Building Height* - No more than 50 feet unless within the Downtown Improvement Special Treatment District which has a height limitation of 70 feet.

(c) Commercial (COM)

- (1) *Intent* - This category is intended to provide areas for high intensity commercial development including retail sales and services, wholesale sales, shopping centers, office complexes and other similar land uses.
- (2) *Density* - Residential uses within the DISTA are permitted at a maximum density of sixteen (16) units per acre.
- (3) *Intensity* - No greater than ninety percent (90%) lot coverage.
- (4) *Maximum Building Height* - No more than 70 feet.

(d) Public/Institutional (PI)

- (1) *Intent* - The intent of this district is to provide areas for education facilities, public buildings and grounds, churches, institutions, cemeteries, and other similar uses.
- (2) *Intensity* - No more than ninety percent (90%) lot coverage.
- (3) *Maximum Building Height* - No more than 70 feet.

(e) Recreation (REC)

- (1) *Intent* - This category is intended to provide opportunities and sites for public and private recreation.
- (2) *Intensity* - No more than ninety percent (90%) lot coverage.
- (3) *Maximum Building Height* - No more than 35 feet.

(f) Industrial (IND)

- (1) *Intent* - This category is intended to provide areas dedicated for industrial operations only, and related uses.
- (2) *Intensity* - No greater than ninety percent (90%) lot coverage.
- (3) *Maximum Building Height* - No more than 70 feet.

(g) Conservation (CON)

(1) *Intent* - This category is intended to provide areas for protection and conservation of natural resources and locally designated environmentally sensitive resources, including the Chipola River, wetlands, flood zones, and soils with severe limitations to development.

(2) Development in the Conservation district shall be limited to conservation, commercial recreation, residential, or public uses that would support and further such purposes as flood control, groundwater and surface water protection, floodplain management, and protection of wildlife habitat.

Development within areas poorly suited for septic tanks due to poor soils, inefficient drainage or location within flood-prone areas provides the potential for contamination of surface and ground water. These factors demonstrate the need to connect existing structures to a centralized sanitary sewer system. Centralized sanitary sewer systems in these areas should be considered for preventing surface and groundwater contamination.

(3) *Density* - Unless otherwise specified in Conservation Element Policy 5.2.3, residential density shall be no greater than one (1) dwelling unit per acre.

(4) *Maximum Building Height* - No more than 35 feet.

(h) Rural Transition (RT)

(1) *Intent* - This category is intended to provide areas for general agricultural activity and a transitional area from rural to suburban. This category is intended to meet specific needs where there is a meeting of rural and suburban areas. The category shall only be designated by the City as a transitional district when unincorporated lands are annexed.

(2) *Density* - residential density shall be no greater than one (1) dwelling unit per acre.

(3) *Maximum Building Height* - No more than 35 feet for residential uses and unlimited for agriculture related uses.

(i) Special Treatment Areas (STA)

(1) *Intent* - In addition to the land use categories established in paragraphs (a) - (g) within this subsection, Special Treatment Areas shall be depicted on the Future Land Use Map. These areas have been established for areas in

which, by the nature of their environmental, economic, social, cultural, historic, or blighted conditions, require special consideration by the City. Special Treatment Areas shall be depicted as an overlay on the designated category and shall indicate areas in which special permit requirements, economic incentives for redevelopment or development, special authorities or boards, or similar special circumstances might occur. Densities or intensities of land use for Special Treatment Areas shall be the same as the land use category the areas are overlaid upon. The Special Treatment Areas shall be designated as follows.

- (i) *Wellhead Protection Special Treatment Area (WPSTA)*. The WPSTA includes water wells and cones of influence and is subject to the specific and detailed standards specified below.
 - 1. The City shall prohibit installation of septic tanks within two-hundred (200) feet of municipal potable water wells.
 - 2. Land uses which store, transfer or use hazardous materials shall not be permitted within two-hundred (200) feet of municipal potable water wells.
 - 3. Underground storage tanks containing gasoline, diesel fuel, or other hazardous substances shall not be permitted within three-hundred (300) feet of municipal potable water wells.
 - 4. The City shall enforce requirements specified in the "Potable Water Sub-Element" of this Plan relative to water well contamination.
- (ii) *Historic Special Treatment Area (HSTA)*. Development and/or redevelopment in the HSTA shall be evaluated as to potential impacts on historic resources. Structures identified as being of historic significance will be subject to conditional development requirements prior to permits being issued for demolition or substantial alteration. Rehabilitation guidelines shall be as specified in the Secretary of the Interior's, Standards for Rehabilitation, 1983.
- (iii) *Downtown Improvement Special Treatment Area (DISTA)*. The DISTA is intended to promote economic development through redevelopment and

revitalization of the downtown central business district by providing opportunities for a broad range of mixed uses including commercial, government, professional, institutional, entertainment, and residential. The DISTA will be subject to special treatment in the form of developer incentives, grant funding, relaxation of fees, charges, or regulatory requirements, provision of public facilities or other similar incentives to be specified in the Land Development Regulations.

- (iv) Industrial Special Treatment Area (ISTA). The ISTA is intended to encourage economic development by promoting a range of uses including industrial, warehousing, manufacturing and assembly, and other employment-oriented uses. The ISTA will be subject to special treatment in the form of developer incentives, grant funding, relaxation of fees, charges, or regulatory requirements, provision of public facilities or other similar incentives to be specified in the Land Development Regulations.
- (v) Distribution Park Special Treatment Area (DPSTA). The DPSTA is intended to encourage economic development by promoting a range of uses including warehouse/distribution uses, manufacturing and assembly, and other employment-oriented uses that benefit from direct access to Interstate-10. The DPSTA will be subject to special treatment in the form of developer incentives, grant funding, relaxation of fees, charges, or regulatory requirements, provision of public facilities or other similar incentives to be specified in the Land Development Regulations.
- (vi) Mixed Use Special Treatment Area (MUSTA). The MUSTA is intended to encourage economic development by promoting a mix of uses including residential, professional office, neighborhood commercial, and other similar low intensity land uses. The MUSTA will be subject to special treatment in the form of developer incentives, grant funding, relaxation of fees, charges, or regulatory requirements, provision of public facilities or other similar incentives to be specified in the Land Development Regulations.

Policy 1.1.5: The City shall review the appropriateness of site conditions or site modifications relative to soils and topography as part of its development

review process. Specific and detailed standards for soil conservation and erosion control shall be as specified in Conservation Element Policy 5.2.3.

Policy 1.1.6: The City shall attempt to review the availability of facilities and services to serve proposed developments as part of its development review process. Availability of facilities and services shall be in conformance with the concurrency and level of service provisions found in this Plan.

Policy 1.1.7: The City shall undertake measures to protect and conserve environmentally sensitive land, including wetlands, floodplains, the Chipola River, aquifer recharge areas, natural vegetation, wildlife habitation. Specific and detailed standards shall be as specified in Conservation Element Policy 5.2.3.

Policy 1.1.8: The City shall provide for open space by requiring open space be maintained on the area of each lot or parcel which is not used for allowable lot coverage. Additional open space shall be provided through the "Conservation" and "Recreation" land use categories.

Policy 1.1.9: Electric distribution substations are permitted in the following Future Land Use categories: Residential, Mixed Use, Commercial, Public/Institutional, Recreation, Industrial, and Conservation.

Objective 1.2: The City shall identify land use categories in the Future Land Use Element in which schools are an allowable use.

Policy 1.2.1: Potential sites for new schools should be determined by the School Board Planner as early as possible so that sites can be discussed with the City Planners well in advance of the need for the new school to ensure consistency with the Future Land Use Map.

Policy 1.2.2: The City and School Board Planners should consider making schools and their location the focal point for new developments. As such, schools located in new residential developments should be centrally located, to permit the use of bicycles or allow walking, to the extent possible.

Policy 1.2.3: Proposed school sites should be located away from heavy industrial uses, major arterial roadways, railroads, airports, and similar land uses to avoid noise, odors, dust, and traffic impacts and hazards.

Policy 1.2.4: Disrupting influences caused by school yard noises and traffic shall be buffered to ensure sufficient distances from hospitals, adult communities, and nursing homes.

Policy 1.2.5: The City shall seek to collocate public facilities, such as parks, libraries, and community centers with schools to the extent possible.

Policy 1.2.6: The City shall include a representative of the school district, appointed by the School Board, as a nonvoting member of the local planning agency, as required by Section 163.3174, Florida Statutes.

Objective 1.3: The City shall establish varying school size and land area requirements as necessary to meet the needs of elementary, middle/junior high, high, and vocational schools and community colleges to ensure site acceptability.

Policy 1.3.1: The City shall allow schools in the Public and Residential land use categories provided sewer and water are available.

Policy 1.3.2: Developments generating potential school impacts shall be consistent with Chapter 9 the Public-School Facilities Element of this Plan. At a minimum, the threshold acreage for new schools shall be as follows:

1. *Elementary Schools:* A minimum of four (4) acres for the first two hundred (200) students, plus one (1) acre for each additional one hundred (100) students.
2. *Middle Schools/Junior High Schools:* A minimum of six (6) acres for the first three hundred (300) students plus one (1) acre for each additional one hundred (100) students.
3. *Senior High Schools:* A minimum of seven (7) acres for the first three hundred (300) students plus one (1) acre for each additional fifty (50) students up to one thousand (1,000) students, plus one (1) acre for each additional one hundred (100) students thereafter.
4. *Area Vocational-Technical School:* A minimum of twenty (20) acres for the first five hundred (500) students plus one (1) acre for each additional fifty (50) students up to one thousand (1,000) students.
5. *Community College:* A main campus site shall be a minimum of one hundred (100) acres. Each separate center site shall contain a minimum of forty (40) acres for the first five hundred (500) students plus two (2) acres for each additional one hundred (100) students. Special-purpose center site acreage shall be appropriate to contain the functions identified in the program.

Policy 1.3.3: Before issuance of a development order for a new school, the necessary public facilities such as, but not limited to, sanitary sewer, solid waste, potable water, drainage, and roads are to be in place to serve the proposed use.

Policy 1.3.4: Access to the site should be from a collector road (minor collector or local road for elementary schools) and avoid the need for slow down zones, if possible.

Objective 1.4: The City shall continue to establish procedures for the elimination or reduction of land uses inconsistent with the character of the City and the future land uses designated in this Plan.

Policy 1.4.1: The City shall continue to restrict proposed development which is inconsistent with the character of the community and will eliminate non-conforming land uses.

Objective 1.5: The City shall continue to implement the Land Development Regulations which contain innovative land use management provisions such as for mixed use areas and planned unit developments.

Policy 1.5.1: At a minimum, the Land Development Regulations shall regulate the following:

1. Regulate the subdivision of land through provision of or reference to specific and detailed requirements which shall include, but not be limited to, procedures for platting of land, review and approval process for plat approval, design standards, required improvements, required dedications and legal documents, and other such relevant requirements;
2. Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses through provision of or reference to specific and detailed requirements which shall include, but not be limited to, maintenance of an official land use map, creation of land use districts and allowable uses including accessory land uses, maintenance of environmental protection and development standards, creation of measures to reduce the potential for nuisances caused by incompatible land uses, provisions for the elimination of non-conforming land uses, and other such relevant requirements;
3. Protect the Conservation lands designated on the Future Land Use Map and in the Conservation Element through provision of or reference to specific and detailed requirements which shall include, but not be limited to, protection or conservation of environmentally significant resources, standards for development in areas containing such resources, coordination on permits from appropriate regulatory agencies, mitigation of environmental impacts, and other such relevant requirements intended to provide reasonable protection of natural resources in consideration of landowner's constitutional property rights;
4. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management through provision of or reference to specific and detailed requirements which shall include, but not be limited to, standards for construction in designated flood-prone areas, standards for design of drainage and stormwater management facilities, measures to protect drainageways and drainage conveyance systems, and other such relevant requirements;
5. Regulate signage through provision of or reference to specific and detailed requirements which shall include, but not be limited to,

standards for the location or placement of signs, construction standards, prohibited characteristics, compliance with other codes, sign removal or repair procedures, standards for off-premise signs, illumination restrictions, or other such relevant requirements;

6. Ensure safe and convenient on-site traffic flow and vehicle parking needs through provision of or reference to specific and detailed requirements which shall include, but not be limited to, technical construction standards for roadways, roadway classifications, design standards, right-of-way protection and use, access control and vehicular connections, location of bicycle or pedestrian ways, standards for off-street parking and loading, or other such relevant requirements; and,
7. Provide that development orders and permits shall not be issued which result in a reduction of the level of service for the affected public facilities below the level of service standards adopted in this Comprehensive Plan.

Policy 1.5.2

The City shall continue to monitor the potential impacts caused by developments using, at a minimum, the following criteria:

1. Availability of facilities and services;
2. Suitability of site conditions including topography and soils;
3. Ingress and egress;
4. Drainage or stormwater management;
5. Vehicular traffic, including on-site parking;
6. Required permits from other governmental agencies;
7. Noise;
8. Lighting;
9. Public safety and/or potential to create a public nuisance;
10. Impacts on natural resources.
11. For commercial or industrial development, economic considerations as specified in this Plan.

Policy 1.5.3:

The City shall continue to use this Plan to promote compatibility of adjacent land uses and reduce the potential for nuisances by establishing discreet land use districts and allowable uses within such districts as specified in Policy 1.3.2.

Policy 1.5.4: The City of Marianna shall implement a Transfer of Development Rights (TDR) program designed to protect sensitive natural resources and important agricultural lands from development pressures. The transfer of Development Rights program shall:

1. Designate lands within the Conservation Future Land Use category as a sending area.
2. A transfer of units shall be allowed on a 1 to 1 basis to any other parcel within the City outside of the sending area.

Objective 1.6: Provide flexibility in the ongoing approval process so as to encourage the redevelopment or renewal of blighted or unsightly areas.

Policy 1.6.1: The City shall continue to encourage redevelopment in areas considered to be blighted or unsightly through the use of incentives. Such incentives may include, but not be limited to: provision of public facilities; relaxation of regulatory standards; tax incentives; development agreements; density or intensity bonuses; deferral of fees or charges; provision of public facilities; or technical assistance.

Policy 1.6.2: The City shall continue to stimulate redevelopment of blighted areas by allowing for a functional mix of land uses in these areas consistent with the Future Land Use Map.

Policy 1.6.3: The City shall continue to use policies specified in the Housing Element of this Plan to stimulate redevelopment and revitalization of housing within blighted areas.

Policy 1.6.4: The City shall continue to use code enforcement to reduce eyesores, junk, substandard housing or unsafe buildings.

Objective 1.7: Through the coordination of efforts with local private agencies, the City shall establish a program to redevelop blighted areas.

Policy 1.7.1: The City shall continue to encourage revitalization and redevelopment of blighted areas through appropriate State and federal assistance programs.

Policy 1.7.2: The City will promote redevelopment/revitalization efforts through administration of this Plan, capital improvements planning, Special Treatment Areas, and developer incentives.

Objective 1.8: The City shall require that all proposed development/redevelopment activities are designed and constructed in conformance with detailed and specific standards to be established in the Land Development Regulations.

Policy 1.8.1: The City will develop and maintain an ongoing program of stormwater management, including both regulation and capital improvements.

Stormwater regulations shall rely upon levels of service and criteria established in Drainage Sub-Element Policy 4.C.1.3.

Policy 1.8.2: The City shall continue to evaluate all proposed development/redevelopment activities located in the Conservation areas designated on the Future Land Use Map for potential impacts on flooding, drainage or damage to natural resources.

Policy 1.8.3: The City shall establish buffers and building setbacks for areas adjacent to natural drainageways as part of its Land Development Regulations. Such setback requirements shall require maintenance of natural vegetation for a distance of at least ten (10) feet from the natural drainageway.

Objective 1.9: Discourage urban sprawl to achieve a compact urban form. Measures to accomplish this Objective shall include site development regulations, access management, and density/intensity limitations consistent with this Element.

Policy 1.9.1: The City shall direct urban growth to areas which can be served efficiently by public services and facilities in conformance with local Land Development Regulations and shall be consistent with the City's Five- Year Schedule of Capital Improvements to discourage the proliferation of urban sprawl.

Policy 1.9.2: No land use approval for new development, redevelopment or annexation shall cause facilities or services to fall below the adopted level of service standards. Public facilities and services necessary to serve the proposed development must be available at or concurrent with the impacts of development unless development orders and permits are conditioned on the availability of these facilities or services.

Policy 1.9.3: All development shall be compatible with and complementary to surrounding land uses and shall not negatively affect existing approved activities.

Policy 1.9.4: It is the intent of the City to promote in-fill and redevelopment of existing developed areas which are served by City infrastructure and to discourage the development of environmentally sensitive areas. The City shall continue to guide development away from environmentally sensitive areas by requiring developers of these areas to demonstrate that no suitable alternative exists for the location of such development, and through density/intensity restrictions found in Conservation Element Policy 5.2.3.

Objective 1.10: The City shall continue to discourage the proliferation of urban sprawl through provision of public facilities, density controls in land use districts, restrictions on extension of utilities, and incentives for downtown redevelopment and "in-fill."

- Policy 1.10.1: The City shall not provide public facilities or services outside its incorporated limits, unless such facilities and services are intended to serve the City Utility Service Area.
- Policy 1.10.2: The City shall continue to maintain land use districts and densities as appropriate to promoting “in-fill” of vacant areas.
- Objective 1.11:** The City shall, through the Land Development Regulations, continue to enforce provisions for public utility crossings, easements, or rights-of-way.
- Policy 1.11.1: The City shall continue to enforce provisions to allow needed land area for public utilities provided the location of such facilities does not create a threat to public health or safety, or otherwise cause a public nuisance.
- Policy 1.11.2: The City shall continue coordination with legally established public utilities or public works to provide land needed for location of utilities facilities.
- Policy 1.11.3: The City shall coordinate with communication providers on the location of communication towers to ensure compatibility with the surrounding area and to ensure that the public welfare is protected.
- Objective 1.12:** The City shall attempt to develop joint planning agreements with Jackson County which provides for mutual review of proposed development / redevelopment activities and future annexation areas located adjacent to the City jurisdictional boundary. At no time should lack of an agreement impede the availability of public utilities to land owners.
- Policy 1.12.1: The City shall encourage coordination on development/redevelopment activities along the City/County jurisdictional interface.
- Policy 1.12.2: Annexations shall not create new enclaves, and shall reduce or eliminate existing enclaves when feasible.
- Policy 1.12.3: The City shall continue to promote annexation of land where service delivery systems in the annexed area will be consistent with and equal to those provided for existing incorporated areas.
- Policy 1.12.4: The City shall require infrastructure services to be available to a proposed annexation area at the level that is consistent with the adopted level of service standards.
- Policy 1.12.5: The City shall coordinate with the County or unincorporated areas for proposed annexation to ensure adequate provision of public services.
- Policy 1.12.6: The City shall coordinate with the County regarding the design and implementation of passive public recreational facilities for the portion of the Chipola River Greenway that is located within Jackson County.
- Objective 1.13:** The City shall continue to establish a procedure for the conservation of historic resources.

Policy 1.13.1: The City shall use the “Jackson County Survey of Historically Significant Sites” to identify areas which contain historic resources. Such areas shall be designated as “Historic Special Treatment Areas” on the Future Land Use Map.

Policy 1.13.2: Type and extent of historic resources within the “Historic Special Treatment Area” shall be evaluated as part of the development review process. Developers of such areas shall be subject to plan or site modifications to conserve historic features.

GOAL: **Promote a balanced economic environment which provides economic stability, maximizes job opportunities, encourages new business, and increases per capita income.**

Objective 1.14: The City shall attempt to increase the number of new businesses and available jobs over the next planning period.

Policy 1.14.1: The City shall continue efforts to achieve a broad employment base including a cross-section of service, construction, professional and industrial jobs.

Policy 1.14.2: Specific emphasis will be placed on attracting new business and job opportunities to the Industrial Park.

Policy 1.14.3: The City shall capitalize on its proximity to I-10 and rail lines to attract wholesale and distribution employment opportunities.

Policy 1.14.4: The City shall continue coordination with the Chamber of Commerce, the Jackson County Development Council, and the Apalachee Regional Planning Council to provide incentives for new business.

Policy 1.14.5: The City may waive certain fees, charges, or regulatory requirements to encourage the location of new business in targeted redevelopment areas.

Policy 1.14.6: The City shall continue to make sufficient land available on the Future Land Use Map to accommodate new business.

Objective 1.15: Establish a balance between economic development, environmental protection, and community redevelopment/revitalization.

Policy 1.15.1: The City will include an “Economic Development Element” in this Plan. The City will request assistance from the Department of Commerce toward preparation of this new Element.

Policy 1.15.2: Economic development shall be considered a priority of the City. As such, the City may authorize waivers or variances to this Plan and attendant Land Development Regulations if such actions promote Objectives 1.14 and 1.15. Any such waiver or variance must be consistent with the provisions of this Plan and provide for protection of environmental resources.

Policy 1.15.3: The City shall work towards creating a Chipola River Greenway Plan by 2018. The plan shall include strategies to link economic development opportunities with the greenway.

GOAL: The City of Marianna recognizes the need for a community to be a sustainable one. Initiatives must be taken in order to ensure an adequate quality-of-life for future generations and to protect existing environmentally-sensitive and significant lands from harmful development. Therefore, in order to promote energy-efficient land use patterns, ensure a more walkable community, and limit greenhouse gases, the City shall encourage the use of recognized “green” development practices and smart-growth techniques, such as: bicycle and pedestrian-oriented communities, mixed-use developments, and creative site and building design.

Objective 1.16: As walkable-communities promote healthier and active lifestyles through the built environment, and improve the environment through reduced dependency on the automobile; the City shall encourage the development and preservation of neighborhoods and commercial centers that ensures a balanced mix of uses and promotes the use of alternative modes of transportation in lieu of personal automobile-based travel.

Policy 1.16.1: Development shall be encouraged along transportation corridors and in business, civic, and cultural centers. Development shall be encouraged in the following locations:

1. Remediated brownfield sites;
2. Infill sites with appropriate density;
3. Sites within the urbanized area; and
4. Sites with reuse of existing structure.

Policy 1.16.2: Development that incorporates the principles of traditional city design shall be encouraged. These principles include:

1. A mix of land uses that integrate a variety of uses;
2. Development with retail on the first floor;
3. Development that includes greenspace; and
4. Development that incorporates intra-modal transportation-connecting bicycle, pedestrian, and transit facilities.

Policy 1.16.3: The City will encourage high-density, mixed-use, infill development and creative use of brownfield, under-utilized and/or defunct properties within the urban core.

Policy 1.16.4: Promote development and preservation of neighborhood characteristics that encourage walking and bicycle riding in lieu of automobile-based travel.

Policy 1.16.5: Developments shall be encouraged to include continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.

- Policy 1.16.6: The City shall encourage community walkability through progressive site design:
1. Design streetscapes that provide buffers between moving traffic and pedestrians to increase pedestrian comfort;
 2. Encourage the locating of buildings towards the street, with the primary entrances as pedestrian entrances;
 3. Discourage the placement of parking lots between buildings and the street; and
 4. Develop flexible parking strategies in neighborhood activity centers where alternative modes of transportation are available.
- Objective 1.17:** Enhance and maintain the small-town character and charm of Marianna, particularly in the downtown area, through the implementation of the policies below.
- Policy 1.17.1: Develop strategies in conjunction with the Main Street Marianna program in order to implement the Strategic Plan.
- Policy 1.17.2: Encourage a broad mix of uses to promote a downtown where business, residential, and cultural uses are in close proximity to one another.
- Policy 1.17.3: The City shall encourage development that is
- a. Pedestrian friendly;
 - b. Maintains and enhances access to public owned property such as parks, greenways, and trails;
 - c. Compliments the unique character of downtown;
 - d. Encourages the rehabilitation and reuse of historic structures;
 - e. And compliments and adds to the existing network of parks and greenspace
- Policy 1.17.4: The City shall restrict proposed development which is inconsistent with the small-town character and charm of the community.
- Objective 1.18:** The City shall encourage environmentally sound energy conservation and greenhouse gas (GHG) reduction strategies through the Comprehensive Plan and Land Development Regulations.
- Policy 1.18.1: The City shall support county, regional and state initiatives to utilize renewable energy sources as a part of an economic development effort.
- Policy 1.18.2: The City shall continue to encourage locally-produced food products as a way to reduce vehicle miles traveled in the distribution and in the purchase of such products by providing opportunities for the sale of such goods, such as farmers' markets.
- Policy 1.18.3: The City's development review policies and procedures shall continue to integrate land use and transportation planning so that land development patterns support mobility choices and reduced trip lengths.

Policy 1.18.4: The City will encourage energy conservation by supporting alternative energy resources including biofuel, solar and wind and ensure that Land Development Regulations do not prohibit

Expedited
Amendment
2023-01

Request for
Expedited Amendment
to the
City of Marianna
Comprehensive Plan

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PROPOSED EXPEDITED AMENDMENT TO
CITY OF MARIANNA COMPREHENSIVE PLAN

I. INTRODUCTION

The purpose for this amendment is to provide economic development opportunities in areas near and adjacent to I-10 and US90. The City of Marianna is a Rural Area of Economic Opportunity, yet some of the most desired development locations that have been previously disturbed are mapped as environmentally sensitive. These areas can be used by residential, public institutional, and recreational Future Land Uses when the sensitive areas are mitigated to protect the environment. The City is requesting Commercial uses be allowed in Conservation Future Land Use when flood control, groundwater and surface water protection, floodplain management and wildlife habitat protection are mitigated to preserve the environment.

The proposed language is one word only on page 6 of the ordinance. This addition is important to the economic and environmental well-being of Marianna. Not only will this change provide employment opportunities, it will help property owners.

Table 1: City FLUM category area (7/20/2023).

City of Marianna Current Land Use		
Land Use	Acres	% of City
Agriculture	545.77	4.16%
Commercial	1,256.36	10.75%
Conservation	2, 120.86	17.75%
Industrial	2304.63	19.29%
Mixed Use	560.27	4.79%
Public Institutional	1510.45	12.64%
Recreation	818.52	6.95%
Residential	2,827.46	23.67%
Totals	11,944.32	100%

Table 2: City ZONNING category area (07/20/23)

City of Marianna Current Zoning		
Zoning	Acres	%of City
R1	441	3.69%
R2	550	4.6%
R3	1836.46	15.38%
Totals	11,944.32	100%

II. PLAN AMENDMENT FORMAT AND CONTENT

This request is for language addition to the Future Land Use Element. This is the "first" major expedited amendment the City is allowed to make for the calendar year 2023.

A. Description of changes.

The addition of one word is to provide for economic development opportunities when mitigation occurs around I-10 and US90 where there are previously disturbed conservation areas. After the closing of the Dozier School for Boys and Hurricane Michael, Marianna has seen an exodus of residents. Most new development is locating outside of the City which cost more in infrastructure to maintain. The City of Marianna would like to be able to provide previously disturbed conservation areas around I-10 and US 90 for development when the developer mitigates all environmental concerns. Not only will this change provide employment opportunities, it will help property owners.

B. Analysis of the Proposed Changes

The proposed amendment will not generate new capacity needs.

1. **Sanitary Sewer.** Public sanitary sewer is currently available throughout the City of Marianna and has considerable available capacity (see Table 1). Sanitary sewer needs will be evaluated during the development order review process.

Municipality	Permitted Capacity mgd	Available Capacity mgd	Utility Staff
Marianna	4.0	2.679	15

2. **Potable Water.** Public potable water and fire protection water service is currently available throughout the City of Marianna and has considerable available capacity (see Table 2). Development needs will be addressed through the development order review process

Municipality	Permitted Capacity mgd	Available Capacity mgd	Utility Staff
Marianna	2.3	0.9	15

3. **Solid Waste.** Jackson County is host to a Regional Solid Waste Landfill currently permitted by FDEP. Data obtained from the Waste Management Area Engineer indicates potential for 38 million cubic yards of solid waste disposal space associated with the current facility. The estimated future lifespan for the existing facility is 60 years. The proposed revisions will not increase solid waste generation or availability. Future solid waste needs will be addressed during the development order process.
4. **Stormwater.** The proposed revisions will not impact stormwater treatment and control standards adopted by City of Marianna and the State of Florida. Marianna Comprehensive Plan, Section 8, Policy 8.1.5 D., evaluates impact of development and permitting review for both "Water Quality" and "Water Quantity". The Level of Service Standard for quantity is *"runoff generated by a 24-hour storm event at peak pre-development runoff rates."* The standard for review of Quality is *to provide treatment for "a volume equal to 1/2 inch of rainfall on the entire site..."*

The Development Order process used by City staff will ensure stormwater for any future development will meet or exceed this requirement and be managed by the property owner. Stormwater permitting is also regulated through the Environmental Resource Permit (ERP) process of the Northwest Florida Water Management District.

5. **Recreation.** The changes will not have an impact on City of Marianna

Recreation.

The surrounding area provides significant recreational opportunities. The Florida Caverns and Three Rivers State Parks both located in Jackson County, provide over 2400 acres of recreation and open space land.

The City population, like Jackson County and the surrounding north Florida counties, has not grown as projected. In fact, Hurricane Michael in 2018 had a negative effect on the population. The City of Marianna is not projected to negatively impact the recreation LOS in this planning period (see Table 4).

Table 4 (Recreation LOS)

Adopted LOS	Currently Available	2020 Pop. Est. need	
Parks Standard 2 ac/1000 pop	819 acre	12 acres	13

6. **Transportation Facilities.** The revisions will not negatively affect transportation facilities and associated levels of service.
7. **Adjacent Local Governments:** The amendment is within the incorporated area of the City of Marianna. The City is eager to and will make it a priority to work with Jackson County as developments are reviewed.

C. Analysis of Impacts to Natural Resources.

1. **Wetlands.** The amendment will not impact wetlands. However, wetlands will be evaluated as developments are submitted for review. The City will continue to evaluate and protect wetland areas.
2. **Floodplains.** The proposed amendment does not affect floodplains. City staff will evaluate developments for floodplain issues during the development process and all FEMA restrictions will be applied to protect sensitive areas.
3. **Soils.** The proposed amendment will not affect soils. However, soils will be evaluated with future development. Erosion and sediment control plans are routinely required. Staff will also continue to require a stormwater review to ensure State and City requirements are met.
4. **Water Bodies.** The proposed amendment will not impact any bodies of

water within the City. During the development order process, City of Marianna staff will "provide reasonable conservation measures" in accordance with *City of Marianna Comprehensive Plan, Conservation Element, Objective 5.2*.

5. **Flora and Fauna.** The proposed language and map additions will not impact flora and fauna. The City will evaluate whether the sites that have not been previously developed and contact FNAI for further information.

6. **High Recharge Areas.** The "2013 Water Supply Assessment Update" produced by the Northwest Florida Water Management District, indicates that generally all of Jackson County has a "high recharge" rate. The assessment indicates that a significant amount of agricultural irrigation is seen as having the effect of mitigating much of the groundwater withdrawal occurring in the County. This assessment projects total withdrawals to" ... increase only 0.04 mgd by 2035 reflecting slow growth projected for the region." When discussing adequacy of groundwater resources for Region IV, the district makes the following assessment.

"Adequacy of Groundwater Resources within Region IV, groundwater resources are anticipated to be adequate to meet the projected 2035 Floridan aquifer demands for average conditions (48 mgd) and a 1-in-10-year drought event (54 mgd) without causing harm to regional water resources and related natural systems. The projected demands are not expected to result in long-term declines in the potentiometric surface of the Floridan aquifer. Groundwater withdrawals will, however, reduce groundwater discharge to the surface water features such as rivers and springs, but projected 2035 demands are small compared to the total regional groundwater discharge. Consequently, no significant regional impacts are expected."

The proposed amendment to the City of Marianna Comprehensive Plan will not impact groundwater recharge.

7. **Historical & Cultural Preservation.** The proposed amendment will not impact historical and cultural preservation. Impacts will be evaluated prior to any development.

8. **Analysis of Consistency with Adopted Comprehensive Plan**

The proposed amendment is consistent with the City of Marianna Comprehensive Plan.

Future Land Use Element

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 1.1.4: 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) Conservation (CON)

(1) *Intent* - This category is intended to provide areas for protection and conservation of natural resources and locally designated environmentally sensitive resources, including the Chipola River, wetlands, flood zones, and soils with severe limitations to development.

(2) Development in the Conservation district shall be limited to . . . uses that would support and further such purposes as flood control, groundwater and surface water protection, floodplain management, and protection of wildlife habitat.

Development within areas poorly suited for septic tanks due to poor soils, inefficient drainage or location within flood-prone areas provides the potential for contamination of surface and ground water. These factors demonstrate the need to connect existing structures to a centralized sanitary sewer system. Centralized sanitary sewer systems in these areas should be considered for preventing surface and groundwater contamination.

(3) *Density* - Unless otherwise specified in Conservation Element Policy 5.2.3, residential density shall be no greater than one (1) dwelling unit per acre.

Policy 1.1.5: The City shall review the appropriateness of site conditions or site modifications relative to soils and topography as part of its development review process. Specific and detailed standards for soil conservation and erosion control shall be as specified in Conservation Element Policy 5.2.3.

Policy 1.1.7: The City shall undertake measures to protect and conserve environmentally sensitive land, including wetlands, floodplains, the Chipola River, aquifer recharge areas, natural vegetation, wildlife habitation. Specific and detailed standards shall be as specified in Conservation Element Policy 5.2.3.

Policy 1.1.8: The City shall provide for open space by requiring open space be maintained on the area of each lot or parcel which is not used for allowable lot coverage. Additional open space shall be provided through the “Conservation” and “Recreation” land use categories.

GOAL: Promote a balanced economic environment which provides economic stability, maximizes job opportunities, encourages new business, and increases per capita income.

Objective 1.14: The City shall attempt to increase the number of new businesses and available jobs over the next planning period.

Objective 1.15: Establish a balance between economic development, environmental protection, and community redevelopment/revitalization.

Conservation Element:

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

Objective 5.3: The City shall continue to protect the quality and quantity of water sources.

Objective 5.4: The City shall protect and conserve identified vegetative communities through restrictions on development and the implementation of conservation practices.

Objective 5.5: Continue to implement procedures to reduce soil erosion and reduce sedimentation into water bodies.

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.

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.

III. OTHER INFORMATION POTENTIALLY NEEDED

1. **Public School Facilities Impact.** This proposed amendment will not generate new students for the Jackson County School District or a Level of Service shortfall for a Public-School Facility in Jackson County.
2. **Housing.** The project does not have a residential development component.
3. **Public Participation**

Public Hearings were held for transmittal of this amendment before the Planning and Zoning Board on July 24, 2023 and Marianna City Commission on August 1, 2023.

Pursuant to *Florida Statutes 166.041*, display ads appeared in the Jackson County Times on July 20, 2023. A display advertisement with information about the amendment and the Planning & Zoning Board Meeting was advertised in the Jackson County Times on July 20, 2023. An additional public notice will appear in the Jackson County Times ten days prior to the second public hearing (See attachments).

IV. Attachments

- Ordinance
- Agenda Items
- Sign-In Sheets