



**CITY OF MOORE HAVEN
299 RIVERSIDE DRIVE
MOORE HAVEN, FLORIDA 33471**

Comprehensive Plan Amendment Package
Adopted August 2, 2022

**LaRue
planning**
1375 Jackson Street # 206 Fort Myers, FL 33901

**CITY OF MOORE HAVEN
COMPREHENSIVE PLAN AMENDMENT PACKAGE**

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August 26, 2022

Mr. D. Ray Eubanks, Plan Processing Administrator
Division of Community Planning and Development
Department of Economic Opportunity

Via: Comprehensive Plan Amendment Upload

Re: City Moore Haven Adopted Comprehensive Plan Amendment No 22-02ESR

Dear Mr. Eubanks:

Pursuant to the State Expedited Review process guidelines, enclosed is the City of Moore Haven Comprehensive Plan Amendment.

The following information concerning the adopted amendment is offered:

- The City Council held its adoption public hearing on August 2, 2022 and adopted Ordinance No. 349 approving the amendment as submitted herein.
- The Plan Amendment package contains text amendments to the Future Land Use Element. The Plan Amendment is adopted as proposed and does not include any changes or revisions not previously reviewed by the State Land Planning Agency (SLPA).
- Timely comments received from the SLPA and other reviewing agencies required no compliance changes to the Amendment package as originally transmitted and reviewed. There were no new Amendments adopted that were not included in the original Plan Amendment submittal documents.
- The City is relying on data and analysis previously submitted with the transmittal.
- The adopted Comprehensive Plan Amendment package and this transmittal letter have been submitted to the Southwest Florida Regional Planning Council, Glades County Community Development Department and the following agencies that have filed timely comments:

Florida Department of Environmental Protection
Florida Department of Education
South Florida Water Management District

The contact information for this Plan Amendment is:

LaRue Planning & Management Services, Inc.
1375 Jackson Street, Suite 206, Fort Myers, FL 33901
239-334-3366 E-Mail: jim@larueplanning.com

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

James G. LaRue
James G. LaRue, FAICP
President

providing planning and management solutions for local governments

1375 Jackson Street, Suite 206 Fort Myers, FL 33901 239-334-3366 www.larueplanning.com

ORDINANCE NO. 349

AN ORDINANCE OF THE CITY OF MOORE HAVEN, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN, IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, AUTHORIZING TRANSMITTAL OF THESE AMENDMENTS TO THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, STATE LAND PLANNING AGENCY, AND OTHER APPLICABLE AGENCIES FOR REVIEW AND COMMENT AS REQUIRED BY FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Moore Haven recognizes the need to plan for orderly growth and development; and the State Legislature passed the Community Planning Act requiring all local governments to prepare and adopt a Comprehensive Plan; and,

WHEREAS, Chapter 163, Florida Statutes, provides for amendments to Adopted Comprehensive Plans under the Expedited Review Process; and

WHEREAS, the City Council desires to make revisions to the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, the City has received and reviewed proposed amendments to the City's Comprehensive Plan; and said proposed amendments being reviewed by the City's Local Planning Agency at a duly advertised meeting on June 7, 2022 which determined such Amendments to be consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

WHEREAS, the City Council has agreed with the recommendations of the Local Planning Agency that the proposed amendments comply with the requirements of Chapter 163, Florida Statutes, and that the proposed amendments are consistent with the Comprehensive Plan; and

WHEREAS, the City Council held its duly advertised public hearing for the transmittal of the proposed amendments on June 7, 2022; and June 21, 2022.

WHEREAS, the City has received and responded to timely comments from certain review agencies which have been granted such authority under Florida Statute 163.3184(3)(b)3; and

WHEREAS, City Council held its duly advertised second public hearing for Adoption of this Ordinance on August 2, 2022.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Moore Haven, Florida that

SECTION 1. The City of Moore Haven, Florida hereby adopts amendments to its current Comprehensive Plan dated April 16, 1991, as amended, which amendments consist of the pages which are identified as Exhibit "A" and which are incorporated into the current Comprehensive Plan. A copy of the Comprehensive Plan, as amended, is on file at City Hall in Moore Haven, Florida.

SECTION 2. The City Clerk is hereby directed to transmit the amendments of the current Comprehensive Plan to the State Land Planning Agency, along with copies to the Southwest Florida Regional Planning Council; Florida Department of Environmental Protection; Florida Department of State, Division of Historic Resources; Florida Department of Transportation; South Florida Water Management District; Glades County Community Development; and to any other unit of local government which has filed a written request for a copy.

SECTION 3. All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

SECTION 4. The effective date of this plan amendment, if amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.



HONORABLE BRET WHIDDEN, MAYOR

ATTEST:



ASHLEY WILLS, CITY CLERK

REVIEWED FOR LEGAL SUFFICIENCY



Steven Ramunni, City Attorney

EXHIBIT A

Text Amendments to the Future Land Use Element

City of Moore Haven
Future Land Use Element

**CITY OF MOORE HAVEN
FUTURE LAND USE ELEMENT
GOALS, OBJECTIVES AND POLICIES**

GOAL I: ENSURE THAT FUTURE GROWTH AND DEVELOPMENT IN THE CITY WILL BE CONSISTENT WITH THE NEEDS OF THE RESIDENTS AND IS ALSO COMPATIBLE WITH THE ENVIRONMENT, EXISTING LAND USES, AND THE EXISTING CHARACTER OF MOORE HAVEN.

OBJECTIVE I.A: **The City shall adopt land development regulations which regulate the location of land development consistent with topography and soil conditions and the availability of facilities and services.**

Policy I.A.1: The City's land development regulations shall limit the designation of residential, commercial and industrial lands depicted on the Future Land Use Map to acreage which can be reasonably expected to develop by the year ~~2020~~2032. The following definitions, future land use designations and descriptions of the appropriate uses, density and intensity standards for uses and structures in each land use category, are established for the purpose of managing future growth:

Gross Acreage is defined as the land area of platted lots and parcels plus one-half the area of adjacent public streets or rights-of-way; for unplatte lands gross acreage is the total land area exclusive of existing water bodies.

Residential Use is defined as the occupancy of a dwelling unit for periods of 180 days or more.

Seasonal Use is defined as the occupancy of a dwelling unit, hotel/motel unit, timeshare unit, vacation/resort unit, or similar unit for periods of more than 31 days but less than 180 days.

Vacation/resort use is defined as the occupancy of a dwelling unit, hotel/motel unit, timeshare unit, vacation/resort unit, or similar unit for periods of 31 days or less.

Low Density Residential:

Appropriate uses are limited to residential use of detached single-family dwellings and associated accessory structures and the seasonal use of such dwellings for periods of not less than 90 days. Other allowable uses include home occupations, temporary signs, and limited public and semi-public types of uses, and other uses similar in character and intensity to those identified above. Maximum density shall be four (4) units per gross acre. Maximum allowable building coverage shall be 40% and maximum allowable height shall be three (3) stories.

Medium Density Residential:

Appropriate uses include the residential and seasonal use of single-family homes, mobile homes, duplexes, multi-family dwellings, group homes, and associated accessory structures. Other allowable uses include home occupations, temporary signs, and limited public and semi-public types of uses, and other uses similar in character and intensity to those identified above. Maximum allowable density is eight (8) dwelling units per gross acre. Maximum allowable building coverage shall be 60% and maximum allowable height shall be four (4) stories.

High Density Residential:

Appropriate uses include residential and seasonal use of single-family homes, duplexes and multi-family dwellings; group homes; and associated accessory structures. Other allowable uses include home occupations, temporary signs, nursing homes and limited public and semi-public types of uses, and other uses similar in character and intensity to those identified above. Maximum allowable density is ~~twelve (12)~~ ~~thirty-six (36)~~ dwelling units per gross acre. Maximum allowable building coverage shall be 60% and maximum allowable height shall be four (4) stories. Existing commercial uses are considered legally nonconforming. Such uses may continue in operation and may be replaced provided they are not abandoned for a period of 180 days or more or are not voluntarily demolished or destroyed to an extent greater than 50% of the assessed value of the principal structure.

Commercial: Appropriate uses include general commercial uses such as office, retail, personal and business services, seasonal and vacation/resort use of public lodging facilities, private clubs, country clubs, automotive-related uses, wholesale uses, and associated accessory structures related to the foregoing types of uses, and existing RV parks. Other allowable uses include temporary signs, child care centers, nursing homes and limited public and semi-public types of uses, hospitals, rehabilitative centers, limited public and semi-public types of uses and other uses similar in character and intensity to those identified above. Maximum allowable Floor Area Ratio (FAR) shall be 0.75 and maximum height shall be five (5) stories.

Marina Area: This land use category is intended to encourage development and redevelopment of uses that are dependent upon or benefit from proximity to the water or are tourist related and which may include sale of used merchandise. Appropriate uses include a ~~limited~~ range of retail and service commercial and marine related uses, seasonal and vacation/ resort use of public lodging establishments, professional offices, recreational uses, limited public and semi-public types of uses, residential uses above ground-floor nonresidential uses, freestanding two-family and multi-family

residential uses and other uses similar in character and intensity to those identified above. The following land use sub-categories are applied to lands within the Marina Area land use category:

Marina Area/Medium Density Residential (MA/MDR) land use sub-category:

Appropriate uses include freestanding two-family and multi-family residential uses up to a maximum density of eight (8) dwelling units per gross acre. Seasonal and vacation resort use of public lodging establishments is permitted and, for purposes of density calculation, each lodging unit is equivalent of one-half dwelling unit. Existing single-family homes that are involuntarily destroyed to an extent greater than 50% may be rebuilt to their former size. Maximum allowable building coverage shall be 60% and maximum height shall be four (4) stories.

Marina Area/High Density Residential (MA/HDR) land use sub-category:

Appropriate uses include two-family and multi-family residential uses up to a maximum density of ~~twelve (12)~~ ~~thirty-six (36)~~ dwelling units per gross acre, either freestanding or located above ground floor nonresidential uses. Seasonal and vacation/resort use of public lodging establishments is permitted and, for purposes of density calculation, each lodging unit is considered the equivalent of ~~one half one-quarter~~ dwelling unit. Nonresidential uses up to 0.25 FAR are permitted on the ground floor but only in concert with residential use on the upper floor(s). Existing single-family homes that are involuntarily destroyed to an extent greater than 50% may be rebuilt to their former size. Maximum allowable building coverage shall be 60% and maximum height shall be ~~five (5)~~ ~~eight (8)~~ stories.

Marina Area/Commercial (MA/COMM) land use sub-category:

Appropriate uses include a ~~limited~~ range of retail and service uses that are dependent upon or benefit from proximity to the water or are tourist related and which may include sale of used merchandise, seasonal and vacation/resort use of public lodging establishments, professional offices, and limited public and semi-public types of uses up to a maximum ~~1.001.50~~ FAR. In addition, residential uses up to a density of ~~twelve (12)~~ ~~thirty-six (36)~~ dwelling units per gross acre may be located above nonresidential uses. Maximum height shall be ~~five (5)~~ ~~eight (8)~~ stories.

Marina Area/Historic Main Street (MA/HMS) future land use sub-category:

This sub-category is intended to encourage replication of the character and flavor of historic Main Street as it existed circa 1940. Appropriate uses include a ~~limited~~ range of retail and service uses that are dependent upon or benefit from proximity to the water or are tourist related and which may include sale of used merchandise, seasonal and vacation/resort use of public lodging establishments, professional offices, and limited public and semi-public types of uses including clubs, lodges, fraternal organizations, childcare and pre-school facilities up to a maximum ~~1.00~~2.00 FAR. In addition, residential uses up to a density of ~~thirty (30)~~thirty-six (36) dwelling units per gross acre (1,452 square feet of land area per dwelling unit) may be located above nonresidential uses. Maximum height shall be ~~two (2)~~three (3) stories.

Marina Area/Recreation (MA/REC) future land use sub-category:

This sub-category recognizes properties and facilities, owned by public or nonprofit entities, which are intended to provide for open spaces, active or passive recreation, recreational and cultural events open to the public, and marine-related support facilities, and the ancillary uses such as limited food and beverage sales and services that support the principal recreational uses.

Industrial: Appropriate uses include light manufacturing and processing, storage, retail and wholesale businesses. Other allowable uses include temporary signs, places of assembly, mortuaries, telecommunications towers, and certain heavy industrial uses and public or semi-public uses and other uses similar in character and intensity to those identified above. Maximum allowable FAR shall be 0.5.

Recreational: This category, as designated on the Future Land Use Map, recognizes publicly owned lands and facilities, and open spaces intended for public active or passive recreational uses, and accessible to the general public.

Educational: This category recognizes publicly owned lands and facilities intended for educational uses.

Conservation: This category is established to preserve and protect the unique natural resources of the City and to maintain public ownership of certain properties. Commercial and industrial development is prohibited in Conservation areas. Residential development may be permitted at a density not to exceed one unit per 20 acres.

Public Buildings & Other Facilities:

Appropriate uses include government facilities and other non-recreational public properties recognized as serving the public.

Mixed Use Category (MU):

This Future Land Use category is intended to accommodate and provide flexibility for development of multiple uses within a residential setting. In order for land to be considered for this designation, land requested to be placed in this category shall be a minimum of 5 acres. Development within this category is limited to a maximum of 10 dwelling units per gross acre and must adhere to the following innovative design and planning principles.

- a. Developments shall be zoned as Mixed-Use Planned Development on the Official Zoning Map.
- b. Developments will be required to cluster in order to maximize open space and natural areas. Clustering at higher than gross density is permitted provided the overall gross density within the project does not exceed 10 dwelling units per acre.
- c. Developments shall provide a mix of residential and nonresidential uses and is encouraged to provide a mix of residential types, recreational amenities, civic spaces and convenience commercial uses intended to serve residents and their guests in order to minimize trips outside the project.
- d. Developments shall include clustering for greater common open space and mixed-use development and shall employ the following creative design techniques.
 - i. Residential Development. These areas shall include single and/or multiple family home site acreage for two or more of the following housing types: single family attached and detached; duplexes and two-family units; town homes and other multi-family dwelling types.
 - ii. Non-residential Development. These areas may include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated recreational facilities, utility buildings, maintenance areas, and other associated customary non-residential uses.
 - iii. The aggregate of Residential and Non-residential acreage in a development may account for no more than 60% of the gross area within the development. Intensity/density standards for uses within a development are set forth in the Intensity/Density Matrix below:

**Matrix of Allowable Land Uses for Developments
Within the Mixed Use Future Land Use Category**

Land Uses	Minimum	Maximum	Maximum Density/ Intensity
Residential	45%	50%	10 du/gross ac
Commercial/Non-residential	10%	15%	0.35 FAR ⁽¹⁾
Open Space	40%		0.25 FAR ⁽¹⁾

⁽¹⁾ Floor Area Ratio

- iv. Open Spaces. A minimum of 40% of the overall acreage of the project shall be provided as open space. Open space areas may include preserved natural areas, buffers, lakes, parks, golf courses, natural trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas. Golf course natural areas and fairways shall account for no more than 50% of the open space required of the project. No structures other than recreation-oriented buildings and structures shall be counted toward the minimum open space requirement.
- v. Management strategies shall be employed in and around any golf course to prevent the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The management practices will include:
 - 1. The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching into the groundwater;
 - 2. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal applications aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the United States Department of Agriculture Soil Conservation Services Soil Pesticide Interaction Guide to select pesticides that have a minimum potential for leaching or loss due to runoff depending on the site-specific soil conditions;
 - 3. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any pesticides and nutrients;
 - 4. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and

5. The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.
- vi. Shorelines of stormwater management lakes must be sinuous in configuration and most be sloped or bermed. The littoral zones around the ponds must be planted with at least four different species of native wetland herbaceous plants with a minimum of one plant per linear foot of shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.

- e. Each submission to the City of an application for rezoning to MUPD shall, at a minimum, include the following information:
 - i. A showing of the number and percent of units as a part of the maximum approved for the parent parcel.
 - ii. Transportation facilities needed to serve new development shall be in place or under actual construction within three (3) years after the City approves a building permit, or its functional equivalent, that results in traffic generation.
- f. Any lands included, or to be included by amendment, in the Mixed Use category must demonstrate the non-existence of urban sprawl by:
 - i. Submitting a fiscal impact study demonstrating a net fiscal benefit to the City.
 - ii. Directing new growth to areas where public facilities exist, are planned within the City or County Five-Year Capital Improvements Plan, committed to through a Developer Agreement, or otherwise assured to be funded by the appropriate agency.
 - iii. Providing assurances through fiscal and other means that the assignment of such lands to the Mixed Use category will expedite any additionally needed infrastructure improvements so as to not adversely impact the surrounding community outside the area included in the amendment.
 - iv. Requiring all development to be connected to central water and sewer, when available.

Policy I.A.2: The City shall designate areas of major development potential based on existing and programmed community services, facilities and needs, and topographic constraints.

Policy I.A.3: Moore Haven and Glades County will cooperate and coordinate land use decisions affecting economic development to encourage a diversification of the area's economic base and to meet the employment needs of present and future residents.

Policy I.A.4: The City shall review the land use designations as part of the land development regulations for consistency with the surrounding land uses of the County.

Policy I.A.5: The approval of all development orders and permits shall be specifically conditioned on the availability of facilities and services necessary to serve the proposed development.

OBJECTIVE I.B: **The City shall maintain and enhance the character of Moore Haven through proper density controls and development standards, and encouragement of redevelopment and renewal of blighted areas, through its land development regulations.**

Policy I.B.1: The density of proposed residential developments shall be limited, based on the capacity of the community services available, unless the developer proposes to make all required improvements necessary for the proposed development.

Action (a): All development proposals submitted to the City shall be required to indicate the existing capabilities of the impacted roads, fire districts, schools, recreation facilities, drainage, water system, sewer system (if available), and the degree to which the developer will utilize these facilities, as well as any proposed facilities which the developer intends to add.

Policy I.B.2: New developments shall be compatible with and complement the surrounding neighborhoods.

Policy I.B.3: Existing development should not be allowed to deteriorate through neglect or carelessness.

Action (a): Existing developments shall be policed by code enforcement personnel to ensure compliance with City ordinances.

Policy I.B.4: Redevelopment and renewal of blighted areas should be encouraged.

Action (a): The City should encourage and facilitate the redevelopment and renewal of blighted areas by making provisions for the necessary infrastructure.

Policy I.B.5: New residential development will be buffered, either by appropriate screens or setbacks, from existing or proposed commercial or industrial development.

Policy I.B.6: Industrial sites shall be located near transportation routes and public facilities, but away from residential areas.

OBJECTIVE I.C: **The City, as part of its land development regulations shall protect and promote the health, safety and welfare of all citizens of Moore Haven through proper and efficient management of land resources, and shall encourage the elimination or reduction of uses inconsistent with the community's character and future land uses.**

Policy I.C.1: All rezoning requests shall be reviewed by the City to ensure the compatibility of the proposal with the Comprehensive Plan and the Future Land Use Map series, and the surrounding neighborhoods. Incompatible proposals shall not be approved.

Policy I.C.2: Development controls and planning consistent with the capacities of natural and man-made systems to support growth and development will be encouraged.

Policy I.C.3: Areas which exhibit natural limitations, such as flood hazard areas, will be identified and inappropriate land uses will not be allowed.

Policy I.C.4: The Land Use Element of the Comprehensive Plan is to remain current to reflect the land use needs of the City.

Action (a): The Land Use Plan will be reviewed by the City Council every five years to ensure that it remains applicable to City needs.

Action (b): The zoning code will be comprehensively reviewed by the City Council every five years to ensure its relevance to the needs of the City. The review should evaluate the continued applicability of the various zoning districts, the types of land use permitted, and the development standards required.

Action (c): All planning data used as a basis to develop this Plan shall be reviewed and updated annually by the City staff.

OBJECTIVE 1.D: **The City shall define, designate and locate significant natural, cultural, historical and archeological resources, and develop and implement policies which will conserve and protect these resources, as part of the land development regulations. The identification of historical and archeological resources shall be based on the Florida Department of State's Master Site File.**

Policy I.D.1: Development shall be permitted only where an ecologically sound development plan is approved by the City to minimize man-induced impacts.

Policy I.D.2: The premature stripping and clearing of land shall be prohibited, and only selective clearing shall be allowed without a legitimate, immediate use proposed.

Policy I.D.3: The identification, preservation and restoration of structures and sites which have historical or archeological value shall be encouraged, while permitting reasonable use by the property owner.

OBJECTIVE I.E: **The City shall enforce mechanisms to ensure that land conversion and development do not promote urban sprawl and are performed in such a manner that air quality, water quality and supply, energy and other resources are preserved or conserved, as appropriate.**

Policy I.E.1: Growth and development shall be encouraged in areas that will result in the efficient and economical extension of community support services and facilities.

Policy I.E.2: Residential, commercial and industrial development shall be provided with adequate support facilities including but not limited to roads, central water, sewerage, and fire protection, concurrent with need in order to maintain appropriate levels of service. Where such support facilities exist, development shall be encouraged to utilize them, but should new facilities be required, the development shall be responsible for their provision.

Policy I.E.3: New developments shall be evaluated regarding their impact on existing and proposed community services and facilities, and only those proposals which can demonstrate that the necessary services and facilities will be in place when needed will be approved. The exception to this will be public or privately sponsored housing replacement efforts for low income households.

Policy I.E.4: Future development should serve the public need by reserving land for schools, parks, utility easements, road rights of way and other public facilities, as needed, through consistent compulsory dedications or through consistent in-lieu payments to defray the special public costs imposed by the development.

Policy I.E.5: Landscaping and open space requirements shall be developed that encourage the use of native vegetation and both discourage the use of and require the removal of exotic vegetation in new developments.

Policy I.E.6: No certificate of occupancy or its functional equivalent shall be issued by the City for new development unless adequate water supplies and potable water facilities are in place.

OBJECTIVE I.F: **The City shall protect and enhance the capacity of the existing and proposed transportation systems of Moore Haven, and ensure the availability of suitable land for roads and other utility facilities, through proper land use controls and standards.**

Policy I.F.1: Subdivision regulations shall be developed that require that the majority of capital costs for transportation improvements and public services and facilities that primarily benefit new development will be borne by those who benefit, rather than by existing residents of the City.

Policy I.F.2: Commercial developments shall be designed to meet the neighborhood, community or regional needs of the residents of Moore Haven and Glades County, by placing them where they best serve the needs of their customers without hampering the efficiency of the transportation system.

Policy I.F.3: New land developments adjacent to arterial roads shall be so designed as to minimize the number of ingress and egress points. In particular, non-highway related commercial land uses adjacent to arterials shall be encouraged to concentrate on parcels of land sufficiently large to provide an internal circulation pattern that will minimize the number of ingress and egress points, and provide common parking and appropriate buffers.

OBJECTIVE I.G: **Land development regulations to implement this plan shall be enforced and shall consider innovative regulatory techniques.**

Policy I.G.1: The Land Development Regulations shall, at a minimum, do the following:

- a. Regulate the subdivision of land.
- b. Protect environmentally sensitive lands and provide for open space.
- c. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.
- d. Protect potable water wellfields and aquifer recharge areas.
- e. Regulate signage.
- f. Ensure safe and convenient on-site traffic flow and vehicle parking needs.
- g. Ensure the availability of suitable land for utility facilities to support proposed development.
- h. Protect significant historical and archeological resources.
- i. Mitigate incompatible land uses.
- j. Provide that Development Orders not be issued if an adequate service level is not available or cannot be maintained for affected public facilities as specified within this plan.

OBJECTIVE I.H: **At a minimum, the threshold acreage for new public schools shall be as follows:**

1. **Elementary Schools:** A minimum of 4 acres for the first 200 students, plus 1 acre for each additional 100 students.
2. **Middle Schools/Junior High Schools:** A minimum of 6 acres for the first 300 students, plus 1 acre for each additional 100 students.
3. **Senior High Schools:** A minimum of 7 acres for the first 300 students, plus 1 acre for each additional 50 students up to 1,000 students, plus 1 acre for each additional 100 students thereafter.

4. **Area Vocational/Technical School: A minimum of 20 acres for the first 500 students, plus 1 acre for each additional 50 students up to 1,000 students.**
5. **Community College: A main campus site shall be a minimum of 100 acres. Each separate center site shall contain a minimum of 40 acres for the first 500 students, plus 2 acres for each additional 100 students. Special-purpose center site acreage shall be appropriate to contain the functions identified in the program.**

Policy I.H1: Upon 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. Furthermore, the School Board shall obtain a written agreement from the service provider assuring adequate capacity is available.

Policy I.H.2: Public facilities should be in close proximity, and operating at the adopted level of service, before a development order can be issued for a new school.

Policy I.H.3: Access to the site must be from a collector road (minor collector or local road for elementary schools) and avoid the need for slow down zones.

Policy I.H.4: Ingress and egress should not create detrimental impacts on road adjacent to the site and the site must provide for adequate on-site parking and circulation or user vehicles.

Policy I.H.5: Approaches to the site should be safe for pedestrians, bicycles, cars and buses.

Policy I.H.6: The City of Moore Haven shall advise the School Board of all Plan Amendments that may affect the location of new schools and proposed improvements.

OBJECTIVE I.I.: The City shall identify suitable locations for the siting of future schools.

Policy I.I.1: Proposed school sites should be located away from industrial uses, major arterial roadways, railroads, airports, and similar land uses to avoid noise, odors, dust, and traffic impacts and hazards.

Policy I.I.2: Disrupting influences caused by school yard noises and traffic shall be buffered to ensure sufficient distances from hospitals, adult communities, and nursing homes.

Policy I.I.3: New schools shall be located within urban growth areas or be compatible with compact urban growth patterns.

Policy I.I.4: School sites shall be located outside floodplains, floodprone areas, or

floodways. New school sites should, whenever possible, avoid wetlands, and other environmentally sensitive areas, and will not interfere with historic or archaeological resources.

Policy I.I.5: The City of Moore Haven shall facilitate the adequate and efficient provision of public schools through:

- a) Allowing new public elementary, middle, and high schools by right in the Low Density Residential, Medium Density Residential, High Density Residential and Education Future Land Use categories, and by Special Exception in the Commercial Future Land Use category subject to locational criteria in the Comprehensive Plan and development standards in the Land Development Code.
- b) Not permitting new public schools for any site prohibited for a public school in Chapter 1013, F.S., and Rule 6A-2, F.A.C.
- c) Addressing public school facilities pursuant to the provisions of Section 163.3161(3), 163.3164(24) and 163.3177(10)(h), F.S.
- d) Initiating a coordination process with the School Board in its efforts on school planning, site selection and construction; and pursuant to Chapter 1013, F.S.
- e) Maintaining for public review, a listing of capacity-deficient public schools and the School Board's Education Plan Survey and Capital Improvements Program when such information is provided to the City.

Objective I.J: **The City will conserve and properly manage energy consumption to the best of the City's abilities and encourage green design practices in new development and redevelopment to foster sustainable, energy efficient land use patterns.**

Policy I.J.1: The City will support alternative modes of travel as called for in the Traffic Circulation Element to minimize fuel consumption, promote energy-efficient land use patterns, and reduce greenhouse gas emissions.

Policy I.J.2: The City will support energy conservation measures and practices in the administration, design, and construction of City buildings and facilities to reduce energy consumption and tax dollars allocated for power and fuel.

Policy I.J.3: The City will promote education of City employees in energy conservation measures and practices and promote certification for energy conservation practices.

Policy I.J.4: The City will support, as applicable, incentives and programs by state and federal governments to promote energy efficiency and conservation and the use of solar and other clean alternative energy sources.

Policy I.J.5: The City will support, as applicable, intergovernmental programs with adjacent jurisdictions to promote energy conservation and education.

Policy I.J.6: The City will support incentives and programs by the state and federal governments to promote green building programs and best management practices.

Policy I.J.7: The City will consider the provision of incentives to support developers interested in implementing green roof design and the construction of green roofs on appropriate public buildings as feasible.

OBJECTIVE I.K: **The City shall improve the visual and aesthetic appearance of the City through development and implementation of design, architectural and landscape guidelines.**

Policy I.K.1: By June 2014, the City shall develop and incorporate into its Land Development Regulations architectural review and design guidelines for commercial development along US 27 and along Main Street within the Marina Area/Historic Main Street (MA/HMS) Future Land Use Subcategory. Other considerations should include shared parking; parcel inter-connectivity; increased landscape requirements; and encouragement of, and incentives or requirements to, increase the proportion of parking located on the sides of or behind, buildings rather than along the roadway frontage.

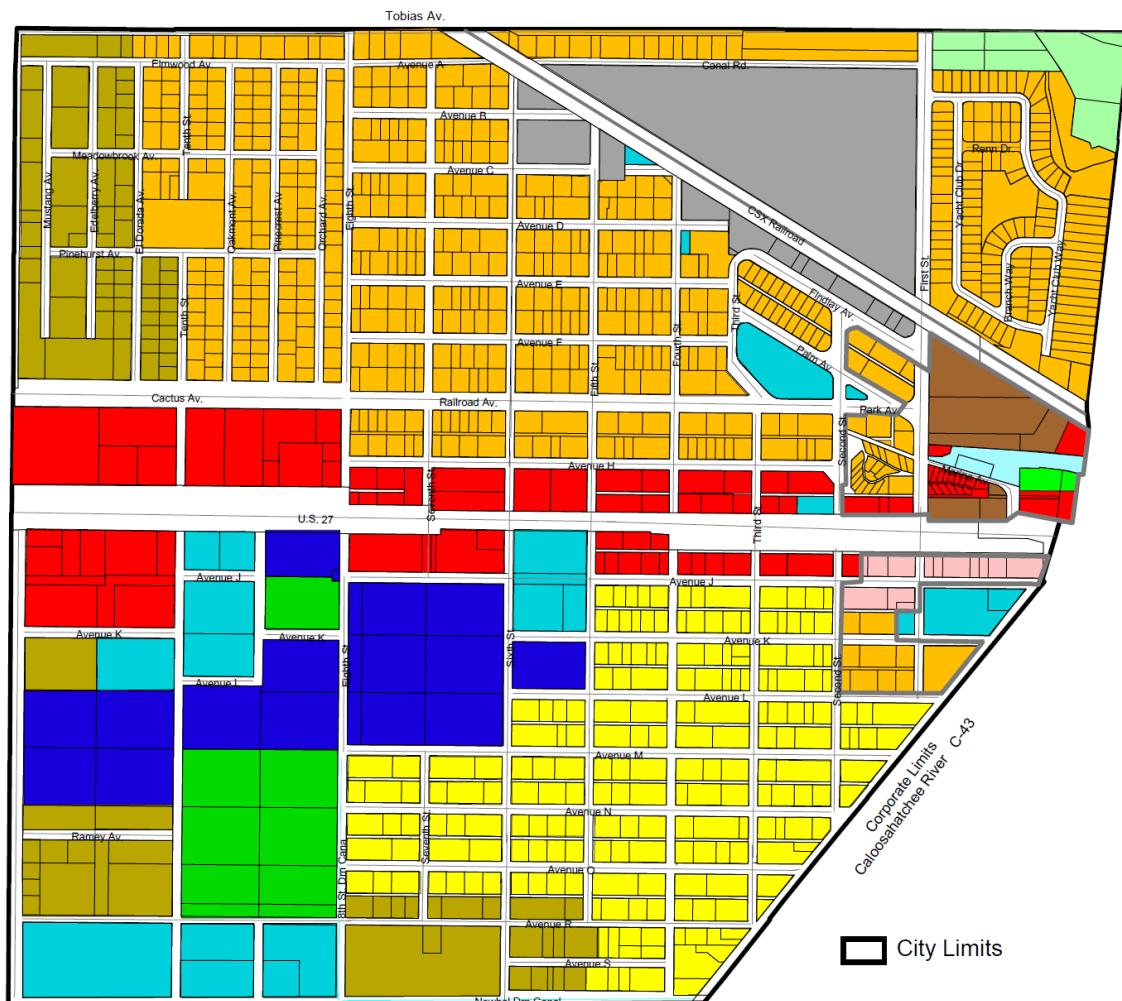
Policy I.K.2: By June 2014, the City shall revise its Land Development Regulations to include provisions for upkeep of properties to ensure maintenance and repair of buildings, signs and parking lots adjoining its major roadways.

Policy I.K.3: The City shall take steps to ensure that its heritage of historically significant structures is preserved.

- a. Designate a City “Historic Preservation” Board to reinitiate historic preservation within its municipal boundaries.
- b. Consider incentives to encourage the preservation of locally identified historic structures including provision in its Land Development Regulations or through mechanisms such as a creative adaptive reuse, relocation of the structure, tax relief or tax abatement.
- c. Provide for the preservation of historically significant structures when preparing plans for the redevelopment of the CRA.

FUTURE LAND USE MAP SERIES

Map I.1
FUTURE LAND USE MAP, 2020
City of Moore Haven, Florida



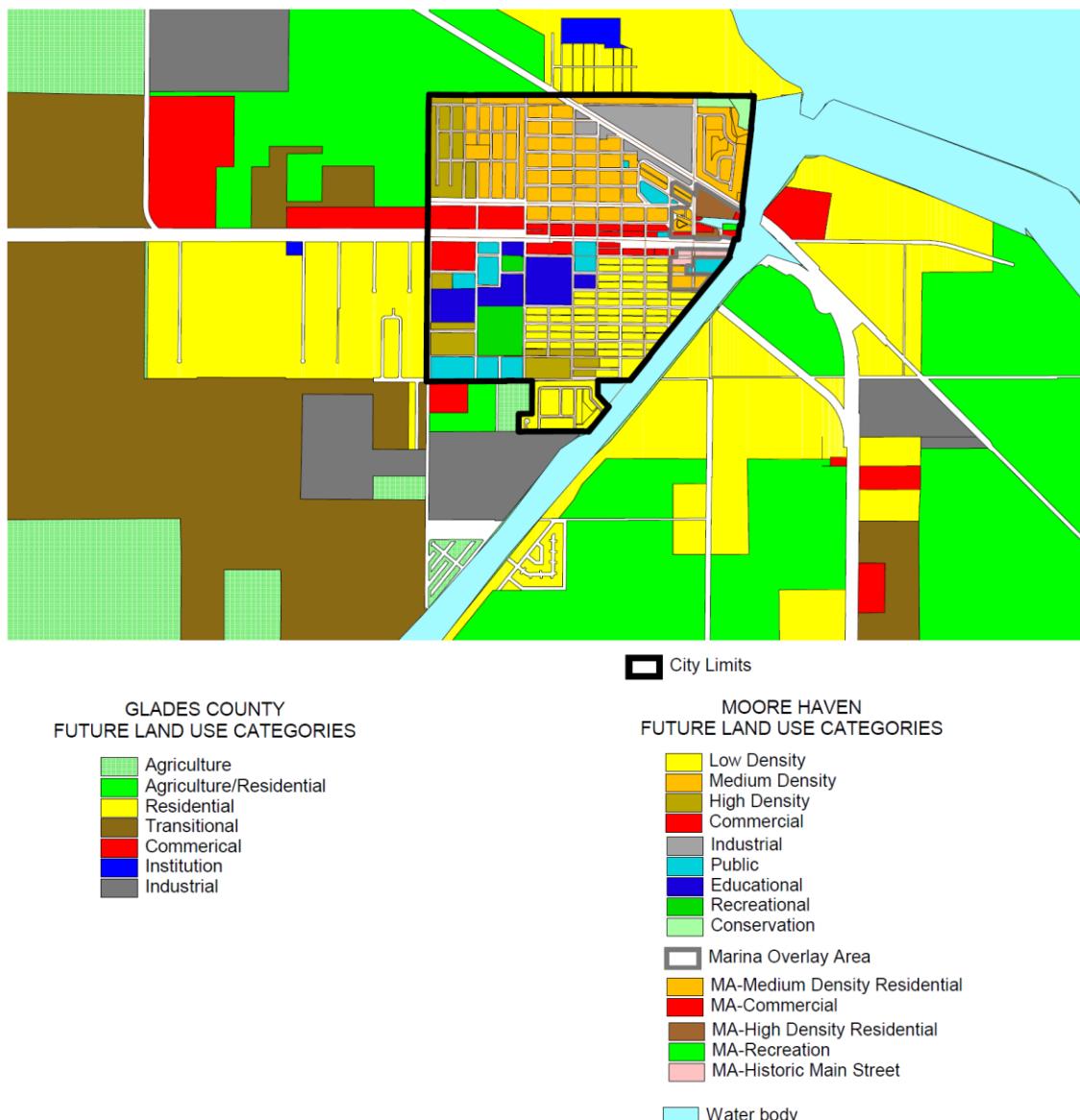
Future Land Use Categories

- Yellow: Low Density
- Orange: Medium Density
- Gold: High Density
- Red: Commercial
- Grey: Industrial
- Cyan: Public
- Blue: Educational
- Green: Recreational
- Light Green: Conservation

- Marina Overlay Area
- MA-Medium Density Residential
- MA-High Density Residential
- MA-Commercial
- MA-Recreation
- MA-Historic Main Street
- Marina Basin

Prepared by:
LaRue Planning & Management Services, Inc.
April, 2010

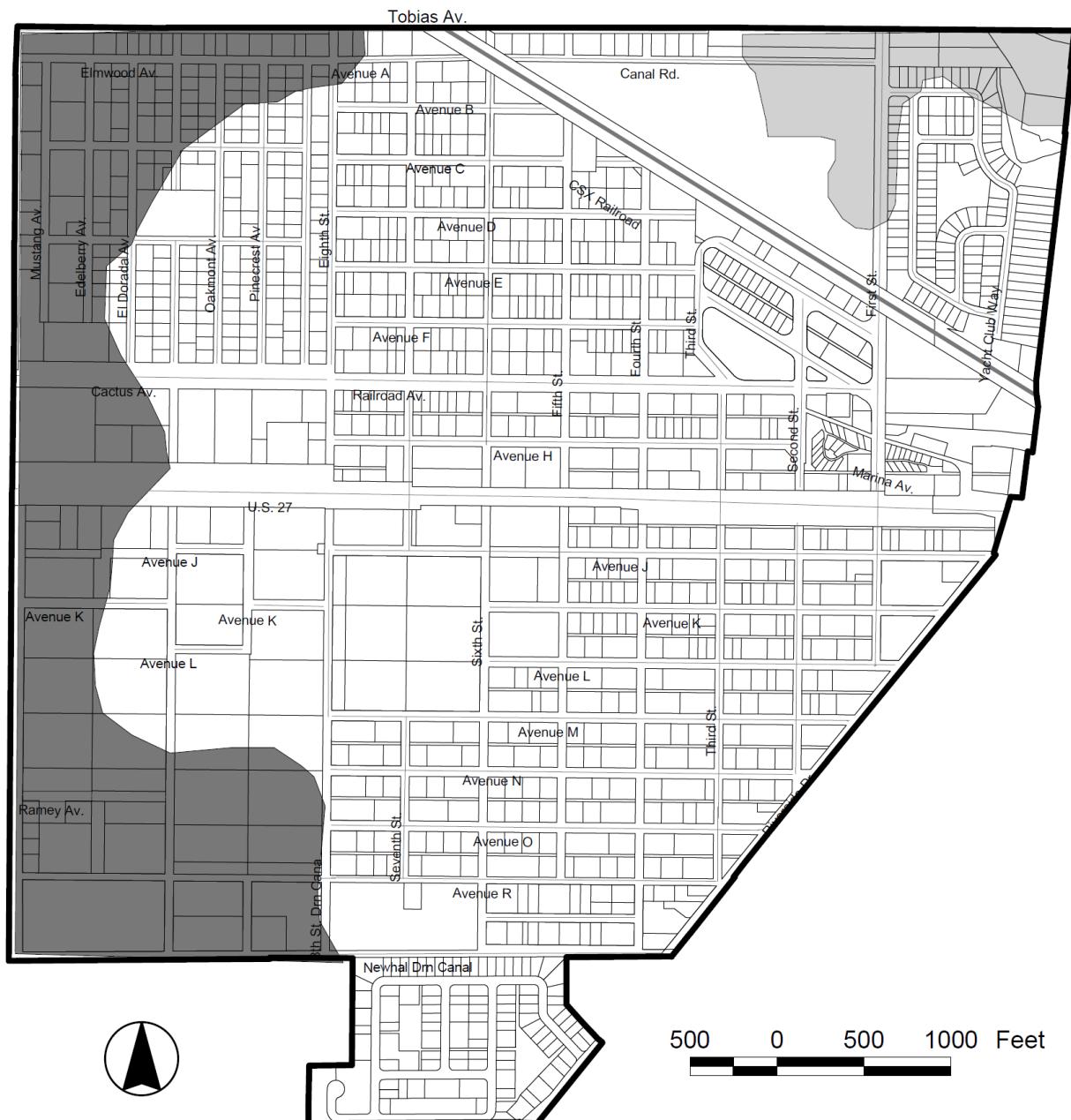
Map I.2
FUTURE LAND USE, 2020
Moore Haven & Adjacent Areas



2000 0 2000 4000 Feet

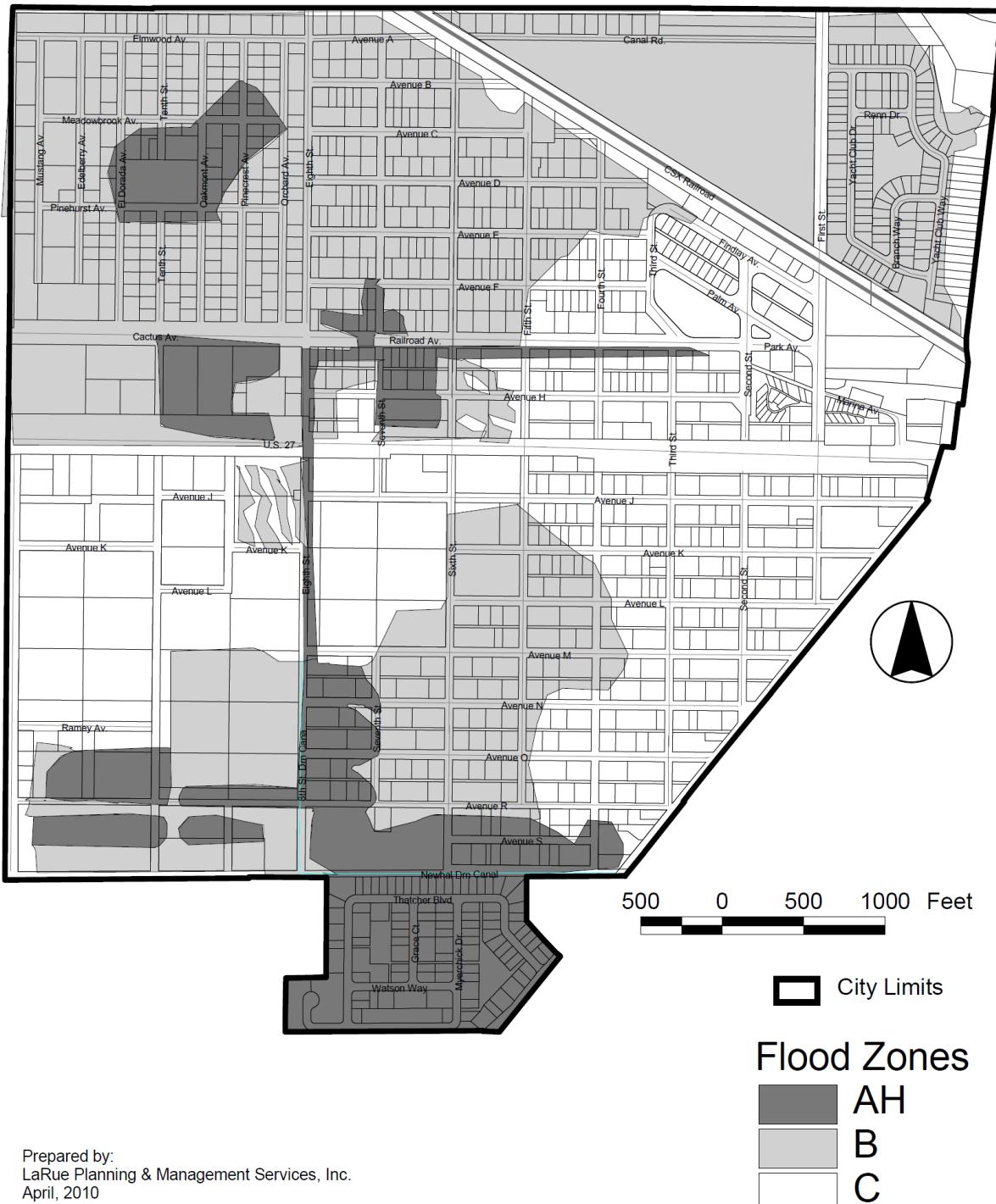
Prepared by:
LaRue Planning & Management Services, Inc.
April, 2010

Map I.3
MINERALS and SOILS
City of Moore Haven
2020



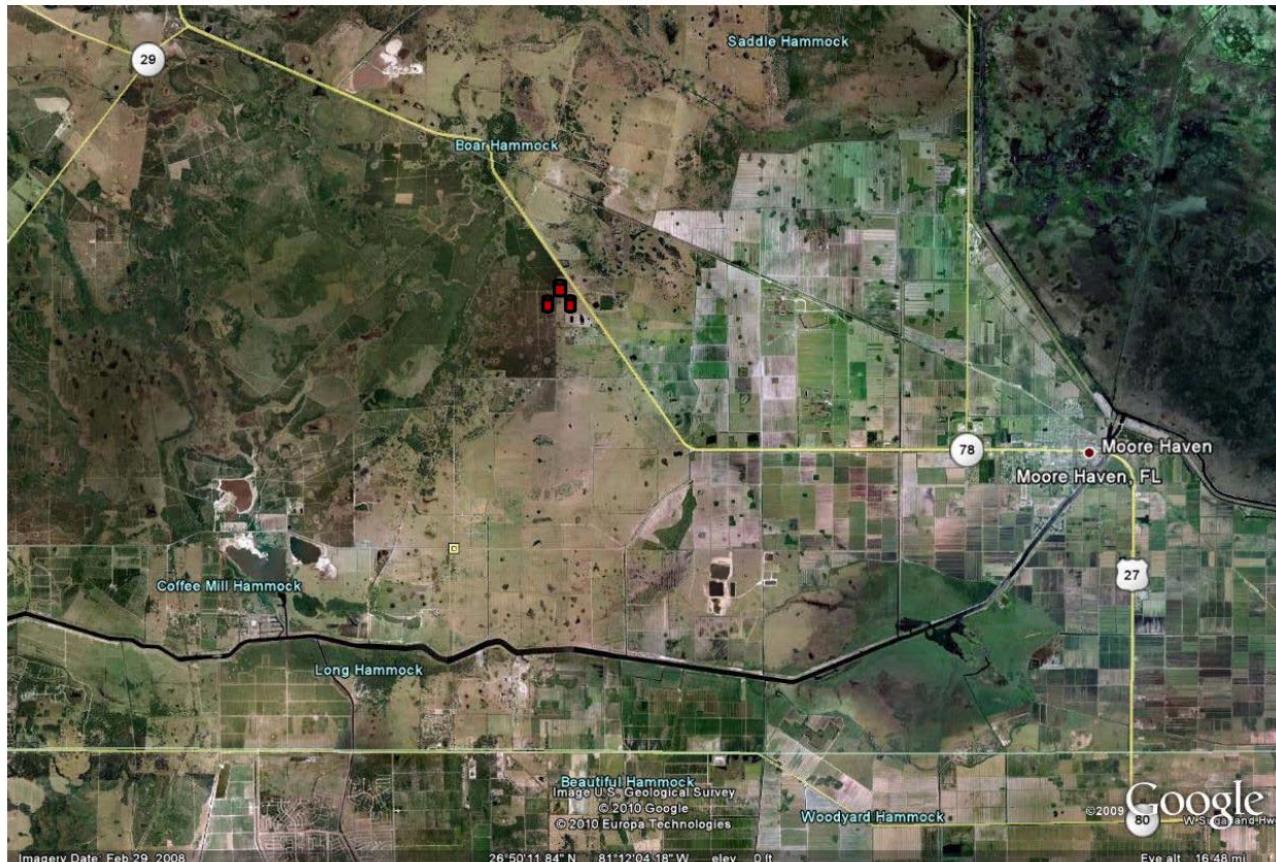
Prepared by:
LaRue Planning & Management Services, Inc.
April, 2010

Map I.4.
FLOOD ZONES
City of Moore Haven
2020



Prepared by:
LaRue Planning & Management Services, Inc.
April, 2010

Map I.5
EXISTING AND PLANNED WATER TREATMENT PLANT
AND POTABLE WATER WELLS
City of Moore Haven
2020

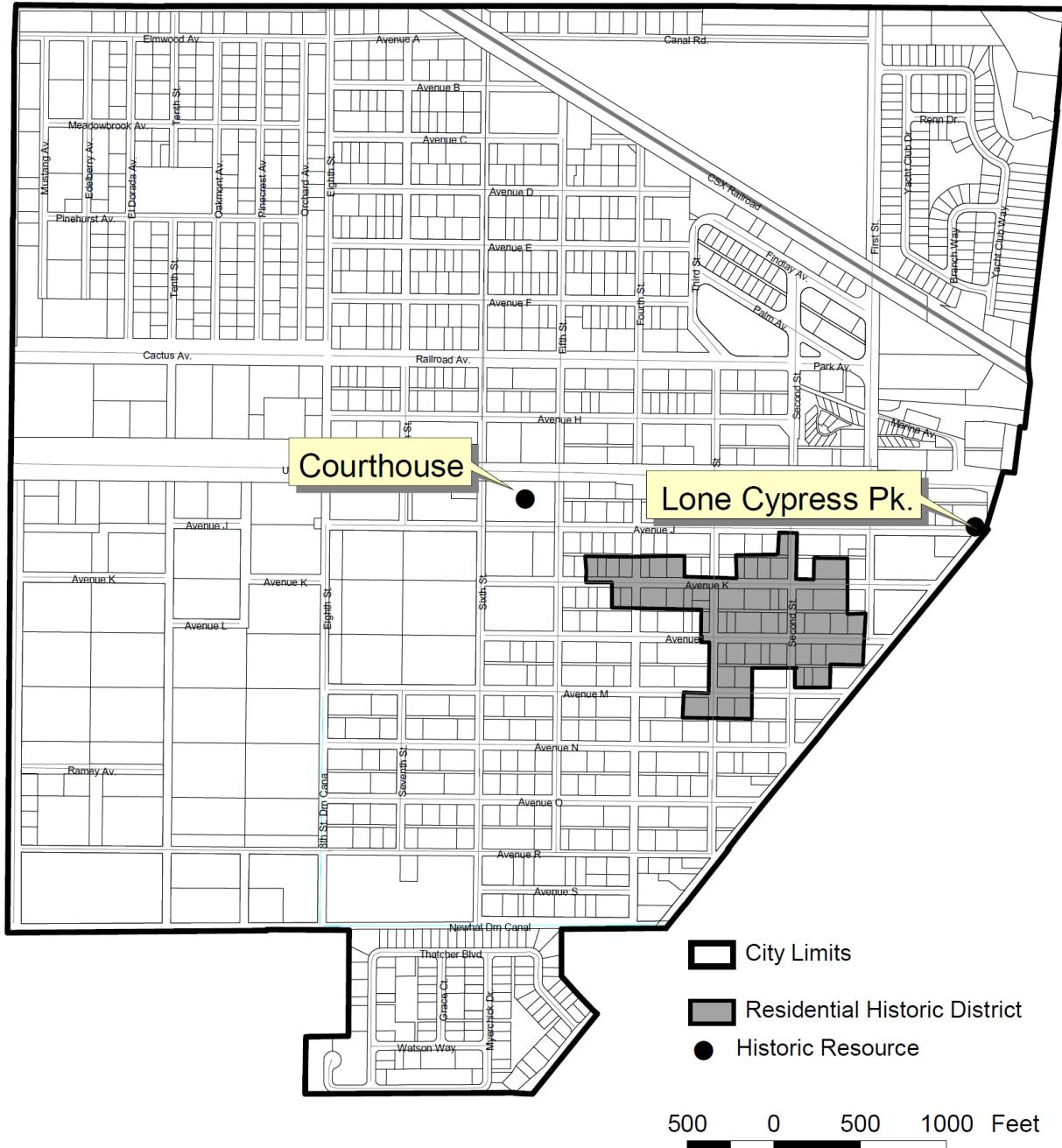


Source: Google Earth, 2-29-2008

Prepared by:
LaRue Planning & Management Services, Inc.
April, 2010

Map I.6

HISTORICALLY SIGNIFICANT PROPERTIES City of Moore Haven, Florida 2020



Source: 1995 Historic Survey

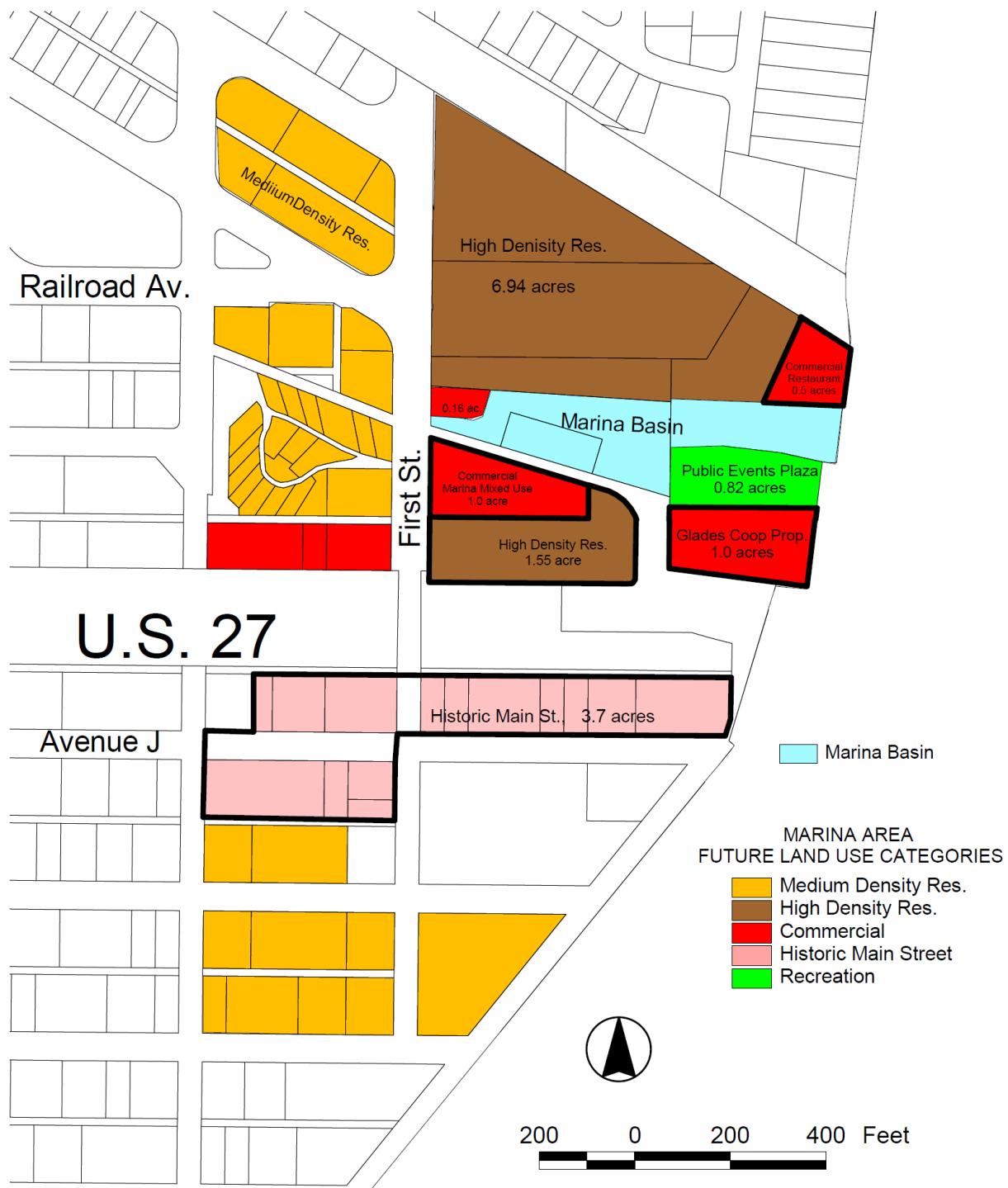
Prepared by:
LaRue Planning & Management Services, Inc.
April, 2010

Map I.7

Marina Area Future Land Use 2020

Marina Area

Proposed 2010 version of 2020 FLUM (Per City Council Workshop, 3-9-10)



AGENDA AND MINUTES

City of Moore Haven
MOORE HAVEN, FL 33471



AGENDA

**MOORE HAVEN CITY COUNCIL REGULAR MEETING
AUGUST 2, 2022, AT 7:00 P.M. AT CITY HALL
299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA 33471**

1. Roll Call.
2. Invocation and Pledge of Allegiance.
3. Additions and deletions to the agenda.
4. Discuss and/or approve the following meeting minutes.
July 19, 2022 Regular Meeting Minutes.
5. Report of Officers:
 - A. City Manager
 - B. City Attorney
 - C. City Clerk
 - D. Craig A. Smith
 - E. CAS Governmental Services
 - F. Public Works Director
6. Adoption of Ordinance #349 Future Land Use and the Ordinance Exhibit A.
7. Discuss and/or approve adopting a City of Moore Haven Family and Medical leave act (FMLA) policy.
8. Approval of bills in the amount of \$33,135.80.
9. Citizens Comments / General Concerns:
10. Mayor and Council to give reports.
11. Discuss Financial Statements if needed.
12. Adjournment.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL OF MOORE HAVEN WITH RESPECT TO ANY MATTER
CONSIDERED AT THE MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND HE MAY NEED TO ENSURE THAT A
VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS
TO BE BASED

**MOORE HAVEN CITY COUNCIL REGULAR MEETING
AUGUST 2, 2022, AT 7:00PM, AT CITY HALL
299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA,33471.**

Council Members Present:

Bret Whidden, Mayor
Jacob Eighner, Vice Mayor, Financial Officer
Marcus "Marc" Decker
Clay Browning
Jan Gunn

Others Present:

Ashley Wills, City Clerk
Larry Tibbs, City Manager
Brandon Roberts, Public Works Director
Steve Ramunni, Attorney (VIA ZOOM)

ITEM 1: ROLL CALL:

Given by Whidden.

ITEM 2: INVOCATION AND PLEDGE:

Invocation given by Roberts. Pledge lead by Beck.

ITEM 3: ADDITIONS OR DELETIONS TO THE AGENDA:

NONE.

ITEM4 DISCUSS AND/OR APPROVE THE FOLLOWING MEETING MINUTES:

JULY 19, 2022, Regular meeting minutes.

MOTION: by Decker to approve the meeting minutes for July 19, 2022, seconded by Gunn.
Motion Carried.

ITEM 5: REPORT OF OFFICERS:

CITY MANAGER:

Tibbs states Connie will not be here tonight, but she did relay an email at the CCPWA meeting.
We had aerator panels that had to get ordered because we had to report back to FDEP, but they
will be covered by a grant.

Gunn states were they okay with them being on order?

Tibbs states yes, they understand the time frame it takes to get them. Also, we will try to schedule a workshop for the council for 08/16/2022 at 6:00pm we got most of the state revenue sharing numbers now and know the tax impact so hopefully we can start putting together a break down.

Whidden states 08/16/2022 at 6:00pm is good.

CITY ATTORNEY:

Ramunni states we need to set a couple special meetings for CaPFA 2000F/ 2010A, now that we have Angela under contract since she started officially yesterday, to remove Ted as the sign or and add Angela as a sign or. So, she can start submitting these monthly/ annual reports that come up.

Whidden states can we do one at out next regular meeting? Maybe before or right after or one at the CCPWA?

Ramunni states yes special meeting for CaPFA 2000F/ 2010A at 6:45 on 08/16/2022.

CITY CLERK:

NONE.

CRAIG A. SMITH

NONE.

CAS GOVERNMENT SERVICES:

NONE.

PUBLIC WORKS DIRECTOR:

Roberts states the restrooms at the City park it went out to, two contractors to get pricing on it. and it was outrageous, so Wills and I took the time to look at partition boards and got ahold of the company they gave us a price for \$10,000 to redo all the partition boards in the restrooms and we went on amazon and found all the stuff, like hand dryers to stop using the napkins. But we are thinking about \$16,000 is where we could be, we have to buy the paint that's the only thing I don't have a price for but the City I believe can handle doing that. So, Wills and I discussed we should put it on a CaPFA meeting to approve the finances for all the material to be purchased. Tibbs and I looked over it as well and it's going to be a lot cheaper.

Gunn states that's just doing the City parks restrooms not the ones at the Chalo Nitka Grounds?

Roberts I had the contractors go to the Chalo Nitka Grounds and both of them said they would have to redo the handicap stall that's there because it's not ADA compliant, they would have to

rip out one of the stools out to make both sides accessible. I was talking to Wills about that might be one we need to sub out. Once they give us the measurements for ADA, we can order stuff but as for the plumbing I have never done that stuff.

Whidden states is that going to be paid back or is it just CaPFA?

Wills states that's the one we had talked about in one of the meetings before, CaPFA paying for it because it's something bettering the community.

Whidden states it's something the community had that we have already paid for, and we just need to keep maintenance on it, and if we pay for it out of CAPFA that's fine but I don't like to use CaPFA money on things that we can do in house because that's for new stuff in the City of Moore Haven for people, not for stuff we have already had to be maintained. But I was just asking if its reimbursable.

Eighner states we would have to put it into the budget for parks and recreation, that would take a bunch of parks and rec's money. Those are the two funds we would be able to get it out of, Tibbs you're in charge of the budget and I had a few things about the City park I was going to ask about the budget tonight to maybe it will fall into place with that to.

Whidden states we use CaPFA money for certain things like the garbage truck Physical Environment but that's reimbursable we do that because it saves us money, we don't pay the taxes and we are not depleting that fund on stuff we already own it just helps us out. That's the only reason I asked.

Roberts states we are going to have a water repair that's going to start Thursday at 2pm. It's the 6inch on Ave C and 5th street. We did send out reports today to all the businesses and posted it on our website. Lastly the boat dock at the Marina it's a pepper corn color it's a stain, do we have to have two separate colors? Or could we just paint it the same as all of our other stuff.

Whidden states yes. (can be painted the same as all the other stuff)

Roberts states Browning you asked for a pole count, I do have that here on site we have 29 poles, 12 cross arms, 800 ft of 1R ALT triplex, 2 ALT triplex 650, 1 ALT bear wire 2000ft, 2 ALT bear wire 2000 ft. We do have 27 poles on ordered they should here in about 4 weeks, and we ordered 15 more they are 10 weeks out. Once everything is here unless king puts one in the ground like he had to last week, we will have 70 poles on site, 35 cross arms on site.

Whidden states when will the rest of the cross arms be in?

Roberts states the day after the meeting we received 10.

King states probably next week or so we will receive 10 more and then another 15.

ITEM 6: ADOPTION OF ORDINANCE #349 FUTURE LAND USE AND THE ORDINANCE EXHIBIT A:

Wills reads Ordinance #349.

MOTION: By Eighner to adopt Ordinance # 349 concerning Future Land Use, seconded by Browning. Motion carried.

ITEM 7: DISCUSS AND/ OR APPROVE ADOPTING A CITY OF MOORE HAVEN FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY:

Tibbs the City does not currently have a FMLA policy, we are required to provide a FMLA coverage to employees. I did gather other locations FMLA policies. I also got one from our insurance carrier. To make it easier I did add it to chapter 14 in the employee handbook because right now it is in chapter 13, without doing major reconstruction to the handbook I did it separate in 14 so that basically gives us a policy so when these occurrences occur it as the definition in there of what is allowable and not allowed and this incorporates the latest changes made for FMLA

Whidden states do you have any cost factors of what it's going to cost the City to do that?

Tibbs states generally when an employee goes out in FMLA there is no additional cost for the City because the employee would have to use their sick or vacation time. FMLA just protects their position they are allowed 12 weeks of protection under FMLA for the position, once they run out of sick/ vacation time we are not paying the employee, but their position is protected for 12 weeks. At the end of 12 weeks if they don't come back, they will have to revert to an authorized leave of absence, but the position is no longer protected.

MOTION: By Decker to approve adopting a City of Moore Haven (FMLA), seconded by Gunn. Motion carried.

ITEM 8: APPROVAL OF THE BILLS IN THE AMOUNT OF \$33,135.80.

Browning states down here on the golf cart rental, why are we renting golf carts again?

Roberts states one of our mule's motors blew up, right now we need it to finish up meter reading it's a one-day thing.

Decker states so we rented golf carts this month and last month.

Eighner states last month when they rented golf carts Roberts was not here, but I did not know that the mule had blown up.

Gunn states how old is that mule that blew up, have they not been maintaining and checking them?

Roberts states that one is one of the newer ones, no Harris takes care of them, but it threw a rod.

Council agrees to set up a workshop to discuss City vehicles/ handbook.

MOTION: By Gunn to approve the bills in the amount of \$33,135.80, seconded by Eighner. Motion carried.

ITEM 9: CITIZENS COMMENTS/GENERAL CONCERNS:

NONE.

ITEM 10: MAYOR AND COUNCIL TO GIVE REPORTS:

Decker states there was a leaf blower sitting outside of the Water Plant for 3-4 nights what happened with that?

Littles states it's in the room now Sewell took it in.

Whidden states Mr. Tibbs where are we at on staking out the area that needs decontaminating on the property by the river?

Tibbs states we have the charts they have provided us, and we have to get over there and figure out how to stake it out.

Whidden states ok Archie is back at work so if you need anything get ahold of him because he is very good at that.

ITEM 11: DISCUSS FINANCIAL STATEMENTS IF NEEDED:

NONE.

ITEM 12: ADJOURNMENT:

MOTION: By Eighner to adjourn, seconded by Browning. Motion carried.

Ashley Wills

Ashley Wills, City Clerk

Meeting adjourned at 8:01 P.M.



Bret Whidden, Mayor

THESE MINUTES ARE NOT VERBATIM, IF ANYONE WISHES TO LISTEN TO THE MEETING IN ITS ENTIRETY, DIGITAL RECORDINGS ARE AVAILABLE.