

CHAPTER 7
FUTURE LAND USE ELEMENT

Section 7.01 Purpose: The purpose of this element is the designation of future land use patterns as reflected in the goals, objectives and policies in this Ordinance.

Section

7.02 Future Land Use Data and Analysis: This element is based upon the data and analysis requirements pursuant to Section 163.3177(6)(a) Florida State Statutes (F.S.).

Section 7.03 Data and Analysis: This element is also based upon the data and analysis requirements pursuant to Section 163.3177(6)(a) Florida State Statutes (F.S.).

Section 7.04 Goals, Objectives, and Policies: The Goals, Objective, and Policies of this element are as follows:

Goal 7.A Manage the future development of the city in a manner that ensures the character, magnitude and location of all land use results in a balanced natural, physical, and economic environment that enhances the quality of life of the City of Niceville.

Objective 7.A.1 The City shall ensure orderly development through a future land use pattern that promotes orderly, compact development, and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency.

Policy 7.A.1.1 – Encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

Policy 7.A.1.2 – The first priority for capital improvements funding shall be the renewal, reuse, and/or rehabilitation of existing facilities, then the replacement of existing obsolete or worn-out facilities.

Objective 7.A.2 – The City shall ensure that future development and redevelopment activities are located in appropriate areas of the City by adopting a Future Land Use Map Series that contains the Future Land Use Map (FLUM), Future Transportation Map, and Natural Resources Map, which together form the basis for consideration of future land use plan amendments. The FLUM Series, along with the City’s Land Development Code (LDC), shall reduce or eliminate existing land uses that are inconsistent with the community’s character.

Policy 7.A.2.1 – During the land use plan amendment process the compatibility of adjacent future land use categories shall be considered as well as the potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

Policy 7.A.2.2 – The LDC shall include provisions to reduce or eliminate land uses that are inconsistent with the City’s character and future land use, including those uses inconsistent with hazard mitigation recommendations in the Okaloosa County Local Mitigation Strategy.

Policy 7.A.2.3 – Discourage the continued existence of nonconforming uses to the extent established in the City’s LDC, including the regulations for screening and buffering.

Policy 7.A.2.4 – The adopted Future Land Use Map (FLUM) contains and identifies appropriate locations for the following future land use categories, which are established to provide for the protection of natural and historic resources and to maximize economic development opportunities:

Conservation (CON) ⁽²⁾	N/A	N/A
Parks & Recreation (PR) ⁽²⁾	N/A	0.25 FAR ⁽³⁾
Public/Civic/Institutional (PCI) ⁽³⁾	N/A	0.50 FAR ⁽³⁾
Low Density Residential (LDR)	90% /10%	5 DU ⁽⁴⁾ per acre
Medium Density Residential (MDR)	90% /10%	15 DU ⁽⁴⁾ per acre
Mixed Use (MU)	25% / 75%	25 DU ⁽⁴⁾ per acre / 1.0 FAR
Commercial (C)	5% / 95 %	25 DU ⁽⁴⁾ per acre / 1.0 FAR
Industrial (IND) ⁽²⁾	0 / 100%	1.0 FAR ⁽³⁾
Master Planned Development (MPD) ⁽⁵⁾	Per Development Order or Development Agreement	

Note A: Maximum residential density and type of residential uses allowed within the Accident Potential Zones (APZ-I and APZ-II) depicted on Figure 10-2 of the June 2009 Eglin Air Force Base Joint Land Use Study (JLUS) Final Report may be further limited based on compatibility with military operations as shown on Figure 10-4 of the June 2009 Eglin Air Force Base JLUS Final Report.

Note B: Maximum non-residential intensity within the Accident Potential Zone (APZ-I and APZ-II) shall be reviewed based on compatibility with military operations as shown on Figure 10-4 of the June 2009 Eglin Air Force Base JLUS Final Report.

(1) Density is based on gross square feet of parcel

(2) One residence for a caretaker or park ranger is allowed

(3) FAR=Floor Area Ratio (square footage of total building area/square footage of parcel. In calculating the FAR, the square footage of the total building area shall include the square footage of all private above-ground parking garages.)

(4) DU means dwelling unit and only applies to categories that permit residential uses

(5) Identified on FLUM with the name of the specific MPD

Policy 7.A.2.5 - The following uses are allowed in all FLUM categories except for the Conservation category, and unless specifically prohibited in any other individual category, subject to standards and criteria set forth in this plan and in the City's Land Development Code:

- a. Accessory uses customarily incidental to the primary permitted use(s);
- b. Churches and schools (except in the Parks and Recreation category), parks and recreation, municipal facilities and other civic and cultural uses that do not meet the thresholds set within specific land use categories; and
- c. Minor public utilities such as telephone switching stations, lift stations, drainage infrastructure, small scale electrical generating and distribution facilities, and similar facilities.

Policy 7.A.2.6 - Conservation (CON) Land Use Category. The conservation land use category is established for the long-term protection and preservation of certain open spaces and natural resources such as wetlands, floodplains and environmentally sensitive lands. The land may be publicly-owned, or may be privately-owned as long as the land has been dedicated as commonly owned public space and is not available for development other than what is allowable in the CON category. Passive open space and limited recreational activities, restricted to resource-enhancing facilities such as multi-purpose trails/paths, land restoration projects and the like shall be the only type of uses allowed in the conservation category. Interactive areas/facilities may be allowed as long as they are provided and managed consistent with goals, objectives and policies of this element as well as the goals, objectives, policies, standards and criteria set forth in the Conservation Element.

- a. Lands designated as conservation on the FLUM may be counted toward meeting the adopted level of service standards for recreation and open space for the City.
- b. The City has the option of obtaining a conservation easement from private property owners to protect natural resources.
- c. Areas covered by a conservation easement shall be permitted the same land use
- d. activities as areas designated conservation land use on the FLUM.
- e. Regulations shall be included by June 2015 in the LDC to establish the process for conservation easements.

Policy 7.A.2.7 – Parks & Recreation (PR) Land Use Category. The parks and recreation land use category is established to provide sufficient space for public parks for active and passive recreation use. The PR land use category is intended to accommodate existing public parks and recreation areas as well as committed public and semi-public open spaces.

Policy 7.A.2.8 – Public/Civic/Institutional (PCI) Land Use Category. Areas delineated on the FLUM as PCI land use are established to accommodate public and semi-public services including government administration buildings; public schools and not-for-profit educational institutions; public hospital facilities and health care units; arts, cultural or civic facilities; essential public services and facilities; cemeteries; fire and emergency operation facilities; utilities; public and semi-public open spaces and other similar uses meeting threshold sizes established herein.

- a. Churches and religious institutions on parcels greater than two acres shall be designated as public/civic/institutional future land use category on the FLUM, otherwise these uses are allowed in any land use category except for parks & recreation future land use category.
- b. The City shall monitor the need for increased land area for public/civic/institutional uses and shall ensure that this land use designation on the FLUM is expanded as necessary to accommodate the development of public and semi-public facilities such as government administration buildings; fire, police and rescue services; educational institutions and similar public uses.

Policy 7.A.2.9 – Low Density Residential (LDR) Land Use Category. The LDR category is established to accommodate a maximum density of five (5) dwelling units per acre comprised of single-family detached homes on individual lots, including manufactured homes. Accessory residential uses shall be permitted, subject to standards and performance criteria set forth in the LDC that assures neighborhood character will not be adversely impacted and infrastructure requirements are met.

Policy 7.A.2.10 – Medium Density Residential (MDR) Land Use Category. The MDR category is established to accommodate a maximum density of fifteen (15) dwelling units per acre. Permitted housing types are single-family detached homes, including zero-lot-line and cluster developments, manufactured homes, townhomes, condominiums and apartments. Nursing homes, assisted living facilities and independent living facilities are also permitted.

- a. Performance standards shall be established in the LDC to address townhomes, condominiums and apartments. These standards shall control the location of proposed buildings in relation to the overall dimension of the site, and require that adequate open space is provided, as well as significant landscaping and buffers that will screen these developments from low-density residential zoning districts.
- b. Multi-family development of more than 25 units shall provide recreational facilities to meet the needs of the population of the development.

Policy 7.A.2.11 - Mixed Use (MU) Land Use Category. The mixed use category is established to accommodate a mixture of residential, office and commercial uses consistent with the density and intensity allowed within the designated zoning districts; provided, however, that the maximum density is twenty-five (25) units per acre and the maximum intensity is 1.0 FAR.

A mixed use development may range from a small project that includes a mixture of land uses in the same building and/or on the same site, with no minimum site area required – to a mixed use development project that may be of such a large size and intensity of scale that it meets the criteria set out in the LDC that requires submittal for a rezoning to the community planned development zoning district and all the review requirements going through that process entails.

- a. This category is not generally intended for the development of low density, detached, single-family residences except when the mixed use category is located within the MIPA overlay. For any new residential development outside the MIPA overlay, the recommended minimum density is six (6) units per acre.
- b. For development located within the MIPA overly zone, notes A and B under Policy 7.A.2.4 shall apply for density and intensity of land uses.
- c. For mixed-use buildings, only offices, retail sales, services and restaurants are permitted on the ground floor.
- d. Performance standards shall be established in the LDC for the mixed use zoning districts that include, but are not limited to:
 - i. streetscape treatments, joint access, and shared parking facilities;
 - ii. enhanced landscaping and screening between new development or redevelopment in a mixed-use category and any abutting low-density residential land use categories.

Policy 7.A.2.12 - Commercial (C) Land Use Category. The C land use category is intended to provide for a mixture of offices, retail establishments, service businesses, hotels and motels and automobile service and gasoline stations, cultural and tourist facilities, and mixed-use developments.

- a. The C category is not intended for residential development. Any existing low density residential development will be permitted to remain and shall not be considered a nonconforming use; however, the minimum density for any new residential development is six (6) dwelling units per acre and the maximum density is twenty-five (25) dwelling units per acre.

- b. Nursing homes, assisted living facilities and independent living facilities are permitted in the C category.

Policy 7.A.2.13 - Industrial (IND) Land Use Category. The IND land use category is intended to provide for the establishment of light and heavy industrial activities that contribute to the economic development of the City. Limited heavy commercial uses shall be allowed as well as industrial uses; however, no residential uses are allowed.

Policy 7.A.2.14 – Master Planned Development (MPD) Land Use Category. The MPD land use category is established to address large scale projects that require a comprehensive analysis of the project’s impacts within the City. The MPD category will generally include developments that are mixed-use, large-scale, and may be located in new towns, highway corridors and interchanges, areas of rapid growth or land use changes, and areas with sensitive environmental resources or other areas where a comprehensive review is warranted.

Policy 7.A.2.14.1 – Planning Issues Reviewed for an MPD Land Use Request.

The application for a change of land use to the MPD category shall address the following issues in a form approved by the City:

- a. The following existing systems, services and resources shall be identified, inventoried and evaluated:
 - 1. Environmental and natural resources and systems including native habitats, listed species, wetlands, drainage, soils and water quality.
 - 2. Community services including potable water, sanitary sewer, solid waste services, drainage, education facilities, recreation facilities and open space.
 - 3. Transportation resources including capital improvements planning, access management, existing and future levels of service, pedestrian and bicycle circulation.
 - 4. Land uses including generalized existing and future land uses and residential development potential.
- b. Determine how levels of service for existing and future populations are or will be met for transportation, potable water, sewer, drainage, solid waste, education, recreation and any other facilities and services for which level of service standards have been established.
- c. Establish specific standards for the protection of natural resources, including listed species and natural habitat.
- d. Identify the future land uses proposed including their maximum, gross densities and intensities and the distribution by percentage of the various land uses.

Policy 7.A.2.14.2 – Impact on Other Elements of the Comprehensive Plan.

Based on the proposed master planned development the following may be necessary:

- a. The Traffic Circulation Element and/or the Future Transportation Map series shall be amended as necessary to reflect roadway or multi-modal improvements necessary to maintain the adopted level of service standards.
- b. The Public Utilities element shall be amended as necessary to reflect improvements to sanitary sewer or potable water necessary to maintain the adopted level of service standards.

- c. Capital projects shall be incorporated into the Capital Improvements Element through a comprehensive plan amendment.

Policy 7.A.2.14.3 – Documentation of MPDs; Specific Names on the Future Land Use Map.

Because of the specific nature of each master planned development application and the detailed level of information required that is unique to the development relative to other comprehensive plan amendment requests, each approved application for a MPD request shall be adopted by reference into the comprehensive plan. In addition, each approved MPD amendment will be identified on the FLUM with the specific name of the MPD project (i.e, on the FLUM, the MPD category will always be identified as xxx-MPD).

Policy 7.A.2.14.4 – Master Planned Developments Adopted by Reference

a. Ruckel-Master Planned Development

The “Ruckel Plan Amendment – Application for Text and Future Land Use Map Amendments to the City of Niceville Comprehensive Plan,” prepared by Carlton Fields, P.A. and submitted in February 2010, is hereby adopted by reference into the comprehensive plan. In addition the following provisions are set forth for the Ruckel-MPD:

Ruckel Properties MPD is to be developed consistent with energy efficient planning principles. The MPD is envisioned to provide the daily needs of its residents by establishing a functional and integrated mix of uses including residential (single and multi-family), retail/commercial, office, light industrial, civic/institutional, research and development, recreation/open space and supporting infrastructure (e.g. roads, sidewalks, trails, water, sewer, etc.). The maximum residential density for the planning area is 4.0 residential units per gross residential area as applied throughout the MPD boundary and the nonresidential land use intensity shall not exceed .3 Floor Area Ratio (FAR). The non-residential uses (retail/commercial, office, research and development and light industrial) shall not exceed 20% of the site. All development must be clustered on the non-sensitive portions of the site. A minimum of 20% open space shall be required which includes wetlands and environmentally sensitive areas and stormwater facilities. Permitted land use activities include agricultural, silvicultural, recreation and the private air strip.

In order to ensure the compatibility of the Ruckel MPD with the surrounding offsite residential properties along Forest Road and Rocky Bayou Drive, any uses proposed in these areas will be designed in a manner that are compatible with those uses or will be adequately buffered consistent with the City’s comprehensive plan and land development code.

No development can occur within the wetlands on-site and buffer areas which are associated with the Turkey Hen Creek except for conservation or passive recreational uses including but not limited to trails, boardwalks, pedestrian crossings, foot bridges, viewing kiosks, multi-modal trails and road crossings. To ensure no development will occur in the creek system, the area is designated with a Conservation Overlay on the City’s Future Land Use Map, which restricts development to conservation and passive recreation uses as specified above but permits the underlying density from the MPD category to be applied to the developable upland portions of the Ruckel property. A minimum 25 foot vegetative buffer shall be retained from the jurisdictional wetland boundary associated with the Turkey Hen Creek to prevent erosion and trap the sediment from overland runoff. Additionally, the site will develop in accordance with the stormwater requirements for an OFW waterbody to ensure no degradation of Turkey Hen Creek and Rocky Bayou. Finally, the Turkey Hen Creek provides suitable habitat for the Okaloosa Darter. Before new development commences on-site, through the permitting process, the Developer shall coordinate with the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife to ensure any listed species are protected on site which shall include the development of a Resource Management Plan consistent with the provisions in Objective 11.B.4 and supporting policies of the City of Niceville Conservation Element. The Resource Management Plan shall consider, but not be limited to, the following:

- The amount of required buffer to protect the Okaloosa Darter
- Active management of the Turkey Hen Creek
- Restoration and enhancements of the wetlands associated with the Turkey Hen Creek
- Discouraging the use of fertilizers to protect nutrient loading in Turkey Hen Creek
- Use of Best Management Practices for any listed species, habitat and protection of resources
- Plan for bridging and crossings of the Turkey Hen Creek
- Wildlife corridors including the protection of the Black Bear

The Resource Management Plan shall be reviewed and approved by the U.S. Fish and Wildlife and the Florida Fish and Wildlife Conservation Commission.

The mix of uses and distribution of uses as a percent of the entire MPD acreage (including the Conservation areas) are as follows:

Residential (single and multi-family):	50% - 75%
Commercial (including Retail and Office):	2% - 20%
Light Industrial:	>1% - 10%
Public:	1% - 7%
Recreation/Open Space (including Stormwater Management and Drainage Facilities, wetlands, environmentally sensitive and Natural Areas):	20% - 35%

The approval of development orders shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions maps.

Objective 7.A.3 - The goals, objectives and policies of this Comprehensive plan shall be implemented through the adoption and enforcement of land development regulations.

Policy 7.A.3.1 - Zoning districts in the City's LDC shall implement the future land use categories adopted in the comprehensive plan, including the types of uses and the densities and intensities of uses.

Policy 7.A.3.2 - Subdivision of land shall be required to meet state requirements with regard to platting and providing improvements such as roads, drainage and other facilities and services, through the adoption of subdivision regulations.

Policy 7.A.3.3 - Ensure that adequate open space is provided through land development regulations that address:

- a. active or passive recreation sites;
- b. landscaped buffers;
- c. protected natural resource lands;
- d. protected environmentally sensitive lands;
- e. areas devoted to drainage and stormwater retention; and
- f. landscaping requirements.

Policy 7.A.3.4 - Land development regulations shall ensure safe and convenient on-site traffic flow and vehicle parking needs.

Policy 7.A.3.5 - To allow for innovative site design and development approaches, the LDC shall contain procedures and standards for planned developments to encourage mixed use projects. Standards for mixed use developments shall include, but are not limited to, the following:

- a. The incorporation of activity centers that are sized to serve the needs of residents. Compatible architectural and streetscape themes.
- b. Mixture of land uses on the same site and/or in the same building, but for mixed use buildings, only commercial uses on the ground floor.
- c. Enhanced buffering and screening.
- d. Energy and water efficiency principles of design.
- e. Low impact development principles for stormwater management.

Policy 7.A.3.6 - Requirements for appropriate buffers shall be prescribed in the LDC. Buffers may serve one or more of the following purposes:

- a. Provide functional separations between dissimilar uses;
- b. Provide landscaping adjacent to parking lots and other vehicle use areas; and
- c. Provide protection from uses that may have some degree of incompatibility that can be mitigated wholly or partially to protect against light, glare, noise or appearance.

Policy 7.A.3.7 - Development regulations shall require street, pedestrian and transit layouts that discourage non-residential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

Objective 7.A.4 - Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate services and facilities, including assurance that land is available for the needed utility facilities and services.

Policy 7.A.4.1 - All development orders or permits shall be issued only if there are public facilities and services available with sufficient capacities to maintain the level of service standards concurrent with the impacts of the proposed development.

Policy 7.A.4.2 - Voluntary annexation into the City shall be encouraged when those lands are logical extensions of the existing City limits and when adequate public services can be provided.

Policy 7.A.4.3 - Ensure the availability of suitable land for public services and facilities necessary to support proposed development and approve sites for such facilities and services concurrent with the approvals for the development requiring the services and facilities.

Policy 7.A.4.4 - Require new development and redevelopment to provide necessary services and facilities or to pay a fair share of the cost of those services and facilities through impact fees, special assessments, conveyance of land/easements, or exactions.

Policy 7.A.4.5 - Require development to dedicate adequate rights-of-way for use as roadways, stormwater management facilities, and for new construction, service extensions or facility improvements by utility companies.

Policy 7.A.4.6 - Private or public electric utilities needed to support the future land use categories may be permitted as conditional uses in all land use designations except for residential, conservation or parks categories.

Policy 7.A.4.17 - Small-scale, site-specific, or off-grid electrical generation systems serving single users or small clusters of users and which use alternative energy sources shall be allowed in all land use categories without exception. Such alternative systems shall be allowed to connect to an available electrical energy distribution system to sell excess power to an electric utility provider. All substations adjacent to residential neighborhoods or visible from a public roadway shall be required to provide landscaping and buffering to minimize visual and noise impacts.

Objective 7.A.5 - The City shall ensure orderly development through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency.

Policy 7.A.5.1 - The expansion of public facilities beyond the City's Utility Service Area may be considered where public health, safety and welfare require a central water system or the extension of water service to ensure safe potable water.

Policy 7.A.5.2 - Public schools shall be located proximate to existing and planned residential areas based on criteria that include school size, land area, compatibility, environmental impacts, availability of public utilities, transportation impacts, and public safety. The following criteria shall apply:

- a. Public elementary schools shall be sited primarily in residential areas that include housing types and densities to meet the school's enrollment capacity with students who are predominately within walking distance of the school.
- b. Public middle and high schools may be sited in areas with a mix of land uses, including commercial.
- c. Access to public school sites should be from a collector road for middle and high schools or a collector or local road for elementary schools. Ingress and egress should not create detrimental impacts on roads adjacent to the site. Approaches to the site should be safe for pedestrians, bicycles, cars and buses.
- d. Public utilities shall be available to the site.
- e. The City shall encourage the co-location of public facilities, such as parks, libraries and community centers, with schools to the maximum extent feasible.

Objective 7.A.6 - The City shall encourage redevelopment of areas that are exhibiting evidence of decline through redevelopment programs and through maintaining land development regulations that contain standards and procedures to encourage redevelopment where desirable.

Policy 7.A.6.1 - The existence of inadequate infrastructure and a disproportionate number of vacant, dilapidated and/or substandard structures shall be the criteria for the identification of areas in need of redevelopment.

Policy 7.A.6.2 - Develop and implement financing techniques, such as tax increment financing, neighborhood improvement districts, and other appropriate financing sources, to encourage investment in redevelopment areas.

Policy 7.A.6.3 - Utilize available state and federal programs for the renewal and revitalization of substandard housing units.

Objective 7.A.7 - The City's natural resources shall be protected through identification, classification, coordination with resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes, and limitations on use consistent with the degree of protection Required.

Policy 7.A.7.1 - The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required:

- a. Limitations on development density and intensity;
- b. Limitations on building placement, such as requiring the clustering of allowable development on non-sensitive portions of a site;
- c. Limitations on building coverage or impervious surface coverage;
- d. requiring for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; and
- e. Evaluation of proposed plan amendments to ensure that they protect natural resources.

Policy 7.A.7.2 - Determination of the degree of natural resource protection required shall be part of the development application and review process and may result in conditions on development approvals.

Policy 7.A.7.3 - The City shall include standards and procedures in its LDC that consider topography and soil types in the review of proposed development projects.

Policy 7.A.7.4 - Within areas designated on the FLUM as Conservation, no new development, nor expansion or replacement of any existing development, shall be permitted.

Policy 7.A.7.5 - The LDC shall provide for the protection of environmentally sensitive land and potable water wellfield zones from adverse impacts of development by designating appropriate activities and land uses allowed within those areas.

Policy 7.A.7.6 - The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage level of service, natural drainage patterns and soil conditions.

Objective 7.A.8 - Important historic and archaeological resources of the City shall be protected through identification, classification and regulation of development consistent with the degree of protection required for the resource.

Policy 7.A.8.1 - Historic resources shall be protected through designation as historic sites or districts and through land development regulations.

Policy 7.A.8.2 - Maintain a register of designated historic properties and districts.

Policy 7.A.8.3 - Adaptive reuse of historic structures shall be given priority over activities that would harm or destroy the historic value of such resources.

Policy 7.A.8.4 - If construction activities reveal a suspected historical or pre-historic archaeological site, a determination shall be made by a professional archaeologist as recognized by the Florida Department of State, Division of Historical Resources, as to the extent, nature and significance of the findings.

Policy 7.A.8.5 - Support private, nonprofit groups that endeavor to preserve historic resources and request the assistance of the Florida Department of State, Division of Historical Resources, identifying sources of funding and programs as a means to identify, designate, protect and preserve pre-historic sites and historic resources in Century.

Objective 7.A.9 - New development in the City shall encourage Smart Growth principles that minimize emissions by reducing vehicle miles. The following policies shall be incorporated into the City's LDC.

Policy 7.A.9.1 - New development and redevelopment activities shall provide pedestrianfriendly street design in appropriate areas/districts of the City, including buildings close to the street; use of porches, windows and doors; tree-lined streets; hidden parking lots; garages in rear; narrow, slow-speed streets, etc.

Policy 7.A.9.2 - New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability.

Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, scooters and walking as daily transportation; connectivity to public transit; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

Policy 7.A.9.3 - Where appropriate, new development shall provide a mix of shops, offices, and residences on site and provide mixed-use within neighborhoods, within blocks and within buildings.

Policy 7.A.9.4 - Developments that require site plan review and approval shall be evaluated on the use of site and building design that emphasizes aesthetics, human comfort, creating a sense of place, special placement of civic uses and sites and human-scale architecture and amenities, especially at street level.

Objective 7.A.10 - Establish a Military Influence Planning Area (MIPA) overlay on the Future Land Use Map, evaluate the recommendations of Section 10 of the June 2009 Eglin Air Force Base (AFB) Joint Land Use Study (JLUS) Final Report and the 2013 BRAC Supplemental Environmental Impact Statement (SEIS), and implement those that are determined by the City to be appropriate and feasible.

Policy 7.A.10.1 –The entire land area located within the Accident Potential Zones (APZ-I and APZ-II) depicted on Figure 10-2 of the JLUS, as well as the remaining portions of all parcels through which the APZ lines fall, and all land located within the 65 dB DNL noise contour line within the city depicted on Figure 3-3 of the Record of Decision, Final SEIS, as well as the remaining portions of all parcels through which the 65 dB DNL noise contour line falls, are hereby designated as the MIPA Overlay Zone on the Future Land Use Map. When considering FLUM amendments for property located within the MIPA Overlay Zone:

- a. The City shall notify the applicant that the property is near a military installation subject to low level aircraft, impulse noises, and/or other military-related issues identified by the JLUS, which means development on the parcel is subject to height limitations and additional construction requirements for noise attenuation.
- b. If the property is located within an Accident Potential Zone (APZ), as identified in Figure 10-2 of the JLUS:
 - i. No changes in residential densities shall be approved for higher densities than allowed in the Medium Density Residential (MDR) future land use category.
 - ii. Changes in non-residential land use and intensity shall be reviewed based on their compatibility with military operations as shown on Figure 10-4 of the JLUS.

Policy 7.A.10.2 – By May 2015 the City shall evaluate the recommendations of Section 10 of the June 2009 Eglin AFB JLUS Final Report and the 2013 BRAC SEIS and amend the Land Development Code (LDC) to implement those that are determined to be appropriate and feasible within the MIPA overlay zone.

- a. Establish noise level reduction construction standards consistent with the 2010 Florida Residential Building Code, Section R324, Airport Noise, as amended.

- b. Establish disclosure procedures notifying buyers and leasers that property is near a military installation subject to low level aircraft, impulse noises, and/or other military-related issues identified by the City.
- c. Establish a lighting ordinance that requires shielding and operation in such a manner that is not misleading or dangerous to aircraft operation within the MIPA.
- d. Identify Accident Potential Zones (APZ) on City planning maps and documents and require developers to identify same on all proposed projects and plats.
- e. Upon completion of the BRAC Supplemental Environmental Impact Statement (SEIS), identify high noise areas on City planning maps and documents and require developers to identify same information on all proposed projects and plats.
- f. Study required implementation steps to retrofit existing public buildings within the high noise level areas (>65 db) with sound attenuation.
- g. Study required implementation steps to develop retrofit program for sound attenuation for habitable buildings in high noise level areas (>65 db).
- h. Evaluate maximum height for buildings and structures by zoning district and amend the LDC as applicable to limit object heights as depicted on Figure 10-7 of the JLUS regarding potential conflicts with Eglin AFB missions and operations.
- i. Establish a Military Influence Planning Area (MIPA) zoning overlay district to address compatibility issues related to land use, aircraft noise, and high frequency impulse noise. Measures to achieve noise level reduction (NLR) must be incorporated into the design and construction of all parts or portions of buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low, depending on type of use.
- j. Update the LDC to include specific language designed to strengthen the City's compatibility position on proposed developments and zoning amendments and/or other related change requests within the MIPA overlay districts.

Objective 7.A.11 – Establish a CRA Mixed Use Development Overlay on the Future Land Use Map for land located within the most current adopted Community Redevelopment Area (CRA) boundary and designated Mixed Use on the Future Land Use Map to encourage development and redevelopment consistent with the Community Redevelopment Area Plan.

Policy 7.A.11.1 Properties designated Mixed Use on the Future Land Use Map and located within the CRA Overlay may be developed utilizing the adopted allowable uses, maximum density (25 du per acre maximum) found in Policy 7.A.2.11, and a maximum intensity of 0.85 impervious surface area ratio regardless of zoning. The following bulk and dimensional standards are the only bulk and dimensional standards that shall apply in addition to the maximum impervious surface area ratio of 0.85 (85%) for these properties:

- (a) The maximum allowable building height or the applicable underlying zoning district shall apply; and
- (b) The minimum yard setbacks for the applicable underlying zoning district shall apply; except that minimum setbacks do not apply internally within a master planned mixed use development.

Policy 7.A.11.2 - Objective 7.A.10 and associated policies establishing the Military Influence Planning Area (MIPA) Overlay shall apply within the CRA Mixed Use Development Overlay.

Section 7.05 Future Land Use Map Series: The following Future Land Use Map Series is, by reference, made a part of this Ordinance including all future amendments, revisions and updates:

(1) Figure 4-1, Future Land Use Map, dated March 10, 2015 and as prepared by Mike Bryant for the City of Niceville. Public water wells, shores, estuaries, bayous and other water bodies; the Military Influence Planning Area (MIPA) zone; and the Accident Potential Zones (APZ-1 and APZ-2) are all shown on Figure 4.1, Future Land Use Map as are the following generalized land use categories:

1. LDR - Low Density Residential land use;
2. MDR - Medium Density Residential land use;
3. C - Commercial land use;
4. IND - Industrial land use;
5. PR - Parks/Recreation land use;
6. CON - Conservation land use;
7. MU - Mixed Use land use;
8. PCI - Public/Civic/Institutional land use; and
9. MPD – Master Planned Development land use.

(2) Wetlands are shown on Figure 4-3 titled, City of Niceville Wetlands as prepared by Mike Bryant for the City of Niceville and dated March 10, 2015.

(3) Coastal High Hazard areas are shown on Figure 4-4 titled, City of Niceville Coastal High Hazard Area (CHHA) as prepared by Mike Bryant for the City of Niceville and dated March 10, 2015.

Section 7.06 Amendments: The Future Land Use Map Series may be amended by following the requirements in Section 5.13 of this Ordinance.

Section 7.07 Official Zoning Map: The City of Niceville Land Development Code (LDC) shall contain the Zoning Ordinance of the City of Niceville (Ordinance 590, or any amendments or successor ordinances which may be adopted by the City) as well as the Official Zoning Map adopted pursuant to said Ordinance. The LDC and Official Zoning Map are designed to implement the Future Land Use Map Series.

ORDINANCE HISTORY:

00-03-03 (3 MAR 2000)

10-10-02 (12 OCT 2010)

15-03-01 (10 MAR 2015)

24-10-02 (12 NOV 2025)