



FUTURE LAND USE ELEMENT

GOAL, OBJECTIVES & POLICIES

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GOAL: The goal of the city of Casselberry is to provide a quality living environment for all residents, provide for a sound economic future through proper development and redevelopment, and to protect and preserve the quality of the environment and natural resources.

OBJECTIVE FLU 1. COORDINATE FUTURE LAND USE. Throughout the planning period, from 2009-2019, the City shall establish land use categories and policies which will ensure the coordination of future land use with the appropriate topography, soil condition, availability of facilities and services, and contrasting land use. The standard for the attainment of this objective shall be the adoption of the Goals, Objectives and Policies sections of the City of Casselberry's Comprehensive Plan, 2009-2019.

Policy FLU 1.1 **Low Density Residential.** Properties designated Low Density Residential shall be developed at a gross density not exceeding five dwelling units to the acre.

- a. Low Density Residential shall be areas of single-family detached housing.
- b. Low Density Residential areas shall be served by sidewalks and where practical, bikeways. They should have convenient access to recreation, schools, libraries, and shopping. Flexibility for sidewalks may be appropriate for parcels of one acre or more that are not located in residential subdivisions.
- c. Low Density Residential areas shall be buffered from nuisance effects of conflicting land uses. The City shall maintain buffer and landscape requirements in the Unified Land Development Regulations.
- d. Cluster development shall be encouraged within the City's Planned Residential Development regulations in order to preserve the natural environment and open space.
- e. Other accessory/support uses may be permitted as designated in the Unified Land Development Regulations which are compatible with and do not adversely affect the character of the residential area.

Policy FLU 1.2 **Medium Density Residential.** Properties designated Medium Density Residential shall be developed at a gross density not exceeding 13 units to the acre.

- a. Medium Density Residential shall be areas of single family and multi-family detached and attached housing.
- b. Medium Density Residential areas shall have convenient access on or have access to collector or arterial roadways with minimal impact upon areas designated as Low Density.
- c. Medium Density Residential areas shall serve effectively as a transitional use between more intense urban development/major traffic corridors and Low Density Residential /Conservation areas.

- d. New Medium Density Residential developments should provide on-site amenities or an appropriate fee in lieu of amenities. Amenities include active recreation areas, open space, and pedestrian walkways and should be provided as a component of site design to be reviewed by the Development Review Committee.
- e. Conditional Use: New office development and office conversions may be allowed in a Medium Density Residential designation as a conditional use if the lot or parcel has direct access to a roadway with a classification of collector or higher. In addition, the conditional use must be strategically located to act as a transitional or buffer use for an adjacent single family or multi-family use. The percent of land given conditional use approval to office shall not exceed 33.33% of the total frontage of the collector or arterial roadway within the City. All office uses shall be developed with a maximum floor area ratio of 0.20 and other OR guidelines as directed in Policy FLU 1.5 and the City's Unified Land Development Regulations.
- f. Other accessory residential uses may be permitted as designated in the Unified Land Development Regulations that are compatible with and do not adversely affect the character of the residential area.

Policy FLU 1.3

High Density Residential. Properties designated High Density Residential shall be developed at a net density not exceeding 20 units per acre. A density bonus up to an additional 10 units per acre for the provisions of active recreation and open space, community lake access, mass transit facilities, and high standard of residential design may be granted on a case-by-case basis.

- a. High Density Residential developments shall be designed so the siting, height, architectural character and bulk of buildings are compatible with adjacent residential neighborhoods and natural features.
- b. High Density Residential development shall be permitted only in areas with complete urban services, including mass transit, sewer, water, fire and police protection. A transportation study shall be required prior to development of all vacant lands as well as redevelopment parcels.
- c. High Density Residential development shall be located in close proximity to commercial centers and mass transit with safe and adequate pedestrian access.
- d. High Density Residential development shall be approved by the Development Review Committee based on appropriate layout of the following minimum controls, but not limited to: building placement, parking, landscaping, recreation and open space, street design and general architectural character relative to materials, configuration, and technique.
- e. New high density development shall provide adequate buffers and landscaping to protect adjacent neighborhoods that are primarily single family in nature and which show little evidence of transition to higher density.

- Policy FLU 1.4 **Conversion to High Density Residential.** The City shall require that any changes or request for a high density land use designation verify the following points:
1. The change can be demonstrated to be in the best interests of the City at-large;
 2. The change in land use will meet concurrency;
 3. The change will not detrimentally encroach upon Low Density Residential areas; and
 4. The development will be directly located on or have access within 300 feet to an arterial roadway as identified on the Future Traffic Circulation Map.
 5. In the instance of conversion of residential uses to office in appropriate areas of the City, parking requirements may be adjusted in order to prevent excessive stormwater impacts and to preserve existing trees.

Policy FLU 1.5 Reserved.

- Policy FLU 1.6 **Low Intensity Non Residential/Medium Density Residential.** Properties designated Low Intensity Non Residential/Medium Density Residential shall provide for general retail and light wholesale commercial activities and attached and detached residential purposes. This area may be developed at a Floor Area Ratio of no greater than 0.25 and a gross residential density not exceeding 13 units to the acre. A Floor Area Ratio bonus of 0.05 may be granted when a minimum of 30 percent of the mixed use development is developed residential. In addition, these developments shall meet the following criteria:
- a. Medium Density Residential shall generally be located to act as a buffer between Low Density Residential areas and Low Intensity Non Residential areas.
 - b. Properties designated Low Intensity Non Residential/Medium Density Residential shall be located on collector roadways or roadways of a higher functional classification.
 - c. The intensity and/or density of a Low Intensity Non Residential/Medium Density Residential development shall be subject to the availability of services and facilities to support the development.
 - d. The City of Casselberry encourages the development of tracts within this I and use designation which are under single ownership and greater than three acres in size to be developed subject to mixed use development regulations per the Unified Land Development Regulations.
 - e. Other uses may be permitted as designated in the Unified Land Development Regulations, which are compatible with and do not adversely affect the character of the area to be reviewed as a conditional use.

Policy FLU 1.7

High Intensity Non Residential/ Medium Density Residential. Properties designated High Intensity Non Residential/Medium Density Residential may provide a wide range of commercial activities and develop up to a Floor Area Ratio of 0.5. Medium Density Residential components of this classification shall develop at a density of not more than 13 units to the acre.

- a. Properties designated High Intensity Non Residential/ Medium Density Residential shall be located on or have direct access to roadways classified as arterials.
- b. Properties designated High Intensity Non Residential/ Medium Density Residential shall be regarded as areas of intense commercial/ general retail activity with the potential for multi-unit attached housing.
- c. Properties designated High Intensity Non Residential/ Medium Density Residential shall not locate non-residential portions of the development adjacent to areas designated Low Density Residential. In the event of existing incompatible development, substantial buffering shall be used when new development or redevelopment occurs including structural setbacks, site design, and proper vehicular access controls.
- d. Development in areas designated High Intensity Non Residential/ Medium Density Residential shall be encouraged to develop with its orientation away from areas of a less intense land use classification.
- e. Properties designated High Intensity Non Residential/ Medium Density Residential shall have convenient access to and encourage the use of public transit through provision of public transit facilities.
- f. The City of Casselberry encourages the development of tracts with this land use designation which are under single ownership and greater than three acres in size to be developed subject to mixed use development regulations.
- g. The intensity and/or density of a High Intensity Non Residential/ Medium Density Residential shall be subject to the availability of services and facilities to support the development.
- h. Other uses may be permitted as designated in the Unified Land Development Regulations which are compatible with and do not adversely affect the character of the area to be reviewed as a conditional use.
- i. Properties in this category shall display physical and functional integration of project components with surrounding uses in order to reduce external traffic trips and create a synergistic effect.
 1. Large developments with out-parcels must provide cross access between structures. Cross access to adjacent compatible uses is also required
 2. Pedestrian connections from the street to the structure are required.

- Policy FLU 1.8** **Commercial.** Properties designated Commercial shall be developed at a Floor Area Ratio no greater than 0.25. On arterial roadways, a Floor Area Ratio of up to 0.35 may be allowed. Residential uses shall be developed at a gross density not exceeding 13 dwelling units per acre.
- a. Properties designated as Commercial may provide for a wide range of general retail, light wholesale commercial activities, mixed use (retail, office, and business and person services), and office/residential uses. Single family attached development shall be allowed in conjunction with office uses.
 - b. Properties designated as Commercial shall be designed to minimize negative impacts upon adjacent residential areas and upon the function of arterial roadways through proper buffering, site design, and traffic controls.
 - c. High density residential uses may be permitted provided they are compatible with surrounding uses and do not create demands upon the City's infrastructure that will exceed the City's ability to meet its adopted level of service standards.
- Policy FLU 1.9** **Industrial.** Properties designated Industrial shall be developed at a Floor Area Ratio no greater than 0.35.
- a. Properties designated as Industrial may provide for a wide range of clean, light industry, including electronics and other high technology uses, light fabrication, warehousing, wholesale commercial, manufacturing, and support office activities.
 - b. Properties designated as Industrial shall be appropriately screened and buffered from adjacent residential uses.
 - c. Other uses may be permitted as designated in the Unified Land Development Regulations, which are compatible with and do not adversely affect the character of the area to be reviewed as conditional uses.
- Policy FLU 1.10** **Industrial-Medium.** Property designated Industrial-Medium shall be developed at a Floor Ratio no greater than .35.
- a. Properties designated as Industrial-Medium shall provide for a wide range of clean, medium industry, including electronics and other high technology uses, fabrication, warehousing, wholesale commercial, manufacturing and support office activities.
 - b. Properties designated as Industrial-Medium shall be appropriately screened and buffered from adjacent residential uses and other non-industrial uses.
 - c. The City shall provide adequate locations for adult entertainment establishments within the Industrial-Medium future land use designation as required by the United States and Florida constitutions.
 - d. Properties designated as Industrial-Medium shall not be directly visible by the traveling public from a major arterial roadway..
 - e. Properties designated as Industrial-Medium shall not have frontage along a major arterial roadway.

- f. The City may enter into joint planning agreements with Seminole County or a municipality or municipalities which provide for the multi-jurisdictional siting of adult entertainment establishment uses in certain areas of Seminole County, whether incorporated or unincorporated.
- g. Industrial-Medium developments shall be designed so the siting, height or bulk of building is compatible with adjacent development.

Policy FLU 1.11

Public. Properties designated as Public shall consist of public and quasi-public, including, but not limited to, schools, community facilities, transportation, communication, and utility facilities.

- a. The City shall comply with the Unified Land Development Regulation in its development of properties for a public purpose.
- b. The City shall ensure that parcels utilized for a public purpose by all other public and quasi-public entities are developed in accordance with the City's Unified Land Development Regulations to the maximum extent possible.
- c. Development of parcels for a public purpose shall consider the impacts upon the environment and surrounding area and where practical provide for proper buffering, landscaping, and site design for the purpose of minimizing adverse impacts.
- d. The City shall recognize that some facilities,–services, and utilities must be provided in all land use classifications in order to accommodate the health, safety, and welfare of the community.
- e. The City shall allow a maximum of 80% impervious area in the Public Land Use Category.
- f. Public schools shall be allowed in all Future Land Use designations except Industrial. Once land is slated for public educational uses, the City will re-designate the site as Public.

Policy FLU 1.12

Conservation (Overlay Zone). Properties designated as Conservation within the overlay zone consist of wetland areas, remaining wildlife habitat areas and vegetation communities, areas within a public water well radii of 500 feet, 100-year floodplain areas, and other areas subject to environmental or topographic constraints that may provide habitat for plant and animal species.

- a. The City shall refer to the Seminole County Soil Conservation Service, and the Hydric Soils of Florida Handbook, with regard to identifying properties which have potential development constraints based upon hydric soils, wetland vegetation, flood hazard potential, or other topographic constraints.
- b. A final determination of the suitability of any individual parcel of land, as it relates to the Conservation overlay zone, shall be determined prior to issuance of any development approval. Development approval will be subject to appropriate technical determinations as to the extent of the impact of development on Conservation areas and the potential for mitigation.

- c. Properties designated Conservation may include public and privately owned open space and passive recreational facilities, water management areas, and plant and animal habitat areas.
- d. Other uses may be permitted which are compatible with the development potential and characteristics of the parcel and surrounding area and do not disturb the natural environment. These uses will be reviewed as a conditional use.

Policy FLU 1.13 **Recreation and Open Space.** Properties in this designation shall consist of public or private recreational facilities, park lands, and open space preservation areas. Recreational areas shall be designated to ensure their protection, proper development, and future public use. A maximum of 30% impervious area shall be allowed in areas designated as Recreation and Open Space. Development in conservation/open space areas must meet applicable State rules, provide appropriate mitigation, and must be in the public interest.

Policy FLU 1.14 The widening of roads shall not be the sole reason to allow increased land use intensity or change of land use.

Policy FLU 1.15 **Concurrency Management System.** A Concurrency Management System has been implemented to ensure that the public facilities and services and established levels of service are available concurrent with the impact of development. The Capital Improvements Element identifies future concurrency management needs.

The following are concurrency management system guidelines, which specify the terms, and conditions that satisfy the intent and requirements of Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code.

No Development Order may be issued until the City Community Development Department has evaluated the development proposal and determined that the proposal is consistent with the adopted City of Casselberry Comprehensive Plan, 2009-2019, the City of Casselberry Code of Ordinances, City of Casselberry Zoning regulations, Southern Standard Building, Plumbing, and Electric Code, or other applicable regulations.

In order to determine whether the proposal is in compliance with the City of Casselberry Comprehensive Plan and the City of Casselberry Unified Land Development Regulations, a concurrency evaluation must be conducted. The purpose of the evaluation is to determine whether the demand for capacity created by the proposed development can be met with the existing capacity of the public facility. The public facility capacity demands of the proposed development must not exceed the available capacities that correspond with adopted level of service standards for the following public facilities and services:

- Stormwater Drainage
- Parks and Recreation
- Potable Water
- Sanitary Sewer

Solid Waste

Public Schools

Concurrency may be satisfied by meeting at least one of the following:

1. The necessary public facilities and services are in place to serve a proposed project at the time a Development Order is granted; or
2. A Development Order is issued subject to the condition that the particular and necessary public facilities and services will be in place when the impact upon the public facilities and services of the project occurs; or
3. The necessary public facilities are under construction at the time a Development Order is issued; or
4. The necessary public facilities and services are the subject of a binding executed contract for the construction of the public facilities or provision of services at the time the development order is issued; or
5. The necessary public facilities and services are guaranteed in an enforceable development agreement; or
6. The necessary public facilities and services are included in the adopted five-year schedule of capital improvements in the capital improvements element of the City of Casselberry Comprehensive Plan, provided that the schedule is realistic, financially feasible, based on currently available revenue sources, and contains estimated project completion dates for the affected public facilities or services.

The Community Development Department will conduct concurrency evaluations through a comparison of the demand requirements of proposed developments with the capacity of existing facilities. This comparison will be based upon:

1. The existing demand for public facilities and services; and
2. The anticipated demand for public facilities and services generated by approved developments either under construction or for which final Development Order's have been issued; and
3. The anticipated demand for public facilities and services generated by proposals for which capacity reservation certificates have been approved.

No Development Order shall be issued by the City of Casselberry unless the capacities for all public facilities and services anticipated to meet the demand for the proposed project can be allocated and the Levels of Service will, notwithstanding those allocations, meet or exceed the City's adopted Level of Service Standards. No proposed or approved, Development Order will result in the reduction of any Level of Service below the adopted standards. All required transportation facilities and necessary facilities and services shall be scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government five-year schedule of capital improvements.

Regarding water supply concurrency, the City shall issue no development orders or building permits without first consulting with the City Utilities to determine whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Projects undergoing development or with development approvals or orders prior to February 17, 1992 shall be exempt from concurrency determination.

All other developers wishing to be vested or to establish the status of "Vested" within the City of Casselberry were required to apply for concurrency exemption by October 1, 1992. No additional provision for vesting is available.

All developments not determined exempt or that have allowed the vested status to expire must undergo concurrency determination. All relevant concurrency review fees must be paid. Any capacity that was reserved prior to the adoption of the City's Concurrency Management System (CMS) has been returned to the general available capacity status, and the priority of the project placed below all post-CMS projects, which have already reserved capacity. Should there be no capacity available, the pre-CMS developer can request, on a "first come, first serve" basis, to be placed on a waiting list with other post-CMS projects.

Policy FLU 1.16

RESERVED.

Policy FLU 1.17

RESERVED.

Policy FLU 1.18

School Collocation. The City shall encourage the siting and collocation of public schools with other public facilities as allowable in all FLU designations except in Industrial. To the maximum extent possible, new public facilities shall be located, designed and constructed on or adjacent to library, community centers, parks and/or recreational facilities.

Policy FLU 1.19

Incompatible Land Uses. Land use activities which are potentially incompatible due to type or intensity of use, shall be buffered from one another through the provision of open space, landscaping, berms, aesthetically attractive walls, site layout and design characteristics, or other suitable means.

Policy FLU 1.20

RESERVED.

Policy FLU 1.21

Transportation Concurrency Exception Area. The City of Casselberry, as a whole, was effectively established as a Transportation Concurrency Exception Area on July 8, 2009 by Senate Bill 360. This designation provides an exemption to transportation concurrency level of service requirements in an effort to support urban infill development, redevelopment, and the achievement of the City's redevelopment goals by addressing mobility, urban design, land use mix, and network connectivity.

Policy FLU 1.22

Major Thoroughfare Mixed-Use. The Major Thoroughfare Mixed-Use category is intended to provide opportunities for mid to high density/intensity mixed use development along major transportation corridors within the City. Properties designated

Major Thoroughfare Mixed-Use may provide a mix of commercial, office, residential, and/or hotel. The properties may provide at least two of the listed uses and are encouraged to include residential. The maximum non-residential FAR shall be 1.5 and the maximum density for residential may be 30 dwelling units per acre. Hotel units may be provided at a density of up to 80 units per acre. These properties may be developed based upon the following percent mix of uses.

Uses	Percent Distribution of Uses
Residential	0% - 75%
Commercial	5% - 90%
Office	10% - 50%
Hotel	0% - 30%

- a. Properties designated Major Thoroughfare Mixed-Use shall be located on or have direct access to roadways classified as arterials.
- b. Properties in this category are encouraged to integrate the uses vertically as well as horizontally on the site. This may be accomplished by providing non-residential on the ground floor with residential/hotel on upper floors.
- c. Use of this Category is intended to create a mixed-use district along the City's major thoroughfares; therefore, smaller sites of less than 10 acres may include only office and commercial uses provided residential uses are within adjacent properties in order to maintain the mixed-use character of the thoroughfare.
- d. Properties designated Major Thoroughfare Mixed-Use shall be regarded as areas of intense commercial, general retail, and office activity with the potential for multi-unit housing or hotels.
- e. Properties designated Major Thoroughfare Mixed-Use shall not locate non-residential portions of the development adjacent to areas designated Low Density Residential. In the event of existing incompatible development, substantial buffering shall be used when new development or redevelopment occurs including structural setbacks, site design, and proper vehicular access controls.
- f. Unless a specific development potential is adopted as a policy within this objective for the respective property the maximum development potential for analysis purposes shall assume 100 percent commercial.
- g. Development in areas designated Major Thoroughfare Mixed-Use shall be encouraged to develop with its orientation away from areas of a less intense land use classification.
- h. Properties designated Major Thoroughfare Mixed-Use shall have a convenient access to and encourage the use of public transit through provision of public transit facilities.

- i. The intensity and/or density of a Major Thoroughfare Mixed-use shall be subject to the availability of services and facilities to support the development.
- j. Other uses may be permitted as designated in the Unified Land Development Regulations which are compatible with and do not adversely affect the character of the area to be reviewed as a conditional use.
- k. Properties in this category shall display physical and functional integration of project components with adjacent uses in order to reduce external traffic trips and provide greater access.
 - 1. Large properties with out-parcels must provide cross access between structures for both pedestrians and vehicles. Cross access to adjacent uses is also required.
 - 2. Pedestrian connections from the street to all structures are required.
- l. The properties known as the "Concord Center" shall be designated as Major Thoroughfare Mixed-Use. The maximum development potential for these properties (combined) shall be limited to:
 - 120,000 Square Feet of Office
 - 30,000 Square Feet of Restaurant
 - Or an equivalent development intensity/density that does not create a net increase in the impact to the public facilities serving the site.
- m. The properties known as the "City Center" shall be designated as Major Thoroughfare Mixed Use. The maximum development potential for these properties (combined) shall be limited to:
 - 80,000 Square Feet of Commercial Retail
 - 80,000 Square Feet of Office
 - 400 Condominium/Multi-family Residential Units
 - 200 Hotel Units
 - Or an equivalent development intensity/density that does not create a net increase in the public impact to the public facilities serving the site.
- n. Without regard to anything in this Policy FLU 1.22 to the contrary, existing developments in place and legally existing on a subject parcel remain legal conforming uses that can be developed and redeveloped in accordance with the zoning district standards applicable to the subject parcel as of June 28, 2010, with two exceptions:
 - 1) If a subject parcel that is already developed is redeveloped such that its value after redevelopment will exceed 150% of its assessed value before redevelopment, the parcel must conform

to the requirements of the MTMU land use set forth in the Comprehensive Plan;

- 2) If the primary structure on a parcel receives storm or fire damage in excess of 50% of its assessed value before the damage, the rebuilt structure must conform to the requirements of the MTMU land use set forth in the Comprehensive Plan, unless a building permit for the rebuilding is obtained within eighteen months of when the damage is sustained.

The Administrative Official shall determine whether a subject parcel or primary structure falls under one of these two exceptions prior to the issuance of a final development order for such redevelopment.

Policy FLU 1.23 **Appropriate Mix of Land Uses.** An appropriate mix of land uses within the CRA/TCEA is essential to support shorter trip lengths, trip capture, multimodal transportation, and reduced dependence on automobiles. The appropriate mix of uses is defined as a ratio of the residential dwelling units divided by the non-residential or one residential unit per 1,000 square feet of non-residential. In September 2008 (based upon 2007 Seminole County Property Appraiser information), the baseline residential to non-residential ratio is 0.35. The City shall strive to maintain the baseline ratio by encouraging mixed use projects in order to support the redevelopment goals and multimodal objectives of the City and encouraging property owners adjacent to, or with direct access to, major arterials or collector roadways to amend the future land use to Major Thoroughfare Mixed Use (MTMU), High-Intensity Non-Residential/Medium Density Residential (HINR) or Low-Intensity Non-Residential/Medium Density Residential (LINR) as a part of the development or redevelopment of those parcels., The City will evaluate the residential ratio as part of its evaluation and appraisal report. The target ratio for these mixed-use properties is 0.46.

OBJECTIVE FLU 2. BLIGHTED AREA RENEWAL AND REDEVELOPMENT. Throughout the planning period (2000-2010) the City shall encourage the redevelopment and renewal of economically underutilized or blighted areas.

Policy FLU 2.1 **Floor Area Ratios.** The City shall enforce its unified land development regulations, which will encourage the development and redevelopment of underutilized or blighted areas by allowing an increased Floor Area Ratio for parcels with direct primary access to collector or arterial roadways.

Policy FLU 2.2 **Design Flexibility.** The City shall continue to provide for flexibility with regard to the Unified Land Development Regulations for parcels that are nonconforming and are economically underutilized or blighted when redeveloping. It is the intent of this policy that development or redevelopment of parcels shall provide for parking, landscaping, signage, drainage, and open space.

Policy FLU 2.3 **Pursuit of Funding.** The City shall continue to pursue Community Development Block Grant funding and other funding sources as a tool to address the redevelopment and renewal of economically underutilized or blighted areas.

OBJECTIVE FLU 3. ELIMINATE INCONSISTENCIES. Throughout the planning period (2009-2019) the City shall continue to encourage the elimination of uses inconsistent with the approved future land use.

Policy FLU 3.1 Conformance. When a nonconforming use has been discontinued for a period of 90 or more consecutive days, the City shall require the property to conform to all Comprehensive Plan and ULDR standards prior to issuing an occupational license.

Policy FLU 3.2: Expansion. The City shall discourage the expansion or enlargement of any nonconforming use for any parcel which is incompatible with the Future Land Use Map.

Policy FLU 3.3: Conditional Use. The City shall encourage the elimination of uses that are inconsistent with the proposed Future Land Use Map or character of surrounding area by limiting the granting of conditional uses or other development approvals.

Policy FLU 3.4: Flexibility. The City shall provide for flexibility in the Unified Land Development Regulations requirements for parcels under one acre which are redeveloped to a use consistent with the Future Land Use Map provided that adequate provisions for parking, landscaping, signage, drainage, and open space are made.

Policy FLU 3.5: Existing Non-conformities. Specific non-conforming uses or uses established before the adoption of the 1992 Comprehensive Plan shall not be used as a precedent for land use approvals inconsistent with the Comprehensive Plan.

OBJECTIVE FLU 4. RESOURCE AND ENVIRONMENTAL PROTECTION. Throughout the planning period (2009-2019) the City shall ensure the protection of its historic, cultural, archeological, and natural resources and environmentally sensitive land in all land use classifications.

Policy FLU 4.1 Conformance. All development proposals must conform to the Conservation Element goals, objectives, and policies, before such proposals can be considered to be consistent with the Future Land Use Map and prior to issuance of any development approvals.

Policy FLU 4.2 Environmental Impact Review. Any land located within the designated area of the Conservation Overlay on the Future Land Use Map will undergo an environmental impact review prior to development or redevelopment. Areas depicted in the Overlay are considered environmentally sensitive and consist of remaining wildlife habitat areas and vegetative communities, as well as wetlands, floodplains, and areas within a public water well radii of 500 feet. Development or redevelopment within the Conservation Overlay Zone may or may not be allowed at reduced densities and intensities. Site specific appropriate conservation measures shall be required. When protective measures are insufficient for protection of the environment, (i.e. environmental degradation due to the impact of the project is a logical and predictable result of development) development may be denied, depending upon the nature of the project and its environmental impact. The Conservation Area Overlay is not to be considered the exact boundary of the conservation area, but to act as an indicator of a conservation area. The exact boundary shall be determined on a case by case basis. The conservation area overlay is not an all inclusive map and areas that do not fall within its boundaries that meet the definition of conservation areas are subject to all rules and regulations affecting them.

Policy FLU 4.3 Lake Access: The City shall encourage new development and redevelopment of lakefront property to provide public access on all lakes, wherever appropriate and possible.

Policy FLU 4.4 Residential Lakefront Property: The City shall encourage low density residential uses around lakes to preserve and protect the lakes and their contribution toward the enhancement of the quality of life in Casselberry by combining lots, where feasible, to conform to the minimum lot requirements of the ULDR.

OBJECTIVE FLU 5. DISCOURAGE URBAN SPRAWL. Throughout the planning period (2009-2019) the City shall discourage the proliferation of urban sprawl by encouraging infill development and redevelopment of properties which are underutilized.

Policy FLU 5.1 Provision of Utilities. The City shall continue to require mandatory utility hook up, subject to applicable State laws and City of Casselberry regulatory procedures, to ensure proper provision of necessary public facilities and services at the time of the impacts of development.

Policy FLU 5.2 Interlocal Agreements. The City shall pursue interlocal agreements with Seminole County and other surrounding jurisdictions, which will ensure compatible development and redevelopment of areas in and surrounding the City.

Policy FLU 5.3 Incentives for Infill Development. Adopted infill development standards will be maintained and the City shall assess, on an annual basis, the effectiveness of the regulations. Mixed use developments, as defined in Policy FLU 1.1.6, FLU 1.1.7, and FLU 1.1.22 and PMX-L, PMX-H, PMX-Medium Rise, and PMX-High Rise zoning categories, should be encouraged in both redevelopment and infill areas.

OBJECTIVE FLU 6. LAND FOR UTILITIES. Throughout the planning period (2009-2019) the City shall ensure the availability of suitable land for public utility facilities necessary to support proposed development.

Policy FLU 6.1 Public Facilities. Public facilities, except communication towers, may be allowed in all Future Land Use designations as ancillary uses if necessary to support the primary use. These facilities should be provided in such a manner so as to minimize any negative impact to surrounding land uses and be designed to preserve the character of residential neighborhoods. When it is deemed and clearly demonstrated to be in the best interest of the public health, safety and welfare to provide public facilities in locations which are potentially incompatible with adjacent land uses, buffering and other impact mitigating measures will be required.

Policy FLU 6.2 Development Exactions. The City shall continue to utilize its Unified Land Development Regulations, including subdivision and site planning controls, to ensure that development will provide for those public facilities which may be needed to accommodate the immediate and direct impacts of the development.

Policy FLU 6.3 Impact Fee. The City shall collect impact fees as outlined in the City's Concurrency Management System to help offset the impacts of development.

OBJECTIVE FLU 7. REGULATE LAND DEVELOPMENT. Throughout the planning period (2009-2019) the City shall pursue the use of innovative Unified Land Development Regulations which will allow for the proper development and redevelopment of all areas in all land use classifications.

Policy FLU 7.1 Performance Controls/Criteria. The City shall evaluate and revise its system of performance controls on a regular basis in order to provide a more efficient land development system to minimize potential negative impacts of development.

Policy FLU 7.2 **Flexibility.** The City shall provide for flexibility in the Unified Land Development Regulation requirements for parcels under one acre which are redeveloped to a use consistent with the Future Land Use Plan provided that adequate provisions for parking, landscaping, signage, drainage, and open space are made.

Policy FLU 7.3 **Unified Land Development Regulations.** The City shall retain, revise, or adopt as necessary all relevant ordinances, regulations, and policies that pertain to development, which will require development to occur in compliance with all elements of the City of Casselberry Comprehensive Plan. At a minimum, the City shall retain, revise, or adopt regulations including, but not necessarily limited to, the following regulatory areas:

- a. Distribution of specific land use activity
- b. Subdivision of land
- c. Development in flood prone, wetland, and other environmentally constrained areas
- d. Standards for signage
- e. Standards for density and intensity including the adoption of Floor Area Ratios
- f. Standards for building heights
- g. Standards for parking
- h. Availability of public utility systems
- i. Stormwater management and drainage
- j. Protection of water wellfields and aquifer recharge areas
- k. Park and recreation requirements
- l. Preservation of trees and natural areas
- m. Collection and removal of solid waste
- n. Performance oriented development standards.

Policy FLU 7.4 **Lighting Regulations.** The City adopted exterior lighting standards in 2002 and shall continue to implement these regulations to minimize light pollution and prevent excessive lighting.

Policy FLU 7.5 **Urban Design Standards.** The City will develop and adopt unified urban design standards by December of 2010 for the overlay districts which will be applied through the City's Development Review process regulations.

OBJECTIVE FLU 8. COMPREHENSIVE PLAN AND FUTURE LAND USE MAP. Throughout the planning period (2009-2019), the City shall maintain a Comprehensive Plan Future Land Use Map which represents future land use designations for the City of Casselberry in a manner prescribed by the goal, objectives, and policies prescribed herein and appropriate State Statutes.

Policy FLU 8.1 **Future Land Use Map Amendments.** The City shall not amend the adopted land use map more that twice a year subject to those statutory exceptions allowed by law (Chapter 163, F.S.).

Policy FLU 8.2 **Interpretation of Boundaries.** When interpreting the Future Land Use Map and its designation for future land use on any individual parcel of land the following criteria shall be used in making a final determination regarding the exact location of the land use classification boundary:

- a. Consistency of parcel boundary with municipal boundary lines;
- b. Consistency of parcel boundary with roadways and thoroughfares;

- c. Consistency of parcel boundary with natural features such as lake areas, drainage ways, or areas with environmental or topographic constraints as may be defined for conservation purposes;
- d. Consistency of parcel boundary with boundaries of recorded subdivision plats;
- e. Consistency of parcel boundary with plat or parcel lot lines;
- f. Consistency with parcel boundary of a zoning district line where the zoning district boundary is applied on a site or parcel specific basis;
- g. Consistency with a legal description of the parcel.

Policy FLU 8.3 **Controlling Document.** The Comprehensive Plan, Future Land Use Map shall be the controlling document with regard to land use in the City. When a conflict occurs due to the parcel specific nature of the land development regulation, or the Future Land Use Map indicates a split of a parcel of record, the following shall be utilized in determining the boundary line of the land use classification:

- a. Current land use of the property in terms of residential, non-residential, or other type of activity
- b. Orientation of the property in terms of access or frontage
- c. Site configuration/layout of the current or proposed activity

Policy FLU 8.4 **Conflict Resolution.** After consideration of Policy FLU 8.2 and 8.3 above, and when a question remains regarding the final determination of the specific boundary of a land use classification, the City of Casselberry City Commission shall make the final determination of the classification boundary.

OBJECTIVE FLU 9. ANNEXATION STRATEGY. Throughout the planning period (2009-2019) the City shall pursue a policy of annexation which will provide for the most efficient use of public facilities and services, eliminate areas of jurisdictional problems, and provide for the sound growth and development of the City and surrounding area.

Policy FLU 9.1 **Interlocal Agreement.** The City shall pursue the development of an interlocal agreement with Seminole County regarding a future joint planning area and future annexation boundaries.

Policy FLU 9.2 **Annexation Agreement.** The City shall continue to utilize an annexation agreement when responding to requests for service provision in unincorporated areas. Priority shall be given for service provision to areas which represent potential legal extension of the municipal boundary.

Policy FLU 9.3 **Annexation Analysis.** Prior to annexation of specific properties, the City shall complete a feasibility study regarding fiscal impacts of the annexation and the ability of the City to provide adequate services.

Policy FLU 9.4 **Annexation Petition.** The City shall observe the following general priorities with regard to future annexations:

- a. ; Vacant land being developed or having high land values;
- b. Non-residential;

- c. Apartment/Multiple Family Dwellings;
- d. Enclaves;
- e. Utility service fringe areas suitable for future growth;
- f. Existing subdivisions presently served by city water or sewer and that do not require fire station facilities;
- g. Existing subdivisions not serviced by city water or sewer or not serviceable by city fire facilities; and

Policy FLU 9.5 **Enclave Annexation.** In order to reduce land use conflicts and for efficient, economical public service provision, the City of Casselberry shall investigate and, where possible, annex all enclaves as soon as possible.

OBJECTIVE FLU 10: MIXTURE OF LAND USES. The Future Land Use Map and development regulations shall promote the physical and functional integration of a mixture of land uses. This objective shall be implemented by the following policies.

Policy FLU 10.1 **Diversity of Uses.** A diverse mix of land uses, housing types and densities shall be promoted, except in cases where sub-area policies require preservation of one land use type. Continuous stretches of similar style and density of development shall be avoided.

Policy FLU 10.2 **Small Area Studies.** Publicly or privately sponsored Small Area Studies shall be conducted to identify strategies for physically and functionally redeveloping areas into a mixture of land uses with the intent of making these areas more economically viable and livable. Such Small Area Studies shall also include planning and providing for transit facilities relative to the location of employment and retail centers. Upon the City Commission's approval of a study, the Official Zoning Map shall be amended to show the location of a small area study as an overlay district. All applicable zoning code provisions shall apply as developed for each overlay district. Currently adopted overlay districts include Seminola Overlay District Phase I, Seminola Overlay District Phase II, and the Westside Small Area Overlay District.

Policy FLU 10.3 **Small Area Study Goals, Objectives, and Policies.** Once an Area Study is approved by the City Commission, the area constitutes a unique zone or study area. The City Commission has the authority to adopt supporting Goals, Objectives and Policies, which will be applicable to all new development and redevelopment in the area. Character, quality and density/intensity issues shall be controlled during the master plan process of the small area study, which will determine future land use, zoning and other applicable design standards. The City shall promote developments which support mass transit systems by providing on-site transit facilities such as bus shelters and bays. If necessary, the City should investigate possible funding sources for mass transit and potential commuter or light rail facilities.

Policy FLU 10.4 **Identifying Funding for Transit Facilities.** The City shall request assistance from other agencies in identifying available funding for transit facilities in order to correct any existing problems and to provide for future commuter rail or light rail facilities.

Policy FLU 10.5 **Support of Legislative Revenue Sources.** The City shall evaluate and provide any appropriate legislative incentives to establish dedicated sources of revenues for the provision of transit services.

Policy FLU 10.6 **Shared Cost of Transit Services.** The City shall promote and actively pursue cooperation and participation of developers in funding their share of the cost for the delivery of transit services. The City shall implement impact fee programs on a City-wide basis.

Policy FLU 10.7 **Encouragement of Transit Facilities.** By 2012, the City shall evaluate and strengthen, as deemed necessary, ULDR requirements, guidelines, and incentives and create City investment policies to encourage the provision of transit facilities within the CRD, areas addressed by Small Area Studies, and areas identified for commercial, mixed-use or high intensity non-residential or medium to high density residential development.

Objective FLU 11: PROTECTION OF RESIDENTIAL AREAS: Residential areas shall be protected from negative impacts which may result from encroachment of incompatible land uses.

Policy FLU 11.1 **Neighborhood Intrusion.** Encroachment due to non-residential uses and incompatible medium or high density residential development shall be discouraged into areas of the City of Casselberry which are predominately Low Density Residential as seen on the Future Land Use Map.

Policy FLU 11.2 **Cut-through Traffic Access.** Cut-through traffic through residential neighborhoods on roads not designated as collector or through streets shall be discouraged. Site design and traffic calming devices shall be utilized to protect the residential neighborhood integrity.

Policy FLU 11.3 **Performance Standards.** In order to protect the residential character of those areas defined by Objective FLU 11, medium and high density residential, office and commercial uses shall be subject to performance standards within the Unified Land Development Regulations, including but not limited to the following:

- a. Building height restrictions;
- b. Increased building setbacks;
- c. Requirements for architectural design compatible with the residential units nearby;
- d. Floor area ratio (F.A.R.) limitations;
- e. Lighting type and location requirements; and
- f. Tree protection and increased landscaping requirements.

Objective FLU 12: REDEVELOPMENT OF ENERGY CONSERVATION AREAS: The City shall encourage the redevelopment of inefficient land use patterns in Energy Conservation Areas to promote pedestrian access, reduce vehicular miles traveled and reduce greenhouse gas emissions.

Policy FLU 12.1 **Mixed-Use Development.** Where possible, the City shall encourage mixed-use development within Energy Conservation Areas.

Policy FLU 12.2 **Complete Streets.** Implement a “complete streets” policy, as established by the Federal Highway Administration, to accommodate all modes of transportation in plans for roadway modifications within the Energy Conservation Areas. The intent of this policy is to develop a comprehensive, integrated, multimodal street network by coordinating transportation planning strategies and private development as follows:

Provide safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings, parking areas, and existing or planned sidewalks.

Provide cross-access connections/easements or joint driveways where available and cost effective.

Deed land or convey required easements, as requested by the City, for the construction of public sidewalks, bus turn-out facilities, and/or bus shelters with appropriate credits toward developer contribution requirements.

Where appropriate, developers shall provide for the following improvements with credits toward contribution requirements:

- Project turn lanes
- Bus shelters
- Adjacent sidewalks
- Streetscaping/landscaping within the public right-of-way
- Additional bicycle parking

Objective FLU 13: REDUCTION OF GREENHOUSE GAS EMISSIONS: The City shall promote the reduction of greenhouse gas emissions.

Policy FLU 13.1 **Reduction of Greenhouse Gas Emissions.** The City shall continue efforts to protect air quality from increases in greenhouse gases by:

- A. Directing and incentivizing growth toward lands designated for Major Thoroughfare Mixed-Use (MTMU). This land use designation encourages mixed or multiple-use development patterns that can be designed to be served by public transportation and to be walkable, thus reducing single-occupant car trips and greenhouse gas emissions;
- B. Continuing to participate in planning efforts with LYNX, to improve transit headway in areas where more concentrated development will be located, focusing in particular upon the US 17-92 Community Redevelopment Area (CRA) Corridor;
- C. Continuing to support the commuter rail system, which will provide an additional alternative travel mode to remove automobile trips from the regional roadway network and support the principles of the Central Florida Regional Growth Vision.

Policy FLU 13.2 **Arbor Regulations.**

- A. The City shall continue to generally require the preservation of trees on development sites and require the replacement of trees removed during development activities through provisions in the Unified Land Development Regulations.

- B. The City shall implement standards for the preservation of large canopy trees, particularly along collector and arterial roads where they contribute to the livability of the built environment.

EXECUTIVE SUMMARY

The Future Land Use Element, and Future Land Use Map (FLU-M2) which follows, designate future land use patterns consistent with the other elements of the City of Casselberry Comprehensive Plan. It has been developed to achieve the City's stated goal for Future Land Use. The element has been formulated to maintain an acceptable balance between providing a framework for continued economic growth, and the protection of residential areas and natural resources. In addition, it is formulated in such a manner so as to be consistent with and further relevant state and regional goals.

The Future Land Use Element establishes future land use categories which provide guidance for the community in the development and redevelopment of residential and nonresidential areas. The plan encourages redevelopment through the future use of Floor Area Ratios and flexible land development regulation including mixed use and office/residential uses. The redevelopment of economically underutilized or blighted areas is also an important component of future economic health. The City has adopted design standards for the Seminola Boulevard Overlay District and created two sub-areas within the overlay district with specific land use and design conditions for each sub-area.

Objectives are provided which deal with such issues as urban sprawl, public facilities and services, concurrency, land development regulation, urban design standards, and coordination with other jurisdictions. An annexation objective and policies were established to give the City guidance with regard to potential expansion of corporate boundary lines. Based on analysis during the 2007 Evaluation and Appraisal Report (EAR), the City has annexed 289 acres of land since 1999 and now stands at 4,662 acres (2007).

The Future Land Use Element now establishes a TCEA across the City of Casselberry in its entirety. The Major Thoroughfare Mixed Use category was also created to provide opportunities for mid to high density/intensity mixed use development along major transportation corridors within the City.

In furtherance of the need to protect the environment and natural resources, the City has established an objective and related policies directly related to the implementation of the Conservation Element which deals with a wide range of environmental issues of importance to Casselberry. Properties designated as conservation and within the overlay consist of wetland areas, remaining wildlife habitat areas, vegetation communities, and other areas subject to environmental or topographic constraints that might provide habitat for plant and animal species.