

ORDINANCE 2011-23

(Concurrency Review Process – Utility Services Agreement Requirement Amendments)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS, SECTION 704 - CONCURRENCY REVIEW PROCESS TO REMOVE THE ONE-YEAR EXPIRATION FOR RESERVATIONS OF CAPACITY AND TO ELIMINATE THE REQUIREMENT FOR A UTILITY SERVICES AGREEMENT FOR DEVELOPMENTS FOR WHICH SITE DEVELOPMENT PERMITS HAVE BEEN ISSUED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida,

SECTION 1. *Sec. 704.4 Concurrency review process, subsec. c. Reservation of capacity, subsec. 3. Site development permit* is amended as follows:

3. *Site development permit.* A site development permit under section 23-217 shall be issued only upon a finding of adequate capacity in required facilities and approval by the city of a utility services agreement if required under section 23-731. If exempted under that section, a project shall be granted a reservation of potable water and wastewater treatment capacity only upon payment of applicable impact fees per article VII, division 4. ~~If site work has not substantially commenced, a reservation of capacity shall expire one (1) year from the date of site development permit issuance. Developments for which preliminary plans were approved prior to May 1, 2007, a utility services agreement is required prior to the approval of the site development permit, or, if the site development permit has been issued prior to the effective date of this ordinance, prior to the submission of application for final plat or building permit.~~

SECTION 2. If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

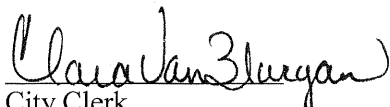
SECTION 3. This ordinance shall become effective immediately upon passage by the City Commission.

CERTIFIED AS TO PASSAGE this 4th day of October, 2011.



Mayor/Commissioner
City of Lake Wales, Florida

ATTEST:



City Clerk