

ORDINANCE 2021-09

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS AMENDING SECTION 23-223 LAND SUBDIVISION AND TABLE 23-421 PERMITTED USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED, by the City Commission of the City of Lake Wales,

SECTION 1:

23-223 – Land Subdivision.

Sec. 223-4 Final subdivision plat and supplementary information.

d. Review and Certification Process. Each final-subdivision plat shall be subjected to a standard review and certification process as follows.

4. Maintenance Bonds.

a. Public Improvements - To ensure that any improvements dedicated to the City (such as, but not limited to, streets, drainage, water, reclaimed water, sanitary sewer, storm sewer facilities, street lights and traffic signs) do not contain construction, design, or material defects or failures, a letter of credit or other surety shall be required. The surety shall be 10% of the cost of the improvements, based on the engineer's cost estimate approved by the City. Said surety shall be reviewed and approved by the City prior to final plat. The surety shall be held by the City for a minimum of 24 months. The City reserves the right to hold the surety for a maximum of 60 months if special conditions encountered during design or construction make normal inspection and testing insufficient to assure structural integrity. Examples of special conditions include the use of marginal soils in construction, application of geotextile material precludes the removal of unsuitable material, and construction practices resulting from experimental design concepts.

b. Project Landscaping – A letter of credit or other surety shall be required in order to ensure that landscape improvements in project common areas remain viable and are not diseased, damaged or dying. The surety shall be for 120% of the total landscaping cost, based on the review and approval of the project costs by the Administrative Official. Said surety shall be reviewed and approved by the City prior to final plat. The surety shall be held by the City for a minimum of 24 months. The City reserves the right to hold the surety for a maximum of 60 months to ensure that the project common area landscaping remains healthy and viable.

TABLE 23-421

PERMITTED USES AND SPECIAL EXCEPTION USES IN STANDARD ZONING DISTRICTS

P - Permitted Use S - Special Exception Use PDP - Planned Development Project

	R-1A	R-1B	R-1C	R-1D	R-2	R-3					C-1/C-1A	C-2	C-2R	C-3	C-4	C-5 ¹	LC	I	B	P	I-1	I-2	CNR
							PF		PDMU														

RESIDENTIAL

Dwelling: Single-family	P	P	P	P	P	P	P		MDP			P			P								
Dwelling: Two-family						P	P	P	MDP			P			P								
Dwelling: Multi-family (up to 12 units on one parcel)						P				P	P	P	P		P								
Dwelling: Multi-family (more than 12 units/parcel)								PDP	PDP			PDP	PDP	PDP		PDP							
Dwelling unit for caretaker employed on premises											S	S	S	S	S	S	S	S	S	S	S	S	S
Dwelling, accessory to single-family house*	S	S	S	S	S	S						S	S	S	S	S							
Mixed-use - residential and nonresidential											P	P	S	PDP2		PDP							

AMUSEMENT ESTABLISHMENTS

EDUCATIONAL AND CULTURAL

Club7								S	MDP	P	P	S	P	S	S	P				
Cultural facilities	S	S	S	S	S	S	S	S	MDP	P	P	P	P	P	P	P	P	P	P	P
Day care center3*							P	P	MDP	P	P	P	P	P	P					
Religious establishment	P	P	P	P	P	P	P	P	MDP	P	P	P	P		P					P
Schools, athletic or music								S	MDP	S	P	S	P		S	S	P		S	
Schools, post secondary	S	S	S	S	S	S	S	S	MDP	S	S	S	S		S		S		S	
Schools, primary-secondary									MDP	P	P	P	P		P					
Schools, training (other than athletic or music)								S	MDP	P	P	P	P		P	S	P		P	

FARMING/OTHER AGRICULTURAL

Farming, crop4 or nursery without retail sales	P	P	P	P	P	P	P	P	MDP	P	P	P	P	P	P	P	P	P	P	P
Nursery, plant with retail sales									MDP		P	S	P		S	S	S	P	P	

FOOD AND BEVERAGE BUSINESSES (See section 23-342 and chapter 5 for regulations on alcoholic beverages.)

Medical office (one practitioner)								P	MDP	P	P	P	P	P	P	P	P				
Nursing care homes*	S	S	S	S	S	S	P	MDP	S	S	S	P		S						S	
Veterinarian or small animal hospital							S	MDP		P	S	P		P	P	P	P			P	
Animal hospital								MDP		S		P			P	P				S	
LODGINGS																					
Bed and breakfast (accessory to single-family)*	S	S	S	S	S	S	S	MDP	S		S			S							
Boarding house					S	S	S	MDP	S		S			S							
Dormitory						S	S	MDP	S	S	S	S		S							
Hotel								MDP	P	P/S	S	P		P/S	S	P				S	
Motel								MDP		S	S			S	S						S
INDUSTRIAL USES																					
Assembly and fabrication								MDP					S				P	P	P	P	
Laundry and dry cleaning plants								MDP									P	S	P	P	

City Clerk