

## MEMORANDUM

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February 23, 2015

**TO:** Honorable Mayor and City Commissioners

**VIA:** Kenneth Fields, City Manager

**FROM:** Margaret Swanson, Director of Planning and Development

**RE:** Ordinance D2015-01 - Comprehensive Plan Amendments, EAR-Based, Future LU, Sewer, and Water - 1st Reading - Public Hearing

**SYNOPSIS:** Amendments to the Future Land Use Element and Sanitary Sewer and Potable Water Elements of the Comprehensive Plan are recommended by the Planning & Zoning Board to address issues in the Evaluation and Appraisal Report (EAR). Other amendments are recommended to allow for a density bonus for affordable housing in multi-family districts, to eliminate the RRD-Rural Residential Development land use classification, and to update, reorganize, and improve wording of various policies.

### RECOMMENDATION

At their meeting January 14, 2015, the Planning & Zoning Board held a public hearing on EAR-based and other amendments to the Comprehensive Plan and voted unanimously to recommend amendments as set forth in Ordinance D2015-01.

A public hearing is required. Public notice requirements have been met.

If approved on first reading, the ordinance will be transmitted to the state for review. Following completion of state review, a 2nd reading and adoption hearing will be scheduled. Changes may be required or suggested based on the state's review.

The Planning Board's recommendations are shown in an underline/strike-out format in Attachments A and B of the ordinance. Notes explaining individual changes are included in the text of the attachments. These notes will be removed for the 2nd reading. The types of changes are summarized below.

### BACKGROUND

The proposed amendments include both EAR-based and non-EAR based amendments to the Goals, Objectives, and Policies of the Comprehensive Plan.

The amendments involve the "Future Land Use" Element and the sanitary sewer and potable water sections of the "Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge" Elements.

The Evaluation and Appraisal Report is attached for your reference.  
Summary of Recommended Amendments:

The **EAR-based amendments** address the following issues:

Curbing Urban Sprawl

Providing Potable Water and Wastewater Services for Growth

Encouraging Infill and Redevelopment

Many of the changes called for in the EAR have been carried out over the last several years through amendments to land use and utility regulations in the City's Code of Ordinances, but have not been included in the Comprehensive Plan itself.

As you are probably aware, the City is overdue in adopting the EAR-based amendments. After the adoption of the report in 2010, work began on a complete revision of the plan, including data and analysis. In 2011, major changes were made in state statutes regarding requirements for comprehensive plans. Ultimately, efforts on the complete revision became bogged down.

Staff has been discussing compliance with the staff of the state's Department of Economic Opportunity. They have agreed that submission of EAR-based amendments at this time will put us back on track with requirements of the Growth Management Act. If there are deficiencies, they can be addressed at a later date. Staff hopes, however, that the EAR has been addressed adequately in the proposed ordinance.

One change called for in the EAR is to update the 5- and 10-Year Urban Services Area maps. The Urban Services Area map concept was re-evaluated after the EAR preparation. Mapping where future growth will occur was found to be problematic. Under policies of the Plan and the development regulations (Chapter 23 of Code), concurrency management and capital improvements planning are used to ensure urban services are available when needed. Policies 5.06, 5.07, 5.08, and 5.09 referring to the Urban Services map are eliminated in favor of concurrency management policies under Objective 4.

**Non-EAR amendments** include the following:

- Affordable housing density bonus - See Policy 2.12 Future Land Use Element:  
Under the MDR-Medium Density Residential land use classification, affordable housing developments could be granted up to a 33% density bonus (units/acre) if they meet certain conditions. In MDR, the maximum density is 6 units per acre. With the bonus, 8 units per acre could be allowed. (Recommended in response to a request from the Housing Authority.)

The language proposed to be added to the policy:

A density bonus of up to 33% may be granted through the planned development process for an affordable housing development meeting current federal criteria for affordability in Polk County, provided that the development is located in a multi-family zoning district, has in excess of 12 units, and provided the requirements for open space, recreation, buffers, pervious area and parking are not reduced.

- Elimination of the RRD-Rural Residential Development classification - See Policy 2.18.

This policy applies only to the RR-Rural Residential areas, limited in Lake Wales to the Winter Haven Corp. property between Lake Ashton and US 27. RRD allows 5% of the gross land area to be neighborhood commercial. The Planning Board's view is that neighborhood commercial nodes should be identified on the Future Land Use Map and located strategically to serve outlying residential areas.

**Other changes:**

- Organizational changes - Policies have been moved from one objective to another to better fit. For instance, several policies under Objective 5 Desired Pattern of Urban Growth (Future Land Use) that are more appropriate under Objective 4 Concurrency are moved there. Other policies have been grouped. For example wetland policies were all moved to Policy 3.07 (Future Land Use).
- Updates - A number of policies were updated to indicate that tasks have been accomplished or regulations have been enacted and will continue to be enforced. Updates have also been made to reflect changes in state or other regulations and programs related to a policy.
- Rewording - Changes have been made throughout to improve the clarity of policies.

**Status of Comprehensive Plan Amendments**

The proposed amendments address the major growth management issues facing the City by focusing on the policies in the Future Land Use and utilities sections of the Plan. However, the policies of several other sections of the Plan remain to be updated.

A new Future Land Use Map Series has been prepared and is close to being ready for adoption. The Future Land Use Map itself, showing land use classifications for property in the City, was extensively revised in 2005 and a computerized map on GIS-Geographic Information System was completed two years ago. No changes are proposed other than requests we may receive from individual property owners; these can be changed by ordinance as they come in.

The other required maps in the Future Land Use Map series have also been redone on GIS and have been recommended by the Planning Board for adoption. However, staff would like to review them further for some of the finer points before bringing them to City Commission for adoption. These include: natural resources, transportation, bus routes, conservation, utilities, soils and minerals.

The adopted Future Land Use Map and the draft FLU series maps can be seen on the City's web site under Planning & Development/Land Use/Comprehensive Plan Draft Amendments.

**FISCAL IMPACT**

No direct fiscal impact.

**OTHER OPTIONS**

City Commission may delay action or make changes to the ordinance. If the transmission of the EAR-based amendments is delayed, the City will not be in compliance with the Growth Management Act, Ch. 163 F.S.

**ATTACHMENTS**

Ordinance D2015-01 with Attachments A and B  
Evaluation and Appraisal Report - EAR

**ORDINANCE D2015-01**

(Comp Plan Amendments - EAR-Based, Future LU, Sewer and Water)

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO MAKE AMENDMENTS TO THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE ELEMENT AND THE SANITARY SEWER AND POTABLE WATER SECTIONS OF THE PLAN BASED ON THE ADOPTED EVALUATION AND APPRAISAL REPORT; TO MAKE NON-EAR-BASED AMENDMENTS TO THE FUTURE LAND USE ELEMENT TO ALLOW A DENSITY BONUS FOR AFFORDABLE HOUSING AND ELIMINATE THE RPD-RURAL PLANNED DEVELOPMENT LAND USE CLASSIFICATION; AND TO MAKE NON-EAR BASED AMENDMENTS UPDATING AND REORGANIZING VARIOUS GOALS, OBJECTIVES AND POLICIES IN THE FUTURE LAND USE AND SANITARY SEWER AND POTABLE WATER SECTIONS OF THE PLAN.**

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

**SECTION 1**           The Goals, Objectives and Policies of the "Future Land Use Element" of the Comprehensive Plan are hereby amended as set forth in Attachment A.

**SECTION 2**           The Goals, Objectives and Policies of the Sanitary Sewer and Potable Water sections of the "Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element" of the Comprehensive Plan are hereby amended as set forth in Attachment B.

**SECTION 3**           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 4**           This amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the amendment is in compliance.

**CERTIFIED AS TO PASSAGE** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor/Commissioner  
City of Lake Wales, Polk County, Florida

ATTEST:

\_\_\_\_\_  
City Clerk Clara VanBlargan, MMC

# ATTACHMENT A - ORDINANCE D2015-01

RECOMMENDATION OF PLANNING & ZONING BOARD  
January 14, 2015

## *Proposed amendments to* **FUTURE LAND USE ELEMENT**

### **CITY OF LAKE WALES - COMPREHENSIVE PLAN GOALS, OBJECTIVES, AND POLICIES**

#### ► NOTES

The Planning and Zoning Board held a public hearing on January 14, 2015 and voted to recommend to the City Commission amendments to the Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan as set forth below.

*Proposed are EAR-based changes (those identified in the City's Evaluation and Appraisal Report (EAR) adopted in 2010) and other amendments not related to the EAR.*

*Notes are added throughout text to explain proposed amendments and to identify which amendments are EAR-based amendments. If there is no note for an amendment, the changes are to improve wording or make minor updates. NOTES ARE ADDED FOR INFORMATION ONLY AND ARE NOT INTENDED FOR ADOPTION.*

*All references to state regulations 9J 5 are eliminated because the regulations are no longer in force.*

#### KEY

*Crossed-out wording is proposed for elimination. Underlining indicates new proposed text.*

## **GOALS, OBJECTIVES AND POLICIES**

**GOAL:** It shall be the goal of the City of Lake Wales to provide a system for orderly growth and development to ensure that the character, magnitude, and location of all land uses fosters a balanced natural, physical, social, and economic environment that meets the needs of the present and future population. ~~{9J-5.006(3)(a)}~~

#### **Objective 1: Land Development Regulations**

Management of Manage ~~future~~ growth and development through the preparation, adoption, implementation, and enforcement of land development regulations consistent with the policies of the Comprehensive Plan. ~~{9J-5.006(3)(b)}10~~

**Policy 1.01:** ~~Consistent with the time frames outlined in chapter 163, Florida Statutes, adopt land development regulations containing specific and detailed provisions sufficient to implement the adopted Comprehensive Plan.~~ The "Land Use and Development Regulations" and other local regulations pertinent to land development shall be reviewed and updated on a regular basis for consistency with the Comprehensive Plan and for effective implementation of the growth management policies of the Plan. ~~Consideration~~

~~shall be given to making the regulation of. Land and development regulations shall be as efficient and effective as possible and to integrating shall integrate all appropriate land development regulations into a unified code to the extent practical.~~

**Policy 1.02:** The adopted land development regulations shall regulate the use of land consistent with the Future Land Use Element and the Future Land Use Map Series, shall ensure the compatibility of adjacent land uses, and, at a minimum, shall:

1. Regulate the subdivision of land;
2. Regulate land development to provide for parks and open space;
3. Regulate land development to protect lakes, wetlands, and other environmentally-sensitive areas;
4. Regulate development in areas subject to periodic flooding, and provide for drainage and storm water management;
5. Regulate land development to protect potable wells and aquifer recharge areas;
6. Regulate signage; and
7. Regulate parking, vehicular site access, and onsite traffic flow.
8. ~~Include a~~The concurrency management system ~~will to ensure that issuance of a development order or development permit is conditioned upon the availability of public facilities and services necessary to serve new development., consistent with the provisions of Chapter 163., Part II F.S., and 9J-5.~~

**Policy 1.03:** The adopted land development regulations shall establish zoning districts and standards for uses, densities and intensities of use consistent with the future land use classification system established under Objective 2. ~~for each future land use category on the Future Land Use Map Series consistent with the Future Land Use element. [9J-5.006(3)(e)1,7.]~~

► Note:

*Lake Wales has a two-map system: the Future Land Use Map and the Zoning Map. Land development regulations refer to zoning designations, which are assigned consistent with the Future Land Use Map classification of the property.*

**Policy 1.04:** The adopted land development regulations shall permit and encourage the use, where appropriate, of innovative development techniques such as mixed-use planned unit development (PUD) projects, traditional neighborhood development (TND) projects, zero-lot-line home subdivisions, and cluster housing. ~~[9J-5.006(3)(e)5]~~

**Objective 2: Future Land Use Classification System Location and Density Criteria**

The location, intensity and density of future development and redevelopment shall be directed in appropriate areas as depicted on the Future Land Use Map Series consistent ~~in consistency~~ with the goals, objectives, and policies of the Comprehensive Plan.

**Policy 2.01:** The following land-use categories are established:

Commercial and Employment Activity Centers

1. Regional Activity Center (RAC)
2. Community Activity Center (CAC)
3. Neighborhood Activity Center (NAC)
4. Business Park Center (BPC)
5. Downtown District (DD)

6. General Commercial (GC)
7. Industrial (IND)
8. Limited Commercial/Industrial (LCI)

Residential

9. Low Density Residential (LDR)
10. Medium Density Residential (MDR)
11. High Density Residential (HDR)
12. Rural Residential (RR)

Other

13. Residential Office (RO)
14. Public (PUB)
15. Conservation (CON)

► *Note: The Growth Management Act (Chapter 163 F.S.) requires a clear statement as to what land use classifications will allow public schools.*

Public schools shall be allowed in all land use classifications, subject to resource protection and other applicable regulations of the land development regulations.

► *Note: Terms are defined for clarity.*

Intensity terms:

GLA – Gross leasable area

FAR - floor area ratio – The ratio of all of the square footage of floor area of all floors in a building to the square footage of the site.

**Policy 2.02: Regional Activity Center (RAC)**

The Regional Activity Center (RAC) classification is established to create a concentration of commercial facilities to serve the region and to provide for "high density housing" integrated in conjunction with and in close proximity to these facilities.

An RAC is intended to be a major commercial area designed as a unit and integrated with surrounding developments in terms of layout; facilities for vehicles, bikes, and pedestrians; storm water management; green space; and design elements.

Location criteria: RACs shall

- be limited to one or two locations in the City;
- range from 400 to 1000 acres in size;
- be served by public transportation
- be located with direct access to a major arterial road (preferably at an intersection of arterial roads or arterial roads and collector roads)
- be served by City water and sewer services
- not be located within a wellhead protection area
- be at least 5 miles via arterial highways from any other area designated as RAC

► *Note*



*List of typical uses is expanded and the percentage of the RAC allowed for residential use is increased to encourage mixed use. These provisions are based on those in Lakeland's comprehensive plan.*

Typical uses/intensity:

Regional mall with more than one anchor department store and associated out-parcel commercial development, large retail outlets, entertainment establishments, professional offices, educational uses, and mixed-use development. 300,000 SQ. FT. GLA and over. To permit a beneficial mix of uses, up to thirty percent (25%) (30%) of the gross land area may develop as High Density Residential (HDR). Residential above the first floor of non-residential uses shall not be counted in the (30%) 25%.

► *Note*

*Development standards for the RAC are added below in lieu of developing a separate plan for the area. The city has only one RAC, located at the crossroads of Chalet Suzanne Rd. and US Highway 27.*

~~Land use regulation: The land development regulations shall be amended to implement the RAC master plan. Public green space shall be required to provide buffers, focal points, pedestrian and bikeway connections, and recreation.~~

~~RAC master plan:~~

Development Criteria – RAC

~~The land development regulations shall include provisions applicable to the RAC at the intersection of Chalet Suzanne Road and US Highway 27. By December 2005, an RAC master plan shall be adopted by the City to ensure coherent and integrated development, to avoid piecemeal development and inefficient transportation facilities, to protect natural resources, and to provide adequate green space and buffers.~~

- ~~• All development within and surrounding and RAC area shall comply with the RAC master plan adopted by the City.~~
- ~~• At minimum, the plan shall call for connecting commercial developments to surrounding residential areas via collector roads, bikeways, and pedestrian paths; provision of frontage roads and cross access among developments; provision for public transportation accessibility and facilities; creation and preservation of green space to buffer and connect various land uses and to provide for visual relief and recreation; and the protection of wetlands and trees.~~

The regulations shall implement the following development criteria:

Development criteria:

- ~~• Located at intersections of arterial roads or arterials and collector roads.~~
- ~~• Development through the Planned Development or DRI process is preferred.~~
- ~~• Uses within development shall incorporate frontage roads or shared access to major roads.~~
- ~~• Construction of collector roads as shown on the Transportation Map in the Future Land Use Map series shall be required to provide interconnections as further development takes place in the northeast quadrant of the RAC and nearby residential areas.~~
- ~~• Mixed use and multi-family development are encouraged.~~
- ~~• Pedestrian, bicycle, and vehicular connections among residential and commercial uses shall be required.~~

- Developers shall provide for public transportation accessibility and facilities such as bus shelters.
- Green space shall be provided in developments to provide for visual relief, public gathering places, and buffering where necessary.
- Natural resources such as wetlands and ponds shall be protected and featured as integral components of developments for common open space and visual enhancement.
- ~~Spatially separated and buffered from residential areas.~~  
▶ *Note: Mixed use is encouraged – no separation is necessary.*
- Must be located outside of Wellhead Protection Areas and buffered from Conservation Areas.
- ~~Where central water and sanitary sewer are available.~~  
▶ *Note: covered in location criteria*

**Policy 2.03: Community Activity Center (CAC)**

The primary function of the Community Activity Center (CAC) classification is to encourage a variety of commercial and professional uses in shopping plazas to serve the City as a whole as well as surrounding residential areas and to allow residential uses in planned mixed-use developments.

A CAC is intended to provide an inter-connect grouping of commercial facilities and plazas conveniently accessible from a major highway and connected via collector roads, local roads, and pedestrian/bike facilities to nearby residential areas.

Location criteria: CACs shall

Development criteria:

- be located on arterial highway.
- be served by city ~~Where central water and sanitary sewer services are available.~~
- ~~CACs shall~~ be 200 to 800 acres in size and
- be located a minimum of 2 miles from any other land designated as a CAC or RAC

Typical uses/intensity: Supermarket, department store, drug store, movie theater, home improvement center, professional offices, ~~and~~ personal services, restaurants and other various commercial, professional, mixed-use, educational, medical and public uses. 90,000 to 300,000 SQ.FT. GLA. Maximum FAR = .60.

In a mixed-use development, residential uses shall constitute a maximum of 50% of the floor area on any site, and residential density shall not exceed 6 units per acre.

~~Land use regulation~~ Development criteria:

- Mixed use development including residential uses shall require a Planned Development Project approval.
- Cross access for vehicles, bikes, and pedestrians among shopping plazas and outparcels shall be required.
- Roadway, pedestrian, and bikeway connections to surrounding residential areas shall be required.
- Shared access to arterial highways shall be required.
- Consolidated signage for shopping plazas shall be required.
- Green space shall be required to buffer and connect adjacent land uses and to provide for visual relief and public gathering spaces, recreation, and to protect wetlands and trees.

► **Note:**

*Policy 2.04 is strengthened to support EAR issues - ENCOURAGE INFILL AND REDEVELOPMENT and CONTROL URBAN SPRAWL*

**Policy 2.04: General Commercial (GC)**

The primary function of the General Commercial (GC) classification is to allow redevelopment, infill and continued development and infill of areas on the periphery of central business districts and to allow the continuation of existing businesses in isolated pockets of older commercial development where desirable, and along highways.

Location criteria: The classification is intended primarily for developed commercial and mixed-use areas and is not intended for designation of undeveloped properties or the creation of new, isolated commercial areas or strip commercial development. This classification is not intended to be used in areas where phasing out isolated commercial pockets is in the best interest of the neighborhood.

Typical uses/intensity: Retail stores, financial institutions, auto repair, professional offices, and personal services. Maximum FAR = .40.

Development criteria:

- Must have access from arterial or collector roads.
- Existing "strip" commercial development may infill but shall not be extended.
- Cross-access to adjoining uses may be required where warranted by potential traffic impacts.
- Served by ~~Where central~~ municipal water and sanitary sewer ~~are~~ if available.  
► *Note: Some older areas may not have service, though most do. Planning Board recommends change from "central" to "municipal" to be specific.*
- Buffering shall be required where adjacent to residential use.
- Frontage roads, cross-access to adjoining uses, connections to local street networks, and pedestrian-bike path links shall be required as feasible when existing commercial uses are expanded or changed or when new uses and structures are permitted.

**Policy 2.05: Downtown District (DD)**

The primary function of the Downtown District (DD) classification is to maintain the historic or traditional central business district, including adjacent neighborhoods, as a vital and focal point of the city through continued enhancement of its accessibility, appearance, preservation, utilization, and facilities.

Priorities for the DD areas shall be: well designed public open space for special events and relaxation, streetscape improvements including a continuous and ADA accessible pedestrian circulation system, decorative and effective street lighting, benches and outdoor dining areas, decorative trash receptacles, screening around dumpsters, public restrooms, clear signage to identify business locations and public features, mixed residential and business uses, adequate public parking in and around the DD, well maintained public and private property, and preservation of the historic properties.

Location criteria: Existing central business districts and immediately surrounding areas.

Typical uses/intensity:

Financial institutions, specialty shops, restaurants, personal services, professional uses, cultural institutions, educational uses, mixed use, multi-family residential, public open space and

government buildings. The DD area is intended to be a walking district with a mix of traditional downtown uses and residential.

Maximum FAR of 4.0. Residential uses shall not exceed 50% of the DD area.

Development criteria: Development must be consistent with the historic and aesthetic character of the area. ~~Use of downtown Design Guidelines is preferred.~~ Multi-family and mixed commercial/residential use of structures is permitted up to 12 dwelling units per gross acre. On-street parking shall be retained where possible. Creative use of existing structures is preferred over new construction. Development shall be in accord with the CRA Redevelopment Plan.

Land use regulation:

- ~~By January 2006, architectural guidelines~~ Regulations for the Downtown Historic District and other tools shall be used to preserve and enhance the historical and architectural character of DD areas ~~shall be developed for use~~ in reviewing renovations of existing buildings as well as new construction. These may include local historic district regulations, demolition delay requirements, architectural and design guidelines, and zoning regulations consistent with the traditional development pattern of the central business districts.

► *Note:*

*Downtown Historic District was established in 2008. Historical/Architectural standards and demolition delay mechanism have been enacted.*

- ~~By January 2006, demolition delay requirements shall be adopted to encourage reuse of existing buildings rather than demolition and new construction.~~
- The number of parking spaces required for uses in the core portions of DDs shall be flexible and shall take into account that public parking lots and street parking is available to uses in the DD.

#### **Policy 2.06: Neighborhood Activity Center (NAC)**

The primary function of the Neighborhood Activity Center (NAC) classification is to accommodate businesses and services oriented to the needs of residents in the surrounding neighborhoods.

The NACs are also intended as village centers in planned residential developments. They should be designed as community centers and integral parts of residential neighborhoods, with businesses located in groups rather than in a strip along a roadway, and should be accessible via local roads and pedestrian/bike paths from nearby residential areas. Residential uses and mixed-uses are allowed only in planned developments.

The NAC classification is intended as an overlay district, optional to the primary designation of the land, usually residential.

Typical uses/intensity:

Convenience store, drug store, bakery, florist, professional offices and personal services. 20,000 - 90,000 SQ.FT. GLA. Maximum FAR = .25 except in village centers in planned developments where the maximum FAR shall be 2.0. Residential uses in planned developments shall constitute a maximum of 40% of the area within an NAC and shall not exceed 6 units per acre.

Location criteria: ~~Development criteria:~~

Accessible to surrounding residential neighborhoods. Where City central water and sanitary sewer are available. Direct access to a collector or arterial road. A minimum of a mile from another NAC or another activity center (CAC or RAC). ~~a Community Activity Center (CAC).~~

Maximum size 20 acres, except that a mixed-use NAC designed as a village center in a residential development may encompass up to 50 acres if approved as a planned development project.

► *Note:*

*Supports EAR-Based issue – CONTROL URBAN SPRAWL*

*Distance between NACs discourages strip commercial development and creates small nodes of commercial to serve outlying residential areas.*

Development criteria: Land use regulation:

- NACs shall be a planned grouping of businesses with a common access point rather than a strip commercial area;
- Access to an NAC shall be from an arterial road or from a collector road connecting residential areas to a larger roadway.
- Pedestrian/bike paths shall be required to connect the NAC to the surrounding neighborhoods it serves.
- Access to NAC businesses shall be designed primarily for accessibility by the pedestrian and bicycle rather than by the motorized vehicle. Drive-up banks and restaurants shall require a special permit. ~~Drive-up restaurants shall be prohibited.~~
- ~~Design guidelines shall be developed to encourage village center characteristics compatible with residential areas and to discourage strip commercial style development.~~
- New village centers shall be approved under the planned development process only and shall be designed to mimic traditional central business districts, with a mix of residential and non-residential uses and pedestrian oriented layouts.

► *Note*

*Supports EAR issue CONTROL URBAN SPRAWL by requiring compact mixed use development in a large NAC (village center).*

### **Policy 2.07: Business Park Center (BPC)**

The primary function of the Business Park Center (BPC) classification is to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, light-industrial facilities, distribution centers, and mixed-use employment parks.

The BPC classification is intended for well planned, extensively landscaped business park development rather than piecemeal development of individual lots.

Typical uses/intensity: light manufacturing and assembly plants, warehouses, office centers.  
Maximum FAR = .75.

Location and development criteria: Access to primary shipping routes (highways and/or rail). Access to site by arterial or major collector only. Development through Planned Development process is preferred. Spatially separated and buffered from residential areas. Support commercial to serve employees of a business park shall not exceed 25% of an area designated BPC. Where ~~central~~ City water and sanitary sewer are available. Minimum BPC area shall be 10 acres. A master plan shall be required prior to the subdivision of any land for business park development. The plan shall show an overall lot and road layout, landscaped buffers to adjacent lands, extensive landscaping within the park, and design guidelines for site development.

**Policy 2.08: Industrial (IND)**

The primary function of the Industrial (IND) classification is to accommodate the facilities necessary for the processing, fabrication, manufacturing, recycling, or wholesale distribution of goods.

Typical uses/intensity: Manufacturing and processing plants, truck terminals, bulk products storage or sales facilities, heavy machinery sales or repair. Maximum FAR = .75.

Location and development criteria:

- Access to primary shipping routes, (highway and/or rail). Access to site by arterial or major collector only.
- Development through the Planned Development process is preferred.
- Spatially separated and buffered from residential areas.
- Must be located outside of Wellhead Protection Areas and buffered from Conservation Areas.
- Where central water and sanitary sewer are available.

Land use regulations:

- Maximum FAR = .75.
- Industrial areas shall be buffered from conservation areas, wetlands and other environmentally sensitive areas and from adjacent non-industrial land uses.
- Commercial uses Support businesses, as principal and accessory uses, to serve the employees in an industrial area shall not exceed 15% of an area designated as IND and shall be accessible by pedestrians, bikes and vehicles from the interior of the industrial park or development. the site's land area.

► *Note:*

*Supports EAR issue CONTROL URBAN SPRAWL*

*Allows a commercial component in an IND area, but requires it to be integrated into development rather than strip commercial.*

**Policy 2.09: Limited Commercial-Industrial (LCI)**

The primary function of the Limited Commercial-Industrial classification is to allow low traffic generating commercial and industrial uses fronting on major roadways that will not result in commercial strip development.

Location criteria: This classification will be used along major roadways outside of Commercial Activity Centers (CACs) and Regional Activity Centers (RACs).

Typical uses/intensity: auto dealerships, storage facilities, light manufacturing and assembly plants. Types of uses not appropriate to LCI areas are high traffic generating uses such as retail stores, gasoline stations, banks, and restaurants. Up to 200,000 GLA. Maximum FAR .60.

Development criteria: Cross access easements shall be required.

**Policy 2.10 Residential-Office (RO)**

The primary function of the Residential-Office (RO) classification is to permit low intensity office and commercial uses in conjunction with residential use.

Location criteria:

This classification may serve as a transition between commercial and residential use or as a buffer where a major highway intersects an existing residential neighborhood. The RO classification is

intended primarily for developed areas to provide viable economic use and redevelopment option for residential areas that have declined in value because of their location on major roadways.

Typical uses/intensity: ~~Commercial real estate, medical, professional~~ Professional offices, medical facilities, institutional and educational uses and public facilities. Single family dwellings, two- and three-family units, and multi-family units up to 6 units per gross acre. Up to ~~.25~~ 1.0 maximum FAR.

► *EAR-BASED AMENDMENT – CONTROL URBAN SPRAWL*

*Matrix calls for review of FARs for non-residential FLUM categories under FLU Policy 5.01. FAR proposed to increase to allow multi-story buildings.*

Development criteria: Mixed use developments are encouraged. ~~Uses may be office commercial or residential or combined.~~ Off-site residential uses shall be buffered from non-residential uses, office commercial uses. ~~Office commercial uses shall be permitted only upon review of potential traffic impact and access roads.~~ Access to major collector and arterial roadways.

### **Policy 2.11: Low Density Residential (LDR)**

The primary function of the Low Density Residential (LDR) classification is to provide areas for housing, primarily single-family, with an overall density of 3 or fewer dwelling units per acre.

The LDR classification is intended to preserve the character of existing single-family residential areas with large lots and to allow the continued development of these areas. It is also intended for classification of vacant parcels, particularly newly annexed lands on the periphery of the City.

Location criteria: LDR is appropriate for vacant lands a half mile or more from arterial roadways and CACs-Community Activity Centers and RACs-Regional Activity Centers. Existing residential areas with a density of 3 or fewer units per acre on average should also be assigned the LDR designation.

► *Note*

*EAR-BASED AMENDMENT – CONTROL URBAN SPRAWL*

*EAR under FLU Objective 5 calls for adding policies decreasing residential densities away from developed centers.*

Typical uses: Uses/density. Housing up to 3 units per acre. Single-family houses. Two- and three-family units, multi-family units allowed by planned developments only, depending on compatibility with adjoining residential areas, the development suitability of the site, and the availability of public facilities and services. Uses that are customarily found in residential neighborhoods and compatible with residential development, such as religious, educational, public facility uses, and assisted living facilities with a maximum FAR of .25. Development through the planned development process is preferred. Clustering of housing units with planned development approval is encouraged to preserve open space and natural resources.

### **Policy 2.12: Medium Density Residential (MDR)**

The primary function of the Medium Density Residential (MDR) classification is to provide areas for housing in compatible groupings at a density of up to 6 units per gross acre.

A density bonus of up to 33% may be granted through the planned development process for an affordable housing development meeting current federal criteria for affordability in Polk County, provided that the development is located in a multi-family zoning district, has in excess of 12 units, and provided the requirements for open space, recreation, buffers, pervious area and parking are not reduced.

► *Note*

*Density bonus provision for affordable housing is proposed at the request of the Housing Authority.*

The MDR classification is intended to preserve the character of existing single-family residential areas and to allow the continued development of these areas. It is also intended to encourage redevelopment of declining residential areas and to allow a variety of housing types on vacant lands within a half-mile of commercial areas and arterial highways.

Location criteria: The MDR designation is appropriate for lands within a half mile of arterial roadways and CACs-Community Activity Centers and RACs-Regional Activity Centers. MDR should also be assigned to existing residential areas with densities greater than 3 and up to 6 units per acre on average.

► *Note*

*EAR-BASED AMENDMENT – CONTROL URBAN SPRAWL*

*EAR under FLU Objective 5 calls for adding policies decreasing residential densities away from developed centers.*

Typical uses: Uses/density: Housing up to 6 units per gross acre. Single-family houses. Two- and three-family units, and multi-family units allowed by planned development only, depending on compatibility with adjoining residential areas, the development suitability of the site, and the availability of public facilities and services. Clustering of units with planned development approval is encouraged to preserve open space and natural resources.

Uses that are customarily found in residential neighborhoods and compatible with residential development, such as religious, educational, public facility uses, and assisted living facilities with a maximum FAR of .40. Development through the planned development process is preferred.

**Policy 2.13: High Density Residential (HDR)**

The primary function of the High Density Residential (HDR) classification is to allow for housing at a density not to exceed 12 dwelling units per acre located within a quarter mile of commercial centers and along major roadways.

The HDR classification is intended to encourage redevelopment of declining urbanized areas along major roadways and to allow for new multi-family development convenient to commercial centers.

Location criteria: HDR is appropriate for lands within a quarter mile of a CAC-Community Activity Center or RAC-Regional Activity Center and an arterial roadway. HDR should also be assigned to existing residential areas with a density of 12 units or greater per acre.

► *Note*

*EAR-BASED AMENDMENT – CONTROL URBAN SPRAWL*

*EAR under FLU Objective 5 calls for adding policies decreasing residential densities away from developed centers.*

Typical uses: ~~Uses/density: Single family houses, two and three family units, m~~ Multi-family developments ~~units~~ up to 12 units per gross acre depending on the development suitability of the site and the availability of public facilities and services. Uses that are customarily found in residential neighborhoods and compatible with residential development, such as religious, educational, public facility uses, and assisted living facilities with a maximum FAR of .60. Development through the Planned Development process is preferred.



**Policy 2.14: Public (PUB)**

The primary function of the Public (PUB) classification is to designate or identify existing government owned facilities, parks, and open space areas.

Development criteria: Future government facilities, recreation and park sites shall be permitted in all Future Land Use categories except Conservation (CON) consistent with protection of the environment. Existing government facilities and recreation and park sites shall be designated PUB on the Future Land Use Map.

**Policy 2.15: Conservation (CON)**

The primary function of the Conservation (CON) classification is to provide for the use and protection of wetlands and habitat areas that are recognized as significant by the city. Protection of these areas shall be through a combination of resource identification as outlined under Objective 3 in the future Land Use Policy 3.07 and transfer of density as outlined below. ~~in Future Land Use Policy 2.16.~~

Location criteria: ~~Development criteria~~ Wetlands and scrub habitat may be identified CON on the Future Land Use Map, or through designation of the Wetland Overlay District. ~~as provided in Policy 3.12.~~ Lands that have been dedicated for conservation by legal instrument or through a transfer of density rights shall be designated as CON and shall not be eligible for reclassification..

► *Note*

*Added to ensure that a transfer of density rights is recognized as permanent.*

Development criteria: Wetlands and scrub habitats shall be preserved within areas designated CON. If non-environmentally sensitive areas are identified through an environmental survey as outlined in under Objective 3 – Protection of Natural Resources, Future Land Use Policy 3.07, a Comprehensive Plan amendment may be requested to reclassify those areas for development. Density rights may be transferred from wetlands and scrub habitats to those non-environmentally sensitive portions of the same site during a Planned Development Review.

**Policy 2.16:**

Where a site or a portion of a site is classified as Conservation and non-environmentally sensitive portions of the site have been identified through an approved site survey, development may be clustered on the non-environmentally sensitive portions of the same site through a transfer of density rights upon amendment to the Comprehensive Plan. Use of the Planned Development process shall be required for a transfer of density rights to ensure protection of the environmentally sensitive areas. Density rights on wetlands may be transferred at the rate of up to one dwelling unit per acre for residential land use and .05 FAR for commercial/industrial use. Density rights on scrub habitat may be transferred at a rate of up to five dwelling units per acre for residential land use and .25 FAR for commercial/industrial use. A density bonus of up to one dwelling unit per acre may be granted.

**Policy ~~2.16:~~ 2.17: Rural-Residential (RR)**

The primary function of the Rural-Residential (RR) classification is to permit agricultural activities, rural-density residential development, environmental protection of sensitive lands, and to also serve as a reserve for future urban development.

Development criteria: Agricultural uses, residential development at a density of one unit per five acres (1DU/5AC) and Rural Planned Development shall be permitted.

► *Note:*

*Rural Planned Development (RPD) is proposed for elimination as recommended by the Planning Board. A development of this nature can be approved under the Planned Development process without a special provision in the Comprehensive Plan. Designation of NACs- Neighborhood Activity Centers on the Future Land Use Map is preferred over allowing 5% of a development to be neighborhood commercial by right.*

**Policy 2.18: — Rural Planned Development (RPD)**

~~The primary function of the Rural Planned Development (RPD) shall be to permit limited urban development in areas identified as Rural Residential where due to environmental characteristics only a portion of a site is suitable for development purposes.~~

~~Development criteria: single family houses, two and three family units and multi family units shall be permitted depending on the development suitability of the site and the availability of public facilities and services. A Planned Development is required. To permit a beneficial mix of uses up to five percent of the gross land area may be developed as neighborhood commercial or office. Typical uses include convenience stores, drug stores, beauty parlors, and professional offices. Commercial and office uses shall be compatible with the scale of the surrounding residential development. The Floor Area Ratio (FAR) shall not exceed .25. RPDs shall contain a minimum of 160 acres; be served by a municipal potable water and wastewater system; be adjacent to, or front on, a paved public collector or arterial road; and reserve, via a conservation easement, site plan approval condition, or other similar land reservation mechanism; no less than 50 percent of the development site as agricultural land use, open space, of habitat protection. The maximum number of dwelling units to be approved for a RPD project shall be calculated based upon the RPD site area (including the minimum 50% reservation area) with the total permitted dwelling units to be clustered on the non reservation portion of the site.~~

**Policy 2.17: 2.19: Development of Regional Impact (DRI)**

The Development of Regional Impact (DRI) Overlay District is created to recognize developments that have received approval as a DRI.

Location criteria: Developments that have received a Development Order pursuant to Chapter 380, F.S., shall be granted a DRI designation upon approval of a Comprehensive Plan Amendment. The permitted densities/intensities of DRIs in the City of Lake Wales are listed as follows:

Eagle Ridge Mall - This DRI is permitted for 1,200,000 SF of retail commercial uses on 179.1 acres.

**Objective 3: Protection of Natural, Historical, and Cultural Resources**

To the maximum extent possible, protect natural, historical, and cultural resources from the negative impacts of development and redevelopment. The land development regulations shall incorporate provisions to protect resources as delineated by the policies of this objective. The Development Limitation Overlay System shall be incorporated into the Land Development Regulation by 2001. [915.006(3)(b)1,4]

► *Note*

*Changes in Policy 3.01 combine the two flood categories and recognize that maps other than the Future Land Use Map series (such as Airport Buffer Area and FEMA flood maps) will be used to regulate resource areas. (This policy coordinates with the FLUM series. New FLUM series maps are being proposed simultaneously primarily to replace 2000 maps which are out of date.) The new FLUMs can be viewed on the City's web site under Planning Dept.*

**Policy 3.01: Overlay Districts for Resource Protection**

~~Identify as Development Limitation Overlay on the Future Land Use Map Series areas with potential development limitations necessitated by~~ The land use and related regulations shall restrict and limit development in areas natural conditions and areas where development could adversely affect or be adversely affected by significant natural resources and man-made facilities and features. Control the density and intensity of development within such overlays. The following Development Limitation Overlays are established for the City of Lake Wales:— The following overlay districts are established and are specifically identified on the Future Land Use Map Series and other official maps for limitation:

- a) Floodplain Protection Areas
- b) Soils-limited ~~Sites~~ Areas
- c) Airport Buffer Areas
- d) Wellhead Protection Areas
- e) Historic Preservation Areas
- f) Wetland Overlay District
- ~~g) 100-Year Flood Study Overlay District~~

► *Note*

*Changes in floodplain policies update references and terminology. The flood zones are shown on the proposed Conservation map of the FLUM series, but a new set of maps is due from FEMA soon.*

**Policy 3.02: Floodplain Protection Areas**

Floodplain Protection Areas are established to indicate areas subject to potential periodic flooding and to limit uses and intensities to those for which the risk of loss would be minimal and which do not alter the natural function of the floodplain. Floodplain Protection Areas shall be defined as those areas identified by the Federal Emergency Management Agency (FEMA) in its most recent Flood Insurance Study for Lake Wales as within a 100-year floodplain or having a 1% chance of being flooded in any given year. Standards conforming to FEMA requirements for construction in the regulatory floodplains shall be maintained in the land development regulations. (See “Conservation” map in Future Land Use Map Series.)

~~The Future Land Use Map Series shall designate as Floodplain Protection Areas those areas classified by the Federal Emergency Management Agency (FEMA) as being within the 100-year floodplain. Standards regarding floor slab elevation and other requirements shall be established in land development regulations as directed in Conservation Element Policy 3.01.~~

Development within Floodplain Protection Areas ~~the 100-year Flood Study Overlay District~~ shall be discouraged and shall be encouraged to locate on the non-floodplain portions of a development site and density/intensity may be transferred through the planned development process from undeveloped floodplain areas to contiguous non-floodplain areas within the same 100-year flood basin. Development or redevelopment within Floodplain Protection Areas shall meet the requirements of the land development regulations. Chapter 11 of the City of Lake Wales Code of

~~Ordinances~~, and shall not result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the Southwest Florida Water Management District. When there are no reasonable alternatives, encroachment, including fill, new construction, substantial improvements, and other development, shall only be permitted upon certification by a registered professional engineer that encroachments shall not result in any increase in flood levels during occurrence of the 100-year base-flood discharge. Additionally, no new residential lots shall be created that are entirely within the 100-year flood zone.

Development within the floodplain protection areas ~~100-year Flood Study Overlay District~~ shall conform to the following criteria: All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the City issuing the final development order for the ~~project~~ development. Impacts shall first be avoided. Secondly, where they cannot be avoided, impacts shall be minimized and shall be mitigated. Impacts where unavoidable and where properly mitigated, as determined by the City of Lake Wales and by agencies having jurisdiction, shall be permitted for the purpose of beneficial use of the property.

### **Policy 3.03: Soils-limited Sites**

~~Soils-limited sites Areas are established to indicate areas are sites where soils are unsuitable for development or on-site wastewater treatment. Such sites include those in where development may be limited due to poor soil conditions. The Future Land Use Map Series shall designate as Soils-Limited Areas those areas delineated by the U.S. Soil Conservation Service (SCS) as having severe limitations for septic-tank adsorption fields and the foundations of dwelling without basements. New buildings in areas rated severe for foundations may, at the option of the city, be required to have a soil test performed at the developer's expense prior to approval of a building permit. Standards regarding on-site wastewater treatment systems shall be as directed in Sanitary Sewer Sub-Element. Policy 1.02.12. (See "Soils" map in Future Land Use Map Series.)~~

#### **► Note**

*The Airport Zoning Board of the TPO regulates development within the Airport Buffer areas. Lake Wales has adopted the regulations of the Zoning Board through inter-local agreement.*

### **Policy 3.04: Airport Buffer Areas**

~~Airport Buffer Areas are established to protect the Lake Wales and Chalet Suzanne Airports from encroachment of incompatible land uses, such as the construction of tall structures, or from activities that would create potential safety hazards or problems for aircraft or that would be negatively impacted by airport operations. The Future Land Use Map Series shall designate as Airport Buffer Areas the Federal Aviation Administration Regulations Part 77 "Imaginary Surfaces" established by the Lake Wales Airport Master Plan. Standards regarding height restrictions, land use performance standards, and other requirements shall be established in land development regulations as directed in Future Land Use Element Policy 3.11.~~

~~By October 1, 2001, adopt land development regulations that establish standards to control Control incompatible land uses and activities within Airport Buffer Areas through continued participation in the Polk Transportation Planning Organization's Airport Zoning Board by local agreement. The standards shall address controls for tall structures and performance standards for land uses that may negatively affect or be negatively affected by airport operations. The standards shall be consistent with the provisions of Chapter 333 F.S. **MOVED – WAS POLICY 3.08**~~

► *Note*

*Wellhead protection areas are shown on the Natural Resources Map of the FLUM series. A Wellhead Protection ordinance was incorporated into the Land Development Regulations in 2004.*

**Policy 3.05: Wellhead Protection Areas**

Wellhead Protection Areas are established to protect existing and future public water wells from contamination. The Natural Resources Map of the Future Land Use Series shall designate as Wellhead Protection Areas, zones of protection around existing or future wellheads, based on contaminant travel time as determined by a professional hydrologist. Standards regarding restricted or prohibited uses or activities within such areas shall be maintained ~~established~~ in the land development regulations as directed in Conservation Element. ~~Policy 2.02. Wellhead Protection Areas shall be established and mapped on the Future Land Use Map Series for any existing and proposed municipal water well.~~ **REDUNDANT**

**Policy 3.06: Historic Preservation Areas**

Historic preservation areas as shown on the Historic Districts Map of the Future Land Use Map Series are established to indicate concentrations of historic structures and ~~are established~~ to protect significant historic areas from unwarranted alteration or the encroachment of incompatible land uses that would detract from the historic character of the area. ~~The Future Land Use Map Series shall designate as Historic Preservation Areas those areas delineated in the Historic Preservation Element as having concentrations of historic structures.~~ Standards regarding official designation, creation of review boards, land use controls, and decision criteria shall be ~~established~~ maintained in the land development regulations to designate and regulate locally adopted historic districts, such as the Downtown Historic District, in an Historic Preservation Ordinance as directed in Historic Preservation Element Policy 1.02.

► *Note*

*Revisions consolidate wetland policies under 3.07.*

**Policy 3.07: Wetland Overlay District**

The Wetland Overlay District is created to recognize those areas identified on the National Wetlands Inventory and by other applicable authorities as wetlands, the boundary of which may be more accurately defined as set forth in this Plan. **WAS POLICY 3.12**

Development within the Wetland Overlay District shall conform to the following criteria: All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the City issuing the final development order. Wetland impacts shall first be avoided. Secondly, where they cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement. Wetland impacts, where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for the beneficial viable use of the property. **WAS POLICY 3.15.**

**Policy 3.07**

For any development proposed in an area designated as Conservation on the Future Land Use Map, require developers to perform a predevelopment survey of the site at their expense to more accurately determine the extent of wetlands and scrub habitat. Surveys of scrub habitat shall include identifying the presence of endangered species, threatened species, or species of special concern. The qualification of those performing the survey and methodology used shall be acceptable to the city.

**Policy 3.08 - MOVED TO POLICY 3.04**

~~By October 1, 2001, adopt land development regulations that establish standards to control incompatible land uses and activities within Airport Buffer Areas. The standards shall address controls for tall structures and performance standards for land uses that may negatively affect or be negatively affected by airport operations. The standards shall be consistent with the provisions of Chapter 333 F.S.~~

**Policy 3.09:**

~~The 100-year Flood Study Overlay District is created to recognize those areas that are considered to be appropriate for development, but may have potential areas that could be subject to 100-year flooding. SEE POLICY 3.02.~~

**Policy 3.10: SEE POLICY 3.02.**

~~The 100-year Flood Study Overlay District shall designate and map possible floodplain areas on the Future Land Use Map. The specific boundaries of the floodplains may be determined based upon either of the following criteria:~~

- ~~1. The preliminary FEMA maps dated September 30, 1996, or any subsequent revision thereof; or~~
- ~~2. Site-specific documentation, exhibits, studies, etc. All such studies are required to be signed and sealed by a registered professional engineer and have the boundaries verified and approved by the City's Engineer based upon best available data at the time of submission to the City.~~

~~The 100-year Flood Study Overlay District shall apply to all areas annexed into the City Limits which have any area which is designated as lying within a 100-year flood zone by the most current adopted FEMA maps in existence at the time of such annexation.~~

**Policy 3.11: SEE POLICY 3.02**

~~Development within the 100-year Flood Study Overlay District shall be encouraged to locate on the non-floodplain portions of a development site and density/intensity may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas within the same 100-year flood basin. Development or redevelopment shall meet the requirements of Chapter 11 of the City of Lake Wales Code of Ordinances, and shall not result in post-development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the Southwest Florida Water Management District. When there are no reasonable alternatives, encroachment, including fill, new construction, substantial improvements, and other development, shall only be permitted upon certification by a registered professional engineer that encroachments shall not result in any increase in flood levels during occurrence of the 100-year base flood discharge. Additionally, no new residential lots shall be created that are entirely within the 100-year flood zone. Development within the 100-year Flood Study Overlay District shall conform to the following criteria: All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the City issuing the final development order for the project development. Impacts shall first be avoided. Secondly, where they cannot be avoided, impacts shall be minimized and shall be mitigated. Impacts where unavoidable and where properly mitigated, as determined by the City of Lake Wales and by agencies having jurisdiction, shall be permitted for the purpose of beneficial use of the property.~~

**WETLAND POLICIES ARE CONSOLIDATED UNDER POLICY 3.07**

**Policy 3.12:**

~~The Wetland Overlay District is created to recognize those areas identified on the National Wetlands Inventory and by other applicable authorities as wetlands, the boundary of which may be more accurately defined as set forth in this Plan.~~

**Policy 3.13:**

~~The Wetland Overlay District shall designate and map wetlands areas. This overlay area is generally shown on the Future Land Use Map. The specific boundaries of the wetlands may be verified by site specific studies which delineate specific wetland boundaries. It is the responsibility of the owner and/or developer to submit documentation, exhibits, studies, etc., for the purpose of establishing that properties should not be included in the Wetland Study Overlay District when the adopted land use map indicates that the property is within such an area. All studies to verify the boundaries of wetlands are required to be signed and sealed by an appropriate professional consultant and have their boundaries verified and approved by the City's Engineer and by the agencies having jurisdiction. **MOVED TO POLICY 3.07**~~

**Policy 3.14: REDUNDANT**

~~The designation and mapping of the Wetland Overlay District shall be based on areas delineated as wetlands by the National Wetlands Inventory and/or as determined to be jurisdictional by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated (such as Southwest Florida Water Management District, the Department of Environmental Protection, and the Army Corps of Engineers).~~

**Policy 3.15:**

~~Development within the Wetland Overlay District shall conform to the following criteria: All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the City issuing the final development order. Wetland impacts shall first be avoided. Secondly, where they cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement. Wetland impacts, where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for the beneficial viable use of the property. **MOVED TO POLICY 3.07**~~

► *Note*

**EAR Amendments**

EAR-BASED AMENDMENTS – OBJECTIVE 4 AND POLICIES ADDRESSES URBAN SPRAWL, UTILITIES AND INFILL AND REDEVELOPMENT

**Objective 4: Concurrency of Development with the Availability of Public Facilities and Services**

Ensure that urban services and facilities, including central potable water and wastewater services, roadways, public safety (law enforcement, fire protection and EMS), parks, libraries, and schools, are available to all existing and new development within the city limits to meet their needs at service levels established by the city and other agencies providing such services to the city. Establish the density and intensity of land use on the availability of necessary public facilities and services as part of the concurrency Management System by 2001. {9J-5.006(3)(b)1}

**Policy 4.01:**

Direct higher densities and intensity of uses to areas where public facilities and services are available or are projected to be available concurrent with the impacts of development. Limit the density and intensity of use in areas where public facilities and services are not available or projected to be available concurrent with the impacts of development. {9J-5.006(3)(e)3}

**Policy 4.02:**

Continue to require in the land development regulations ~~Ensure~~ that development orders or permits for future development and redevelopment are issued only if the public facilities and services necessary to meet the city's adopted level of service standards for urban services established in the Capital Improvements Element and, as applicable, those of other agencies

providing urban services to the city are available concurrent with the impacts of the development. [9J-5.006(3)(e)3]

**Policy 4.03:**

Continue to maintain agreements with and coordinate development reviews with other agencies which provide urban services to the city, including the Florida Department of Transportation, Polk County, the Polk County School Board and the Lake Wales Charter School Board to ensure that their services will be available at appropriate levels of service concurrent with the impacts of any development proposed in the city.

~~Require that utility service facilities which provide service to the various land uses established on the Future Land Use Map shall be authorized at the same time the land uses are authorized.~~ [9J-5.006(3)(e)3]

*Note*

*Impact fees are updated periodically to reflect increases in construction costs.*

**Policy 4.04:**

Require new development to pay for all capital improvements for public facilities needed to serve the development at the adopted levels of service at a cost proportionate to the additional capacity or improvement needed through the use of impact fees and other mechanisms.

MOVED FROM OBJECTIVE 5 (Policy 5.18)

**Policy 4.05:**

To the extent that public facility improvements paid for by a developer are used by others outside of the development, reimburse the developer for capital costs from assessments to those others on a basis proportionate to the use. **MOVED FROM OBJECTIVE 5 (Policy 5.19)**

**Policy 4.06:**

Require new development to provide bonding or other financial guarantees to ensure the completion of required public facilities improvements.

MOVED FROM OBJECTIVE 5 Policy 5.20.

**Policy 4.07**

~~By October 1, 2001, adopt as~~ As part of the Concurrency Management System, continue to a system to reserve public facility and service capacity for approved development and to assess the cumulative effect of such approvals on public facility and service capacity. **MOVED FROM OBJECTIVE 5 – Policy 5.16.**

*Note*

*New policy.*

**Policy 4.08:**

Expand urban services as necessary to promote economic growth in targeted areas such as industrial and business parks.

► *Note*

**EAR-BASED AMENDMENTS**

*Objective 5 and its policies address all of the EAR issues: CONTROL URBAN SPRAWL, ENCOURAGE INFILL AND REDEVELOPMENT AND PROVIDE SEWER AND WATER SERVICES FOR GROWTH*

► *Note*



*Objective 5 is reworded to emphasize desire for growth close to developed centers, as called for in the EAR .*

**Objective 5: Desired Urban Growth Pattern**

A compact, efficient, and sustainable pattern of development that provides convenient access for residents to urban services and amenities, avoids urban sprawl, strip development and leap-frog development, protects natural and historic resources, is compatible with existing land uses and is coordinated with and consistent with the adopted growth management plans of Polk County, adjacent municipalities, and with applicable regional and state agency plans and regulations.

~~Promote an urban growth pattern within the Lake Wales Planning Area that is orderly, compact, compatible with the existing and proposed land uses and character of the City of Lake Wales, and that is coordinated with Polk County, adjacent municipalities, and any appropriate resource planning, and management plan prepared pursuant to Chapter 380 F.S. Encourage mixed use and infill development as part of the Land Development Regulations by 2001.~~

► *Note*

*In relation to policy 5.01, the EAR calls for reviewing floor area ratios for non-residential FLU categories. Changes were made in FARs for NAC – Neighborhood Activity Centers and RO – Residential Office. Policy 5.01 was expanded to strengthen the link between the FLUM and the growth management policies.*

**Policy 5.01: Future Land Use Map (FLUM)**

The Future Land Use Map is the key instrument for achieving Objective 5. The distribution of land use designations on the FLUM shall be carefully chosen and maintained to promote the desired growth pattern as expressed in this comprehensive plan, particularly under this objective (Objective 5 – Desired Urban Growth Pattern) and Objective 2 – Location and Density Criteria.

Locate future land uses on the Future Land Use Map at densities and intensities that will discourage urban sprawl and leap-frog development that unduly depletes the physical, social, and fiscal resources of the city. ~~{9J-5.006(3)(c)3}~~

**Policy 5.02: Functional mix of land uses**

The land development regulations shall promote an integrated mix of residential and non-residential land uses consistent with the future land use classification system of this element and shall include mechanisms to promote innovative site design, through appropriate use designations on the Future Land Use Map and through the use of innovative development techniques as established in Future Land Use Element Policy 1.04.

► *Note*

*Policy 5.03 is broadened to promote infill and redevelopment through other means beyond affordable housing.*

**Policy 5.03: Infill and redevelopment**

Promote infill development and redevelopment of existing urban areas through flexible land use regulations and quick turn-around times for reuse inspections and permit reviews, and financial incentives such as development impact fee exemptions for desirable uses. Land use regulations for redevelopment target areas shall promote affordable housing and make liberal use of the special permit process to allow a wide range of uses without compromising neighborhood integrity and land use compatibility.

~~Promote infill development and redevelopment of existing urban areas by streamlining the development review and approval process through Housing Element Policy 1.02 and by modifying land development regulations through Housing Element Policy 1.03.~~

**Policy 5.04: Commercial nodes**

~~Concentrate intense commercial uses in Activity Centers on the Future Land Use Map as established in Objective 2 – Location and Density Criteria. Future Land Use Policies 2.02, 2.03, and 2.04. High and medium density residential developments are appropriate within and in close proximity to commercial nodes. Integrated, inter-connected, planned developments shall be required.~~

► *Note*

***EAR-Based amendment***

*EAR in CONTROLLING URBAN SPRAWL matrix calls for rewriting Policy 5.05 to expand ways to limit strip development.*

**Policy 5.05: Discourage strip commercial development**

Along major roadways outside of commercial nodes, lower intensity land use classifications shall be assigned such as LCI-Limited Commercial-Industrial and RO-Residential Office and medium to high density residential (MDR and HDR) classifications are also appropriate. Integrated, planned developments with common access roads and service roads shall be encouraged and required as feasible to reduce traffic congestion.

NACs-Neighborhood Activity Centers shall be designated for convenience shopping to serve residential areas at a distance from commercial nodes.

~~Limit the expansion of strip commercial areas as directed in Future Land Use Policy 2.06.~~

► *Note*

*EAR-Based amendment – Matrix for Providing Water and Wastewater Services for Growth - Obj. 5 calls for evaluating the urban service area map. The Urban Services Area map concept was re-evaluated after the EAR preparation. Mapping where future growth will occur was found to be problematic. Concurrency management and capital improvements planning will be used to ensure urban services are available when needed. Policies 5.06, 5.07, 5.08, and 5.09 are eliminated in favor of concurrency management policies under Objective 4.*

**Policy 5.06:**

~~Establish Urban Service Area overlays on the Future Land Use Map Series to indicate areas of potential urban service extension within the Lake Wales Planning Area. The following Urban Service Area overlays are established:~~

- ~~a) Five Year Urban Service Area (USA 5)~~
- ~~b) Ten Year Urban Service Area (USA 10)~~
- ~~c) Rural Area (RA)~~

**Policy 5.07:**

~~The Five Year Urban Service Area (USA 5) is established as the area currently served, or programmed to be served within the next five years, by central sanitary sewage and potable water systems; an urban road network; a developed parks system; elementary schools; and public safety (law enforcement, fire protection, EMS). Low Density Residential and Medium Density~~

~~Residential are permitted within the Five Year Urban Expansion Area depending on the availability of necessary public facilities and services and the suitability of the site. Most commercial development will be centered within designated Activity Centers.~~

**Policy 5.08:**

~~The Ten Year Urban Service Area (USA 10) is established as the area under consideration to be served within the next ten years by central sanitary sewage and potable water systems; an urban road network; a developed parks system; elementary schools; and public safety (law enforcement, fire protection, EMS). Residential use will be limited to Low Density Residential and Medium Density Residential depending on the availability of necessary public facilities and services and the suitability of the site. Most commercial development will be centered within designated Activity Centers. As areas within the Ten Year Urban Expansion Area are provided with public facilities and services or are annexed into the city, the Comprehensive Plan will be amended accordingly.~~

**Policy 5.09:**

~~The Rural Area (RA) is established as the area within the Lake Wales Planning Area not located with the Five Year or Ten Year Urban Service Area. The Rural Area lacks all or most of the public facilities and services required for urban development. The primary use will be agriculture with low density residential (up to 3 dwelling units per acre) encouraged in and near existing clusters of residential development.~~

**Policy 5.06: 5.10:**

~~Coordinate future land use planning with Polk County for areas outside of the City of Lake Wales but within the Lake Wales Planning Area by participating in joint planning efforts such as the development of Selected Area Plans and interlocal agreements where applicable. establishment of a joint planning effort and development of a model interlocal planning agreement through Intergovernmental Coordination Element Policy 2.02.~~

**Policy 5.07: 5.11:**

~~During the site plan review process, city staff shall review the impact of future land use activities having potential impacts outside the Lake Wales city limits with the appropriate staff of Polk County, adjacent municipalities, or agency responsible for any applicable resource planning and management plan prepared pursuant to Chapter 380, F.S. in an effort to reduce potential conflicts.~~

**Policy 5.08: 5.12:**

~~Promote compact urban growth through the location of public facility expansions contiguous to existing developed areas through policies in the Sanitary Sewer Sub-Element, Policies 1.2.08, 1.2.09, 1.2.10, 1.2.12, and 1.2.13; Potable Water Sub-Element Policies 2.2.03, 2.2.04, and 2.2.05, and Drainage Sub-Element Policies 4.2.03 and 4.2.04. [9J-5.006(3)(c)3]~~

**Policy 5.09: 5.13:**

~~Direct public facility investments in and near existing urban areas through capital improvement funding priorities as established in Capital Improvements Element. Policy 1.02.~~

**Policy 5.10: 5.14:**

~~The utility regulations shall discourage Discourage the establishment of new private on-site wastewater treatment systems as called for in through Sanitary Sewer Sub-Element policies. Policy 1.2.11.~~

► *Note*

**EAR – Based Amendment** – *Matrix for Water and Sewer Services calls for discouraging on-site systems and requiring concurrency.*

**Policy 5.11: 5.15:**

Encourage the use of centralized water and wastewater systems through an interlocal utility service agreement with Polk County as established in Intergovernmental Coordination Policy 2.02.

**Policy 5.16:**

~~By October 1, 2001, adopt as part of the Concurrency Management System, a system to reserve public facility and service capacity for approved development and to assess the cumulative effect of such approvals on public facility and service capacity.~~ **MOVED TO OBJECTIVE 4 CONCURRENCY**

**Policy 5.12: 5.17:**

~~By October 1, 2001, reach an agreement with~~ The land development regulations shall require continued coordination with Polk County and the Florida Department of Transportation to mitigate the traffic impacts of development adjacent to Highway 27 and S.R. 60 in the Lake Wales Planning Area and with agencies as appropriate on ~~At a minimum, this agreement should address access management, facility design options, right-of-way needs, and on-site traffic flow.~~ [9J-5.006(3)(e)3,4]

► *Note*

*An agreement is not necessary to have coordination and joint planning with these agencies.*

**Policy 5.18:**

~~Require new development to pay for all capital improvements for public facilities needed to serve the development at the adopted levels of service at a cost proportionate to the additional capacity or improvement needed.~~ **MOVED TO OBJECTIVE 4**

**Policy 5.19:**

~~To the extent that public facility improvements paid for by a developer are used by others outside of the development, reimburse the developer for capital costs from assessments to those others on a basis proportionate to the use.~~ **MOVED TO OBJECTIVE 4**

**Policy 5.20:**

~~Require new development to provide bonding or other financial guarantees to ensure the completion of required public facilities improvements.~~ **MOVED TO OBJECTIVE 4**

**Policy 5.13 5.21:**

Use the Planned Development Process where use and design control is needed to assure land use compatibility, prevent urban sprawl, promote the infill development of vacant properties, and maximize the efficient cost effective provision of public services and facilities.

**Policy 5.22:**

~~In recognition of the demand for regional commercial development occurring as a result of the Eagle Ridge Mall, the Regional Commercial Overlay District is hereby created and graphically depicted on Future Land Use Map 2. The District contains approximately 456 acres. To ensure appropriate timing of development relative to regional commercial demands, no more than 225 acres of the developable acreage can be developed. The subject area and acreage limitation set forth in this policy may be amended from time to time based on data and analysis provided as part~~

**Objective 6: ~~Redevelopment and Renewal of Downtown Business Districts and Blighted Areas~~**  
Revitalization of older business areas and rehabilitation of areas of substandard housing.

~~Actively identify, develop, and implement programs for the redevelopment or renewal of downtown business districts and blighted areas by 2005. [9J-5.006(3)(b)2]~~

**Policy 6.01:**

Continue to support downtown redevelopment in the designated Community Redevelopment Agency Area and fund public improvements in accordance with the Redevelopment Plan.

**Policy 6.02:**

Implement Housing Element directives for the renewal and revitalization of substandard housing.

**Policy 6.03:**

Promote infill development and redevelopment through designation of appropriate land uses and densities on the Future Land Use Map Series and through incentives. (See also Objective 5, Policy 5.03.)

**Objective 7: Elimination of Incompatible Uses**

Eliminate existing land uses, conditions, and zonings that are inconsistent with the Comprehensive Plan and the proposed future land uses as depicted on the Future Land Use Map Series. ~~Establish a schedule of actions to implement this objective by 2001. [9J-5.006(3)(b)2,3]~~

**Policy 7.01:**

Identify, reevaluate, and work towards the elimination of existing land uses that are inconsistent with the city's character and the proposed future land uses. ~~[9J-5.006(3)(c)3]~~

**Policy 7.02:**

Assign zoning designations consistent with the Future Land Use Classification of land and amend the zoning map as may be necessary to ~~By October 1, 2001, identify, reevaluate, and where necessary, eliminate zoning that is inconsistent with this Comprehensive Plan. [9J-5.006(3)(c)3]~~

**Policy 7.03:**

The land development regulations shall provide ~~By October 1, 2001, adopt an ordinance providing~~ for the vesting of pre-existing development rights and for conditions and procedures under which a grace period of up to two years may be granted to permit development in existing zoning districts that are inconsistent with the Comprehensive Plan.

► *Note*

*Land development regulations were amended to implement this policy.*

► *Note*

*Non-EAR Amendment*

*Objective 8 is expanded to include other essential public facilities, not limited to utilities. Schools are specifically listed as allowed in all future land use classifications.*

**Objective 8: Availability of ~~Utility~~ Public Facilities**

In conformance with the concurrency objective of the Comprehensive Plan, ensure that suitable land is available for utility public facilities as necessary to support proposed development. ~~and incorporate into the Land Development Regulations and Concurrency Management System by 2001. [9J-5.006(3)(b)8]~~

**Policy 8.01:**

Public ~~utilities~~ facilities, including schools, that provide essential service to existing and future land uses authorized by the Comprehensive Plan shall be permitted in all future land use categories subject to restrictions in state and federal law provided the performance standard in the Power Plant Siting Act, Transmission Line Siting Act, Lake Wales Future Land Use Element, and applicable land development regulations. are met.

**Policy 8.02:**

~~By October 1, 2001, amend or adopt~~ The land development regulations shall continue to require developers to confirm that required utility public facilities and services required by the Comprehensive Plan are available or are committed to be available concurrently with completion of the development prior to the issuance of a development order. ~~[9J-5.006(3)(b)9]~~

► *Note*

*Amendments to policies for utilities correspond to the City’s current policies and regulations in Chapter 21 “Utilities” of the Lake Wales Code of Ordinances. The one exception is the proposed addition of the double-underlined words in Policy 8.03 “or for non-residential properties on which development would be of economic benefit to city residents.*

**Policy 8.03**

To conserve capacity for city property owners and honor commitments to owners who annexed property into the city limits for future development, new potable water and sanitary sewer service shall be provided only to those properties that lie within the city limits or are in an area designated by the city under Chapter 180, F. S. In cases where annexation is not feasible, exceptions may be made at the discretion of the city for properties on which existing on-site wastewater treatment systems are failing or for non-residential properties on which development would be of economic benefit to city residents. Annexation agreements shall be required from all owners whose property is to be serviced under an exception.

**Policy 8.04**

The terms of active utility service area agreements between the City and adjacent municipalities, Polk County or private utility systems shall be adhered to. The Director of Utilities shall maintain a map showing the limits of the City’s future service area as established in any such agreements.

**END ATTACHMENT A**

# ATTACHMENT B - ORDINANCE D2015-01

RECOMMENDATION OF PLANNING & ZONING BOARD  
January 14, 2015

*Proposed amendments to*  
**SANITARY SEWER AND POTABLE WATER POLICIES**  
*of the*  
**SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER & NATURAL  
GROUNDWATER AQUIFER RECHARGE ELEMENT**

**CITY OF LAKE WALES - COMPREHENSIVE PLAN  
GOALS, OBJECTIVES, AND POLICIES**

► **NOTES**

The Planning and Zoning Board held a public hearing on January 14, 2015 and voted to recommend to the City Commission amendments to the Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan as set forth below.

*Proposed are EAR-based changes (those identified in the City's Evaluation and Appraisal Report (EAR) adopted in 2010) and other amendments not related to the EAR.*

*Notes are added throughout text to explain proposed amendments and to identify which amendments are EAR-based amendments. If there is no note for an amendment, the changes are to improve wording or make minor updates. NOTES ARE ADDED FOR INFORMATION ONLY AND ARE NOT INTENDED FOR ADOPTION.*

**KEY**

*Crossed-out wording is proposed for elimination. Underlining indicates new proposed text.*

## GOALS, OBJECTIVES & POLICIES

**GOAL 1:** **Sanitary Sewer** - It shall be the goal of the City of Lake Wales to ensure the environmentally sound treatment and disposal of wastewater generated by all residents and businesses. ~~{9J-5.011(2)(a)}~~

► *Note:*

*Elimination of deficiencies and improvements to the system is an on-going capital improvements program. Specific projects will be identified in the 5-year capital improvements schedule.*

**Objective 1.1: Elimination of System Deficiencies**

Eliminate identified deficiencies in the municipal sanitary sewer system by replacing worn-out and obsolete system components ~~by 2015. {9J-5.011(2)(b)1}~~

**Policy 1.1.01:**

Continue a program of capital improvements in the wastewater system to address deficiencies.

~~In accordance with the schedule outlined in the Capital Improvements Element, undertake the following projects:~~

- ~~1. Replace lift station #3 (Sunset)~~
- ~~2. Install sludge stabilization unit~~
- ~~3. Replace lift station #8 (Alabama)~~

► *Note*

*Amendments to policies for utilities correspond to the City's current policies and regulations in Chapter 21 "Utilities" of the Lake Wales Code of Ordinances.*

*The Urban Expansion Area map concept in the existing comprehensive plan was re-evaluated after the EAR preparation. Mapping where future growth will occur was found to be problematic. Concurrency management and capital improvements planning will be used to ensure urban services are available when needed. Objective 1.2 policies are amended to call for the City to expand the system to serve all areas within the city limits and within any service areas established under Chapter 180 of the Florida statutes. Extension of service to serve development in other areas outside the city limits requires annexation of the property and, payment by developers of their proportionate share of any necessary capital improvements for the extension.*

**Objective 1.2: Expansion of System to Meet Future Needs**

Expand the municipal sanitary sewer system as needed to meet the needs of future residents and businesses in such a manner as to maximize the use of existing facilities and discourage urban sprawl. ~~{9J-5.011(b)2,3}~~

► *Note*

*No change in LOS needed, per the Utilities Director, Tom Moran.*

**Policy 1.2.01:**

The following level of service standard for wastewater treatment and disposal is hereby established:

Flow capacity:

Average daily flow - 100 gpcd

Maximum daily flow - Average daily flow plus 13 percent

Effluent quality:

Meet or exceed EPA, ~~and~~ DEP and Water Management District discharge parameters

~~{9J-5.011(2)(e)2}~~

**Policy 1.2.02:**

~~By October 1, 2001, ensure through the adoption of The land development regulations shall require and a concurrency management system~~ that no development order will be issued for any development that would result in the failure of the municipal sanitary system to meet the adopted LOS standards. ~~{9J-5.011(2)(e)2}~~

**Policy 1.2.03:**

Expansion or increase in capacity of the municipal sanitary sewer system shall be in accordance with projects listed in the Five-Year Schedule of Capital Improvements or projects paid for by developers to serve new development or redevelopment.

**Policy 1.2.04:**



Continue to schedule capital projects to expand the wastewater collection and treatment system to serve all areas within the corporate limits of the city and any service areas established under Chapter 180 of the Florida Statutes.

~~In accordance with the schedule outlined in the Capital Improvements Element, undertake the following projects:~~

- ~~1. Install new sewer, Burns Avenue east~~
- ~~2. Install new sewer, Seaboard Avenue~~

Capital projects to expand the wastewater collection or treatment system to serve development outside of the city limits shall be undertaken only in compliance with policies under Objective 4 “Concurrency of Development with the Availability of Public Facilities and Services,” Objective 5 “Desired Urban Growth Patterns,” and Objective 8 “Availability of Public Facilities” of the Future Land Use Element of this plan.

► *Note*

*The Five and Ten-Year Urban Expansion Area map is proposed for elimination in favor of concurrency and growth management policies. See also policy 1.2.09 (was 1.2.10)*

**Policy ~~1.2.05:~~**

~~New private development within the Five Year and Ten Year Urban Expansion Areas that are served by on-site wastewater disposal systems shall make the necessary provisions to be connected to the Lake Wales sanitary sewer system when the capacity and lines are available.~~

**Policy ~~1.2.06:~~ 1.2.05**

~~By December 31, 2005, at a minimum, reuse one half of~~ Continue to the extent feasible to reuse the effluent discharge from the Lake Wales wastewater treatment plant as irrigation water in developments.

**Policy 1.2.06: ~~1.2.07:~~**

Continue to update the estimate of the population served by the sanitary sewer system annually and amend the Comprehensive Plan, if necessary, to make adjustments to the adopted level of service standard for wastewater treatment and disposal.

**Policy 1.2.07: ~~1.2.08:~~**

Continue to restrict municipal sanitary sewer service to properties within the city limits except in cases where providing service outside of the city limits is consistent with policies under Objective 4 “Concurrency of Development with the Availability of Public Facilities and Services” Objective 5 “Desired Urban Growth Patterns,” and Objective 8 “Availability of Public Facilities” of the Future Land Use Element of this plan and where an executed annexation agreement is in force. {9J-5.011(2)(e)1}

**Policy 1.2.08: ~~1.2.09:~~**

Continue to charge municipal sanitary sewer system customers in areas outside of the city a rate above that 150 percent of the rate charged customers inside the city, consistent with limits established by the state. {9J-5.011(2)(e)1}

**Policy 1.2.09: ~~1.2.10:~~**

~~Continue~~ to require all new and existing wastewater generators within the city’s corporate limits or within service areas established under Chapter 180 of Florida statutes to connect to the municipal sanitary sewer system when lines are available and in the opinion of the Director of Utilities it is economically feasible for the city to provide such service.

**Policy ~~1.2.10:~~ 1.2.11:**

Where lines are not available or projected to be available to connect new wastewater generators to the municipal sanitary sewer system, on-site sewage disposal systems may be allowed if permitted under the requirements of state statutes and regulations, permitted which meet the requirements of Chapter 381.272 F.S., Chapter 10D-6 F.A.C., except that: (a) the minimum lot size for any new residential subdivision employing subsurface soil absorption fields shall be 20,000 square feet, (b) no on-site sewage disposal systems shall be permitted in areas where the soils are rated "Severe" by the Soil Conservation Service for the type of system proposed, (c) on-site sewage disposal systems shall not be permitted in Conservation areas, (d) on-site sewage disposal systems shall not be permitted for commercial or industrial uses, unless it is determined by the Director of Utilities that connecting to the City's system is infeasible. (e) ~~provision shall be made for any new residential units~~ The Director of Utilities shall require owners of any buildings using on-site sewage disposal systems to connect to the municipal sewer system when lines become available.

**Policy ~~1.2.11:~~ 1.2.12:**

New municipal sanitary sewer expansions shall be planned, designed and constructed in a timely manner in accordance with the provision of governing directives, Chapter 17-006.405 F.A.C.

**Policy ~~1.2.12:~~ 1.2.13:**

In accordance with the Capital Improvements Element Policies 3.03, 3.04, and 3.05, continue to require developers to pay for sanitary sewer treatment and collection capacity needed to serve new development at the adopted Level of Service standard.

**GOAL 2: POTABLE WATER** - It shall be the goal of the City of Lake Wales to provide the reliable delivery of potable water to meet the needs of all residents and businesses within the city limits and those customers approved for service outside the city limits. ~~{9J-5.011(2)(a)}~~

**Objective 2.1: Elimination of System Deficiencies**

Eliminate identified deficiencies in the municipal water system by replacing worn-out and obsolete components. ~~by 2015. {9J-5.011(2)(b)1}~~

**Policy 2.1.01:**

Continue a program of capital improvements in the potable water system to address deficiencies.

~~In accordance with the schedule outlined in the Capital Improvements Element, undertake the following projects:~~

- ~~1. Upgrade water lines in Golfview Park, Phase 2~~
- ~~2. Loop water line in Country Oaks~~
- ~~3. Upgrade water lines in Golfview Park, Phase 3~~

4. ~~Install telemetry at water treatment plants.~~
5. ~~Upgrade water lines at Carlton Avenue and Cohasset Avenue~~  
~~{9J-5.011(2)(e)1}~~

**Policy 2.1.02:**

Monitor and annually update the master plan for the municipal water system. Update the Comprehensive Plan accordingly. ~~{9J-5.011(2)(e)1}~~

**Objective 2.2: Expansion of System to Meet Future Needs**

Expand the municipal water service as needed to meet the needs of ~~projected customers~~ ~~future residents~~ ~~and businesses~~ in such a manner as to maximize the use of existing facilities, discourage urban sprawl, and meet the water conservation objectives established in the Conservation Element.

*No changes in LOS needed – Tom Moran, Director of Utilities*

**Policy 2.2.01:** The following level of service standard for potable water is hereby established:

Flow capacity:

Average daily demand - 122 gpd

Maximum daily demand - 1.43 times average daily demand

Storage capacity:

One half times average daily demand

Pressure (fire):

20 p.s.i. minimum

~~{9J-5.011(2)(e)2,3}~~

► *Note – Concurrency is required in land development regulations*

**Policy 2.2.02:**

~~By October 1, 2001, ensure through adoption of~~ The land development regulations and concurrency management system shall require that no development order will be issued for any development that would result in the failure of the municipal water system to meet the adopted LOS standards. ~~{9J-5.011(2)(e)1,2}~~

**Policy 2.2.03:**

Expansion or increase in capacity of the municipal potable water system shall be in accordance with projects listed in the Five-Year Schedule of Capital Improvements or projects paid for by developers to serve new development or redevelopment.

Continue to schedule capital projects to expand the potable water system to serve all areas within the corporate limits of the city and any service areas established under Chapter 180 of the Florida Statutes.

Capital projects to expand the potable water system to serve development outside of the city limits shall be undertaken only in compliance with policies under Objective 4 “Concurrency of Development with the Availability of Public Facilities and Services,” Objective 5 “Desired Urban Growth Patterns,” and Objective 8 “Availability of Public Facilities” of the Future Land Use Element of this plan.

**Policy 2.2.04:**

Continue to restrict municipal potable water service to properties within the city limits except in cases where providing service outside of the city limits is consistent with policies under Objective 4 “Concurrency of Development with the Availability of Public Facilities and Services,” Objective 5, “Desired Urban Growth Patterns,” and Objective 8 “Availability of Public Facilities” of the Future Land Use Element of this plan and where an executed annexation agreement is in force. {9J-5.011(2)(e)1}

**Policy 2.2.05:**

Continue to charge municipal potable water system customers in areas outside of the city a rate above that 150 percent of the rate charged customers inside the city, consistent with limits established by the state. {9J-5.011(2)(e)1}

**Policy 2.2.06:**

By October 1, 2001, revise The land development and related regulations to shall require all new development within the city limits and in any area approved by the city under Chapter 180 F.S. to connect to the municipal potable water system when lines are available and in the opinion of the Director of Utilities it is economically feasible for the city to provide such service.

► **Note:**

*The City’s consumptive use permit for potable water was frozen in 2013 and can only be increased through conservation or development of alternative sources.*

**Policy 2.2.07:**

Participate in the implementation of the Polk County Water Supply Plan in regard to developing new potable sources in order to meet the needs of future residents and businesses and increase the City’s consumptive use permit.

By June 1, 2001, meet with SWFWMD officials to determine the adequacy of the existing consumptive use permit (groundwater withdrawal permit) to meet the needs of the projected population. If additional withdrawal capacity is needed, make application as appropriate. {9J-5.011(e)5}

**Policy 2.2.08:**

Update the estimate of the populations served by the municipal water system annually and amend the Comprehensive Plan, if necessary, to make adjustments to the adopted level of service standard for potable water.

**Objective 2.3: Water Conservation**

Reduce per capita water consumption within the municipal water system in accordance with the requirements of the Southern Water Use Caution Area’s (SWUCA) Central Florida Water Initiative for Polk County and other applicable state and water management district requirements. by ten percent by 2005 through a combination of strategies and techniques. {9J-5.011(2)(b)4}

**Policy 2.3.01:**

By October 1, 2001, as part of land development regulations adopt and Continue to enforce the minimum standards outlined in the Water Conservation Act, Chapter 553.14 F.S., of the Building Code for water conserving fixtures in new construction. {9J-5.011(2)(e)3}

**Policy 2.3.02:**

By October 1, 2001, Continue to require as part of land development regulations the use of drought-tolerant plants where landscaping is required. {9J-5.011(2)(e)3}

*Covered in Objective 2.3.*

**Policy 2.3.03:**

~~Achieve the recommended potable water LOS by the Southern Water Use Caution Area (SWUCA) by 2004.~~

**END ATTACHMENT B**

# **Evaluation and Appraisal Report**

**City of Lake Wales, FL**

**Adopted by City Commission  
Resolution 2010-03  
January 19, 2010**

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## INTRODUCTION

### **Purpose of EAR:**

The Evaluation and Appraisal Report (EAR) is an assessment of the City's Comprehensive Plan and provides a blueprint for the update of the plan. The EAR summarizes changes in the community since the last update of the plan in the year 2000 and analyzes the success of the plan in addressing the community's issues. Per state regulations, the plan must be updated within 18 months of the adoption of the EAR.

### **Preparation:**

The EAR was prepared by the City's Planning and Zoning Commission with support from the Department of Planning and Development. The scoping process began with a Planning Commission meeting in May 2008.

A questionnaire survey in July 2008 gathered public comment on issues of concern to City residents. The survey was published in The Lake Wales News with an article explaining the EAR process and inviting public comment. Survey comments were compiled and presented to the Planning Board as a basis for formulation of key issues.

A scoping meeting was held by the City Commission August 19, 2008, and the Commission approved a list of key issues in September. The Department of Community Affairs approved the key issues with a recommendation that the issues be restated "in a way that will focus on a retrospective assessment of the plan" (letter from Mike McDaniel, October 21, 2008).

In the past year, discussion of key issues for the Comprehensive Plan has been a regular part of Planning Commission agendas. Following a public hearing on November 24, 2009, the Planning Commission voted to recommend adoption of the EAR by the City Commission.

### **Components:**

Community Profile - The EAR is prefaced by a "Community Profile" describing the city and the changes that have occurred since the year 2000 when the last major revision of the Comprehensive Plan was completed.

Analyses of key issues form the main body of the EAR. Each analysis contains an explanation of the issue, describes key factors relating to the issue, describes measures that have been taken to address the issue, evaluates the success level of the measures, and sets forth strategies to be incorporated into the update of the Comprehensive Plan. The key issues covered are:

- "Curbing Urban Sprawl"
- "Providing Potable Water and Wastewater Services for Growth"
- "Encouraging Infill and Redevelopment"
-



## COMMUNITY PROFILE

Lake Wales is located in central Florida at the junction of US Highway 27 and State Road 60. It is 25 miles south of Interstate 4. Two of the state's major cities are located within an hour's drive: Orlando to the north and Tampa to the west.

Currently there are an estimated 13,067 residents in the incorporated area with an estimated 10,000 additional people living in the immediately surrounding area. Since the update of the comprehensive plan in 2000, the population has increased 28% and the incorporated area has increased 40%, bringing the total acreage within the city limits to 12,252 (19 sq. mi.).

### STATISTICAL HIGHLIGHTS

**Est. population 2009:** 13,067

**Incorporated area:** 19 sq. mi. (12,252 acres)

**Vacant acreage:** est. 6,600 acres

**Since the year 2000:**

28% population growth (+2873 people)

40% land area increase (+3500 acres)

The City is poised for significant growth. Over half of the land area in the city limits (6,600/12,252 acres) is vacant, and the vast majority of it was annexed for development, primarily residential.

The challenge for the next decade is to accommodate growth while preserving community character and improving economic conditions.

### Historic growth:

The city was founded in 1917 on Lake Wales Land Development Company land around Lake Wailes, one of the area's many pristine lakes. The city is set in the rolling hills of the Lake Wales Ridge. To the east is Lake Kissimmee and the Kissimmee River, part of the large eco-system feeding the Everglades.

The area's earliest industry, turpentine production, capitalized on the area's plentiful pine forests. Early settlers also began growing citrus, which has been a mainstay of the economy throughout the city's history. In recent years, light manufacturing, construction, and electronics firms have added some diversity to the economy. Retirees have also been attracted to the lakes and warm climate of the area, although not to the extent experienced in coastal Florida. The area's main tourist attraction is Bok Tower Gardens on Iron Mountain, the highest point in peninsula Florida.

Settlement of Lake Wales began in the early 20<sup>th</sup> century with the advent of the railroad and platting of the Lake Wales Land Development Company's 5,000 acres around Lake Wailes and Crystal Lake. Beginning with a railroad depot, hotel, and general store, the

community grew to 795 people by 1920, and burgeoned to an estimated 5,000 people during the 1920s boom.

Growth slowed in the subsequent decades. As pointed out in William Adams book “Historic Lake Wales,” adding a second 5,000 people took another 60 years. (Note that the population of the incorporated area didn’t reach 10,000 until the 2000 Census, but that figure does not include growth in the unincorporated area surrounding the city.) A building boom in the 1970s increased the housing stock by 1200 units. By 1980, the population had reached 8,240 and the territory almost 5 square miles (3,157 acres).

<b>POPULATION 1920-2009</b>	
<i>Year</i>	<i>Population</i>
1920	795
1930	5,000
1980	8,240
2000	10,194
2009	13,067

Because the area’s growth is largely attributable to in-migration (new residents), fluctuations in the housing market make population projections very difficult. A modest 3.3% population increase projected (1990 comprehensive plan) for the year 2000 was outstripped; the U. S. Census of that year showed a population of 10,194, while only 9,280 was projected.

The projection for 2010 (in the 2000 update of the plan) of 16,658 people, however, was too high; the estimated population in 2009 is only 13,067. Population increases exceeding 5% annually in the early part of the decade plummeted with the housing market slide in 2007. Nevertheless, the population since the U. S. Census of 2000 grew an impressive 28%.

**Changes in community since 2000:**

Central Florida’s abundant land resources and the increasing cost of development along the coasts in the last decade have made Lake Wales and other inland communities attractive to developers. The rapid growth in territory and housing between 2000 and 2004 prompted the city to reassess its growth policies and land use regulations. A temporary halt to the review of plans for residential development allowed for the complete revision in 2005 of the growth policies in the comprehensive plan and zoning regulations, including future land use and zoning maps. Plans to expand water and sewer utilities and build new schools were also developed.

Although the current economic slump has brought residential development to a standstill, commercial development has continued unabated. When the housing market recovers, the City must be prepared to carefully manage growth.

Changes in population and territory:

Since the revision of the Comprehensive Plan in 2000, Lake Wales has undergone significant changes, including a 40% expansion of the incorporated land area and an estimated 28% increase in population.

The population increased by about 2,858 people from 10,194 (U. S. Census of 2000) to 13,067 (estimated by FL Bureau of Business and Economic Research, April 2009). The bulk of the population growth took place in the first half of the period, with only a 4% increase after 2004.

Lake Wales' growth rate since the U. S. Census of 2000 has exceeded those of Polk County and the State of Florida. Lake Wales grew 27% from 2000-2007, while Polk County grew 20% and the state, 17%.

The City's growth rate places it 71<sup>st</sup> in the top 100 fastest growing cities in Florida. However, the relatively small population of the City must be taken into account. In terms of actual population increase, it ranks only 97<sup>th</sup> (BEBR 2007 estimates).

### **POPULATION 2000-2009**

<b>YEAR</b>	<b>POPULATION*</b>	<b>% INCR.</b>	<b>NOTES</b>
2000	10,194	-	U. S. Census
2001	10,593	3	
2002	11,336	7	
2003	11,626	2	
2004	12,433	6	
2005	12,390	-0.1	Hurricanes/Zoning in Progress
2006	12,755	2	
2007	13,039	2	
2008	13,052	<1%	
2009	13,067	<1%	

**\*Estimates 2001-2009 by Bureau of Business and Economic Research (BEBR) at the University of Florida. Estimates are as of April of the year.**

#### *Age distribution:*

Between 2000 and 2006, for Polk County there has been an estimated 2% increase in the 44-64 age range and slight decreases in all other age groups. The figures reflect a nationwide trend of an aging population. Although there was a slight decrease in the over-65 population in most Florida communities, since 2000, predictions are, not surprisingly, that the "aging" of the population will be more marked in Florida than in other parts of the country. (The Center for Aging and Work, State Profile Series, Boston College, Feb, 2008.)

With a median age of 38.5 (est. 2005), the Polk County population is somewhat younger than the state's (median age est. 2006 -39.8) and older than that of the U.S. (median age est. 2006 - 36.4). Lake Wales' median age in 2000 was even younger, at 36.9 years.

No current BEBR estimates of age distribution are available for municipalities. With over 40% of the new housing units in Lake Wales being restricted to those over 50 years in age, the older age groups here have probably increased significantly since the 2000 US Census.

**Age Distribution Polk County and State of Florida  
Changes Since U. S. Census of 2000**

Age Range	% in Lake Wales		% in Polk County		% in Florida	
	2000	2008 <sup>1</sup>	2000	2006	2000	2006
00-14	22.5	21	20.3	20.0	19.0	18.5
15-44	38	36	38.8	37.4	40.7	39.0
45-64	19	21.5	22.5	24.6	22.7	25.3
65+	20	21.5	18.3	18	17.6	17.2
Median Age <sup>2</sup> - years	36.9		38.6	38.5	38.7	39.8

**Source:** Bureau of Business and Economic Research, University of Florida except as noted.

<sup>1</sup> Estimate – City of Lake Wales, Dept. of Planning and Development

<sup>2</sup> Median Age in U.S. 2000 – 35.3      2006 – 36.4 years

*Minority population:*

The percentage of minority population in Lake Wales is almost double that of Polk County as a whole. The 2000 Census showed close to 40% “non-white” population in the City, but only 20.4% in the County. A current estimate is not available for cities, but the estimated percentage of non-whites in Polk County has dropped to 14.9%, and it is likely the percentage of minorities in Lake Wales has dropped similarly.

During this same period, the Hispanic population of the area has increased. The percentage of Hispanics in Polk County and Lake Wales at the 2000 Census was approximately 10%. The 2006 estimate for the County was 14% (no figures available for cities) and for the state, 19.7%.

*Annexation of territory:*

Since the end of 1999, over 5 square miles (about 3500 acres) of land has been annexed into the City limits, representing a 40% increase in territory, and raising the total incorporated area from 13.5 to 19 square miles. (See map “Major Areas of Annexation 2000-2009.”)

Territorial expansions were primarily in three areas:

- North of Chalet Suzanne Rd. between U. S. Highway 27 and SR 17 (adjacent to the RAC – Regional Activity Center, the City’s major commercial center)
- To the east along Buck Moore and Masterpiece Gardens Roads
- To the south along 9<sup>th</sup> and 11<sup>th</sup> Streets, SR 17, and U. S. 27.

Land use designations (future land use and zoning maps) are assigned to newly annexed properties by city commission upon a recommendation by the planning board and a finding by the state that the designation is consistent with the city's comprehensive plan.

The majority (76%) of properties annexed since 2000 have been designated for residential use. About 17% of the land annexed is designated for expansion of existing commercial and industrial areas, and 3% for conservation.

*Housing growth and in-migration:*

Population increase since 2000 is attributable largely (86%) to people moving into new developments. Approximately 2,115 new dwelling units were permitted, the greatest number in any decade of the City's history. Second place goes to the 1970s when 1,203 units were permitted. In addition, 420 mobile homes were added to the housing stock with the annexation of Tower Lakes Mobile Home Park in 2000, for a total of 2535 units added since 2000.

The net increase in the number of housing units since the year 2000 is 2,285. (About 250 units, including over 100 units of public housing, were demolished, primarily because of damage from the 2004 hurricanes.) As of the U. S. Census of 2000, there were 4,598 (or 4,508 US Beacon) housing units in the incorporated area. The current number is estimated at close to 6,900 units, representing a 50% increase.

The April 2009 population estimate of 13,067 (Bureau of Business and Economic Research) is corroborated by the housing growth figures. With 6,900 units, a vacancy rate of 10% and occupancy of 2.2 persons/unit, the population estimate would be 13,662. Note that the vacancy rate, percentage of housing used seasonally, and persons per unit in new houses are apt to have changed since the last Census.

The US Census of 2000 shows that 63% of the housing units at that time were single-family, and 37% multi-family (including duplex units and mobile homes). Almost 70% (1,472) of the newly constructed units are single-family and 30% (643) multi-family, including about 50 duplex units.

Factoring in new units and the addition of 420 mobile homes with the annexation of Tower Lakes, the estimated breakdown of single-family/multi-family units currently is 4,200/2,680 or 61% - 39%. (The percentage of mobile homes has jumped from 4% to 8% because of the annexation.) The percentage of duplexes is estimated to be 10% as it was in 2000.

**Estimated Housing Types 2009**

<b>Type</b>	<b>Number</b>	<b>% 2009</b>	<b>% 2000</b>
Single family	4200	61	63
Duplex	600	9	10
Multi-family	1550	22	23
Mobile home	550	8	4

TOTAL 6900 100 100

Housing construction swelled in 2003-2006 and slowed in 2007. In the current housing market, new residential construction has almost ceased; new housing starts now average 3-4 per month, about 10% of the rate during the peak period.

**Building Permits for Residential Construction  
Jan. 2000 through Dec. 2008**

<u>Year</u>	<u>Single-family</u>	<u>Multi-family units</u>	<u>Total</u>
2000	60	120	180
2001	68		68
2002	208		208
2003	228	192	420
2004	356	240	596
2005	374		374
2006	96		96
2007	57		57
2008	25	91	136
TOTAL	1,472	643	2,115

The value of new residential development is difficult to determine in the current fluctuating housing market. Based upon building permit application information, total residential construction during the period 2000-2008 is estimated at \$300 million.

The most active areas for residential construction were along the Thompson Nursery/Chalet Suzanne Road corridor (Lake Ashton, Dinner Lake Shores, The Preserve, and Carlsberg) and along Burns Ave. where several subdivisions were built out during the period. Over 600 of the new units are in Lake Ashton, a retirement community. The Buck Moore Road (Sunset Pointe) and 11<sup>th</sup> Street South (Whispering Ridge) areas began development in the last couple of years.

New apartment complexes include Carillon Apartments on Burns Ave., Tower View on US 27 N, and The Preserve on Chalet Suzanne Rd.

In the next decade, developing residential areas will be:

- East of US 27 and north of Chalet Suzanne Rd./Masterpiece (CR17A)
- West of US 27, south of Thompson Nursery Rd. (Winter Haven Corp. property)
- East and northeast of Buck Moore Rd.
- South of SR 60 between SR 17 and Hunt Brothers Rd.

### *Non-residential growth:*

Although new housing construction has dwindled dramatically in the past few years, commercial activity has been strong. New commercial development valued (2008 market values) at \$80 million has been completed since the 2000 update of the comprehensive plan. (This figure does not include renovations and upgrades to existing buildings, nor does it include tax-exempt properties such as churches and public facilities.) Twenty-eight million dollars of non-residential construction is now underway, and plans have been approved for several other developments.

#### Development in the RAC - Regional Activity Center

A large portion (valued at approximately \$30 million) of new commercial development is located in the City's RAC – Regional Activity Center around the Eagle Ridge Mall at US Highway 27 and Chalet Suzanne/Thompson Nursery Roads. New development has included expansion of the mall (Recreation Station), phase 1 of Shoppes on the Ridge shopping plaza, two new restaurants on out-parcels at the mall, a Lowe's store, and Hampton Inn Suites. Phase 2 of Shoppes on the Ridge has begun construction with a Gate Petroleum convenience store and a Holiday Inn Express hotel. Also in Shoppes 2, a Kohl's store and an in-line retail building are expected to begin construction in 2010. Under construction across from the mall is Willowbrook Square, a retail center including a Walgreen's store.

Additional growth is proposed in the RAC with continued development of Shoppes on the Ridge, development of outparcels at Lowe's; completion of Willowbrook Square; construction of Race Trac gas/convenience store; and development of Peace Creek Promenade, a large commercial plaza on the west side of US 27 across from the mall.

#### State Road 60 Commercial Growth

Although not as dramatic as growth in the mall area, commercial development on SR 60 has been considerable, with a value of almost \$15 million, including several medical and office buildings, gas/convenience stores, restaurants (Perkins, Pizza Hut), a storage business, construction on out-parcels at Buck Moore/Hunt Bros. Rds., and a surgical addition to the Lake Wales Hospital. Off SR 60 at First Street, Water's Edge, an \$8.5 million retirement center is nearing completion. The commercial area along SR 60, where a 46-acre parcel was annexed, will expand toward the east in next few years.

#### Downtown

There has been no new construction in the downtown area in recent years with the exception of the Center State Bank \$2.5 million and \$1 million reconstruction of McDonald's on Central Ave. However, there have been a number of renovations of historic buildings, including the \$1 million renovations of the second floor of the Bullard Building on Stuart Ave. and the Arcade building on Park Ave. A \$3.7 million historic renovation of the Old City Hall (National Register property) was recently completed for a satellite campus of Polk State College. Peterson & Myers law firm undertook a \$1.1 million renovation for new office space, and the One Scenic Central Building was

refurbished for commercial uses. A developer has been selected for renovation of the Grand Hotel for residential condominiums and commercial space. The hotel is the centerpiece of the downtown and has been vacant for almost a decade. Total expenditures downtown in the decade top \$10 million.

#### Longleaf Business Park

Development of the City's Longleaf Business Park on US Highway 27 S began in 2002 with the construction of Kegel Corp.'s building and has continued with the construction of several buildings with a total value of close to \$9 million.

#### Other Non-Residential Development

Additional commercial development throughout the City has been completed since the year 2000 at a total value well over \$10 million. This figure includes construction of the Latt Maxcy corporate headquarters on US 27 at Mt. Lake Cut-off Rd., Lake Wales Veterinary Hospital, the addition of a warehouse to Lee's Furniture, and several small medical buildings. Also notable were the construction of several commercial and storage facilities on the Scenic Highway north of Burns Ave. Plans have been approved for an adult day care center at the County Health Department site. A new County Health Department building valued at \$2.7 million was recently completed on Central Ave. west of US 27. A City-owned building was renovated for the Boys and Girls' Club at a cost of \$800,000.

#### Industrial Corridor – SR 60 W

Over \$3 million has been invested in projects in the area west of U.S. Highway 27 along the State Road 60 corridor, the City's growing industrial area. The Lake Wales Municipal Airport, after heavy damage in the hurricanes of 2004, is completing major improvements, valued at over \$2.5 million including a new FBO building, hangers, and a well. Redevelopment of the Sealy Mattress building for a manufacturing and distribution center entailed \$0.75 million in improvements. Almost 200 acres of industrial land was annexed in the sector since the 2000 update of the comprehensive plan. The development of the CSX Integrated Logistics Center, a truck and rail warehousing hub and terminal, planned to the west in Winter Haven, is expected to boost the development of support facilities along the SR 60 corridor. Lake Wales is in the process of planning expansion of its utilities to serve anticipated industrial growth in the area.

#### *Developable land:*

There is abundant vacant land for development in Lake Wales. Of the 12,252 acres currently in the City limits, approximately 6,600 acres (53%) is vacant, not including small parcels (under 3 acres) or unused properties ripe for redevelopment.

The majority of this land (80% - 5,300 acres) was annexed for the purpose of residential development and has residential land use classifications.

These undeveloped residential tracts are located primarily in the following areas:



- 1800 acres southeast of Thompson Nursery Rd. and US 27 (Winter Haven Corp. land)
- 1000 acres northeast of Chalet Suzanne Rd. and US 27
- 1400 acres east of Lake Wailes (along Burns/Buck Moore/Masterpiece)
- 1000 acres south of SR 60

Some 800 acres (12% of vacant acreage) are slated for non-residential development, including about 300 acres zoned for commercial or professional use and about 500 acres zoned for industrial or business park. The remaining vacant land consists primarily of conservation land (460 acres or almost 7%), the largest tracts being land east of the airport and the Fish and Wildlife property on the south side of Mt. Lake Cutoff Rd.

### Summary of Land Use Classifications - Undeveloped Acreage

<u>Land Use Classification</u>	<u>Max. density</u>	<u>Acres</u>	<u>%</u>
RR – Rural Residential	1 du/5 ac.	1,850	28
LDR – Low Density Res.	3 du/ac.	2,350	36
MDR – Med. Density Res.	6 du/ac.	1,000	15
HDR – High Density Res.	12 du/ac.	100	1.5
Commercial & Professional		300	4.5
Industrial & Business Park		500	7.5
Conservation		450	7.5
	<b>TOTAL</b>	<b>6,600</b>	

### *Economic Conditions*

Incomes in Lake Wales remain significantly lower than those of the state and the nation. At the 2000 U.S. Census, the Lake Wales' median household income was 70% of the state's and 63% of the nation's. Per capita incomes also differed significantly, with Lake Wales' per capita income being only 75% of the state's and nation's. Census Bureau estimates for 2007 show the ratios of median household income to be similar to those in 2000, but show a drop in Lake Wales' per capita income from 75% to 72% compared to the state's and the nation's.

### **Income Levels 2000 and 2007 - Lake Wales, State of FL and US**

<b><u>Income Type</u></b>	<b><u>2000 U.S. Census</u></b>	<b><u>2007 Estimate</u></b>
Median Household		
Lake Wales	\$ 26,884	\$ 33,085
FL	38,815	47,804
US	41,994	50,233
Per Capita Income		
Lake Wales	16,106	19,318
FL	26,696	21,557
US	27,400	21,587

The cost of living index in 2008 for Lake Wales is 84.4.

## EFFECTIVENESS OF COMPREHENSIVE PLAN

In 2004 the City Commission enacted a “Zoning in Progress” ordinance to suspend the review of residential development for the purpose of amending the Land Use Element of the Comprehensive Plan, including the Future Land Use Map, and the Land Use and Development Regulations.

These actions were based on the realization that the City was ill-equipped to successfully manage the overwhelming residential growth proposed by property owners and developers at that time.

Plans for 3,000-5,000 new units were under discussion on recently annexed land and land with annexation applications in progress. These proposals would add another 6,000 to 12,500 people, potentially doubling the population.

### **Amendments in 2005:**

In March 2005, the City adopted a revised future land use and zoning maps, revised land use policies (comprehensive plan), and revised land use and development regulations. The amendments provided a solid basis for growth management.

Changes in the Land Use Element of the plan included:

- Added the requirement for a concurrency management system to be included in the land development regulations to ensure that required services are in place at the time they are needed to serve development (*implemented* – amendments to zoning regulations).
- Defined commercial nodes and distances between the nodes to concentrate commercial development and avoid commercial strips along highways (*implemented* – Future Land Use and Zoning Maps were amended 2005.)
- Called for a master plan for the RAC – Regional Activity Center (US 27 @ Chalet Suzanne)
- Called for architectural guidelines for downtown (*implemented* – downtown historic district and regulations adopted in 2008) and demolition delay ordinance (*not implemented yet*).
- Added requirement for business park master plans (*implemented* – zoning regulations require master planned development plan for business parks).
- Called for reduced intensity between commercial nodes (*implemented*- zoning regulations amended 2005 to create LCI – Limited commercial-industrial district and FLUM and zoning maps modified to reduce commercial intensity between commercial nodes).
- Increased control of NACs – Neighborhood Activity Centers (*implemented* – modified FLUM and zoning maps to specifically designate NACs; amended zoning regulations to limit NAC acreage and determine allowable uses.
- Reduced residential densities (*implemented* – zoning regulations and land use maps modified in 2005). Density reductions:
  - from 5 to 3 du/acre in LDR – Low Density Residential districts

from 12 to 6 du/acre in MDR – Medium Density Residential districts  
from 25 to 12 du/acre in HDR – High Density Residential districts

Other amendments to the comprehensive plan since 2000:

- Addition of School Concurrency Element
- Capital Improvements Element update
- Adjustments to Level of Service Standards for utilities

**Comprehensive plan implementation:**

Since the update of the comprehensive plan, there have been a number of measures taken to implement the adopted policies. Many of the policies do not require actions to be taken, such as the enactment of ordinances; policies often call for continued enforcement of existing requirements. Some of the specific actions that have been taken to implement policies are:

- Revision of Zoning Map for consistency with Future Land Use Map
- Revision of *Zoning, Land Use and Development Regulations* to implement changes in Future Land Use Element
- Establishment of the downtown historic district and historic district regulations – Policy 2.05
- Regulations enacted for wellhead protection areas – Policy 3.05
- Update of flood plain regulations – Policies 3.09 and 3.10

Policies of the plan that have NOT been addressed include:

- Master plan for the RAC – Regional Activity Center (Eagle Ridge Mall area) - Policy 2.02
- Demolition delay ordinance – Policy 2.05
- Airport buffer area performance standards (add to zoning regs.) – Policies 3.04 and 3.08
- Require specific delineation of wetlands in conservation areas by developers – Policy 3.07

## **Update of Comprehensive Plan**

Measures that must be taken to update the plan include:

- Revision of population projections and service needs
- Update of overlay maps to include annexed areas – Policy 3.01
- Revision of maximum floor area ratios (FARs) in policies for future land use classifications
- Revision of utilities element to reflect changes in plans to meet service demands
- Revisions of land use and other policies for consistency with Polk County's land use policies
- Revisions of land use and other policies for consistency with Selected Area Plans in the vicinity of Lake Wales (East Polk SAS, Southeast Polk SAS, Gateway SAS)
- Revisions of transportation policies to implement the East Polk Road Study

## **Compliance with Sec. 163.3191(2)(a-p) F.S. Requirements**

The EAR addresses the requirements under the referenced section as follows:

- a) Population growth and changes in land area, including annexation – See Community Profile.
- b) Extent of vacant and developable land – See Community Profile.
- c) Financial feasibility of implementing the comprehensive plan – Capital improvements element was updated in 2009.
- d) Location of existing development in relation to the location of development as anticipated in the original plan – See Community Profile.
- e) Identification of major issues for the jurisdiction – See Key Issue Matrices.
- f) Relevant changes in state and regional regulations – See Key Issue Matrices.
- g) Assessment of achievement of plan objectives – See Key Issue Matrices.
- h) Assessment of successes and shortcomings – See Key Issue Matrices.
- i) Identification of actions and corrective measures – See Key Issue Matrices.
- j) Summary of the EAR public participation program – See Community Profile.
- k) Coordination with public schools – School Concurrency Element and related land use regulations were adopted in 2008. The City planning staff works closely with the Polk County School Board to coordinate school projections and planning.
- l) Alternative water supply projects – See Key Issue Matrix on Utilities.
- m) Coastal High Hazard areas – Not applicable.
- n) Assessment of measures for compatibility with military installations – City follows adopted policies for coordinating with Avon Park installation.
- o) Concurrency exception areas – Not applicable.
- p) Methodology for measuring impacts on transportation facilities – Concurrency management system addresses this requirement.

**Part 2 EAR**  
**Key Issue Analysis**  
**CURBING URBAN SPRAWL**

**Issue:** Curbing Urban Sprawl – Managing growth to avoid haphazard and inefficient land use.

**What is “sprawl”?**

Sprawl is the unplanned spread of development into areas around a city. It is characterized by “leap-frog” development, where subdivisions jump over undeveloped and agricultural lands into the countryside. Also associated with sprawl are a helter-skelter patterns of development, dependence on the automobile, longer trips for shopping and employment, and strip commercial development along roadways. Planned, compact development, on the other hand, makes efficient use of existing roadways and services, increases the feasibility of public transportation, reduces the number (and hazards) of entrances to businesses along roadways, and allows for planned public services and amenities such as utilities, roads, schools, community parks, bikeways, and libraries.

**Concerns:**

Many citizens have expressed their concerns about residential sprawl and its potential to undermine the character and quality of life in the community. They question the need for annexation of additional land for development when there is so much undeveloped land already in the city. People living in the areas surrounding the city are concerned that the rural nature of their neighborhoods will be destroyed. Several people have suggested encouraging redevelopment rather than allowing the development of vacant land. (See “Encouraging Infill and Redevelopment” Key Issue Matrix.) Commercial strip development along US 27 and SR 60 is another concern, although it has been controlled to a large degree by land use policies that restrict intense uses to commercial nodes.

**Current conditions:**

Lake Wales experienced unprecedented growth in the last decade, with a 28% increase in population and a 40% increase in land area. Although the current economic slump has brought residential development to a standstill, Lake Wales is poised for significant growth when the market recovers.

- About 50% of the land within the city limits is vacant (6,600/12,250 acres).
- Over 5,000 acres has a residential future land use designation.

- Abundant vacant land in the unincorporated area surrounds the city, much of which is designated by Polk County for residential development at up to 3 units per acre if provided with public water.
- City water is accessible for much of the unincorporated area surrounding the city.
- Development pressure – the area is ripe for speculation; coastal areas and I-4 corridor are highly developed, and land is costly
- Property owners and developers have tentatively proposed the annexation of thousands of additional acres for residential development.
- Existing and approved developments in Dundee and Winter Haven now border Lake Wales along the north and northeast.

**Factors related to urban sprawl:**

- Annexation law The city boundary is very irregular, as are those of most Florida cities, because cities do not have the power under state law to “square off” boundaries with involuntary annexations. Existing developments in unincorporated area, such as Mountain Lake, Golf View, Country Oaks, and Lake of the Hills, cannot be annexed unless the majority of property owners request it. As a result, these areas have been skirted with annexation of vacant property. The city was initially centered around Lake Wales. The annexation of the US 27 corridor opened the northern area for development. Lake Wales can now be seen in two parts: the area around Lake Wales and the northern area centered on Thompson Nursery/Chalet Suzanne Roads. The two are connected narrowly at Mountain Lake Cut-off.
- Availability of utilities The city’s utility service area encompasses over 60 square miles, over three times the incorporated area of 19 square miles. (See key issue: “Providing Potable Water and Wastewater Services for Growth.”) Current policy is to provide water service only to properties in the city limits. This policy discourages leap-frog development because property must be contiguous (adjacent) to the city limits to annex. However, under Polk County land use regulations, properties can be developed at up to 3 units per acre in the RS-Residential Suburban areas if they provide their own water systems. In the A/RR-Agricultural Rural Residential areas, lots can be clustered with an overall density of one unit per acre, provided 50% of the land remains undeveloped.
- Property rights Under Polk County’s current regulations, owners have little incentive to annex into the city except for utilities. The County is not likely to reduce density caps. A policy proposed for the SE Area Study, encompassing the area south of SR 60 to Frostproof, states “Ensure protection of property rights and land use options under the Polk County Comprehensive Plan.”

- Market forces Decisions by property owners and developers determine what property is sold and proposed for annexation. Land purchased for development will be developed, whether it is on incorporated or unincorporated land. Arguably, providing city utilities to development outside of the city limits takes away the market advantage of developments within the city. Both have municipal utilities, but the development outside the city does not pay impact fees (except for utilities) for other services available to them (parks, libraries) or city taxes.
- Redevelopment Incentives provided for redevelopment of older sections of the city have been instituted, including establishment of a CRA-Community Redevelopment Area, which captures tax increases for improvements in the CRA; the Core Improvement Area where development is exempt from impact fees except sewer and water; and impact fee exemptions for infill affordable housing. (See also key issue: “Encouraging Infill and Redevelopment.”)
- Clustering City land use regulations encourage clustering and preservation of open space in residential developments. Reductions in lot size must be offset by an equivalent increase in common open space.
- Access requirements City requirements for adequate roadways and multiple entrances for large developments make it less costly to develop property with access to existing roadways rather than leap-frogging away from developed areas.
- Density caps Density policies call for higher density near the city’s developed cores. High density (up to 12 units per acre) and medium density (up to 6 units per acre) developments are allowed near arterial highways and commercial nodes. Density is limited to 3 units per acre in outlying areas.
- Adjacent municipalities Agreements with Winter Haven and Dundee delineate annexation and utility service areas.

**Success of plan:**

Amendments in 2005 In 2005, amendments to the Future Land Use Element, Future Land Use Map, and zoning regulations were undertaken to better position the city to handle the unprecedented growth pressure it was facing. Although development has been stalled by the economic downturn, the City now has a firm foundation for growth control and management. The amendments and implementation included:

- Reducing overall residential densities (du/acre) in HDR from 25 to 12; MDR from 12 to 6; and LDR from 5 to 3. Density ranges allowed under the 2000 plan were found to be higher than established and desirable densities in the city;

- Amending the Future Land Use and Zoning Maps to allow the higher densities close to established commercial centers and major roadways;
- Tightening up commercial nodes and reducing land use intensity between those nodes;
- Creating the LCI-Limited Commercial-Industrial FLUM/zoning classifications to help prevent strip commercial development;
- Allowing lot size reductions through the planned development process;
- Increasing subdivision lot sizes to encourage use of planned development (PDP) process;
- Requiring assessment of natural areas early in land planning process to encourage preservation and incorporation of natural areas into development plan;
- Increasing common open space requirements in planned developments, excluding wetland areas from required lot area, and prohibiting single-family and duplex units on lots entirely in a regulatory flood plain.
- Enacting requirements for roadway access designed to encourage development in and close to already developed areas.
- Eliminated automatic neighborhood commercial allowance of 5% of land area in residential development;
- Designation of selected neighborhood commercial areas on Future Land Use Map;
- Adding location criteria for land use designations, (for example requiring proximity to commercial areas or major highways for higher density classifications.)

Other actions taken to control sprawl:

- General code amendment to require annexation for access to City sewer and water services, with narrow exceptions.
- Incentives for redevelopment and infill. (See “Encouraging Infill and Redevelopment Matrix.”)

**Strategies:**

As noted above, numerous provisions of the Comprehensive Plan and zoning regulations are geared toward controlling sprawl. The following strategies recommended to control urban sprawl should be reflected in the revision of the Comprehensive Plan:

1. Allowing higher densities close to urban and commercial centers.
2. Concentrating commercial development in nodes rather than allowing strip development along roadways; designating neighborhood commercial nodes at selected locations to reduce vehicle trips from residential areas.



3. Limiting sewer and water service to residential properties within the City limits. An alternative is to limit these services to properties in a defined 5-year expansion area. However, on property outside the city limits, the City's development standards will not be applied, and the developments will not pay City taxes and impact fees for parks or libraries, although they will utilize the services. (The City's impact fee study recommends annexation for provision of services.) In addition, enabling development around the City boundary by providing services creates blocks to annexation of other properties. Agreements for post-development annexation at such time as a property becomes contiguous are difficult to implement and remove the incentive for achieving contiguity.
4. Working with Polk County on measures to encourage annexation and use of city utilities rather than permitting development with private utilities at densities equivalent to those allowed in the city.
5. Maintaining regulations requiring access to collector roads and multiple entrances for large developments to prevent incoherent roadway patterns.
6. Continuing to encourage planned developments (PDPs) instead of cookie-cutter subdivisions that do not respect the character and natural resources of the property.
7. Providing incentives for redevelopment and infill (See "Encouraging Infill and Redevelopment" matrix.)
8. Continuing to protect and preserve natural resources

## Key Issue Matrix Controlling Urban Sprawl

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
FUTURE LAND USE ELEMENT			
<p>Obj. 5 - Desired Urban Growth Pattern Promote an urban growth pattern within the Lake Wales Planning Area that is orderly, compact, compatible with the existing and proposed land uses and character of the City of Lake Wales, and that is coordinated with Polk County, adjacent municipalities, and any appropriate resource planning, and management plan prepared pursuant to Chapter 380 F. S. Encourage mixed use and infill development as part of the Land Development Regulations by 2001.</p>	<p>2005 amendments to the Future Land Use Element and the zoning regulations addressed this objective.</p> <p>Policies related to providing sewer and water service important to controlling sprawl. See also “Providing Services” Key Issue Matrix.</p> <p>See implementation of policies under this goal.</p>	<p>Reword to emphasize desire for growth close to developed centers.</p> <p>Add policies calling for commercial nodes and decreasing residential densities away from developed centers.</p>	
<p>Pol. 5.01 – Locate future land uses on the Future Land Use Map at densities and intensities that will discourage urban sprawl and leap-frog development that unduly depletes the physical, social, and fiscal resources of the city.</p>	<p>2005 CPA amended FLU policies and map. Commercial nodes were made more compact and land use intensities reduced between nodes along highways. Residential densities were reduced overall and high and medium density areas located close to commercial nodes and arterial roads.</p>	<p>Review Floor Area Ratios for the non-residential FLU categories (policies 2.02 through 2.1).</p>	

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<p>Pol. 5.02 – Promote a functional and integrated mix of residential and nonresidential land uses through appropriate use designations on the Future Land Use Map and through the use of innovative development techniques as established in Future Land Use Element Policy 1.04.</p>	<p>The zoning regulations allow flexibility in residential development types and layouts through the planned development process and allow mixed use developments in professional and commercial zones. Allowing mixed use in other non-residential zoning districts could be considered.</p>		
<p>Policy 5.05 – Limit the expansion of strip commercial areas as directed in Future Land Use Policy 2.06.</p>	<p>See implementation of Policy 5.04.</p>	<p>Policy 2.06 refers only to the NAC-Neighborhood Activity Centers. Policy should be rewritten to refer to other ways to limit strip development.</p>	
<p>Pol. 5.07, 5.08, 5.09, 5.12 – Urban service areas, extension of services, and capital facility planning. See “Providing Services” matrix.</p>			<p>Extension of services is relevant to controlling sprawl, but is covered in the services matrix.</p>

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<p><u>Pol. 5.15 – Encourage the use of centralized water and wastewater systems through an interlocal utility service agreement with Polk County as established in Intergovernmental Coordination Policy 2.02.</u></p>	<p><u>An agreement with Polk County was executed in 2008 delineating the City as the utility service provider in the area. However, private sewer and water systems are still permitted.</u></p>	<p><u>None.</u></p>	<p><u>Approval of private utility systems is counter to the goal of controlling urban sprawl. The County should be asked to establish policies discouraging private systems in the City’s service area.</u></p>
<p><u>Pol. 5.21 – Use the Planned Development Process where use and design control is needed to assure land use compatibility, prevent urban sprawl, promote the infill development of vacant properties, and maximize the efficient cost effective provision of public services and facilities</u></p>	<p><u>The PDP regulations were completely revised in 2005 to provide maximum flexibility in layout and to preserve open space. PDPs are now allowed by special permit in all zoning districts.</u></p> <p><u>See also “Providing Services” and “Encouraging Infill and Redevelopment” matrices.</u></p>	<p><u>None.</u></p>	

<u>INTERGOVERNMENTAL</u>			
<u>Objective 2. Joint Planning Areas</u> Identify, implement, and coordinate joint planning areas for annexation and service provision.	<u>The City of Lake Wales is participating in planning studies in our area including the Southeast Polk Selected Area Study, the Gateway SAS. and the East Polk (Dundee) SAS.</u>	<u>None.</u>	

**Part 3 EAR**  
**Key Issue Analysis**  
**PROVIDING POTABLE WATER AND WASTEWATER SERVICES FOR GROWTH**

**Issue:** Providing current and future residents with potable water and wastewater services at the adopted level of service (LOS) standards.

**Service standards:** LOS Standards were adopted in the Comprehensive Plan as required under the Growth Management Act for potable water and wastewater services. The standard for average daily demand for wastewater treatment was amended in 2005 from 122 to 100 gallons per person per day to more accurately reflect usage. The standard for average daily potable water demand is 122 gallons per person per day.

**Concerns:** Residents want assurance that new development will be required to pay for the expansion of utilities to meet their needs. Increasing debt on the general public to provide these services is not favored. Escalation of user fees is already a concern. The wastewater treatment plant is in need of rehabilitation, much of which must be financed through user fees. Many question the wisdom of continuing to expand the city limits, given the uncertainties and costs of planning, designing, and building utilities. Others maintain that the unincorporated area will be developed whether or not is it part of the municipality and that expanding utilities in an orderly manner prevents leap-frogging.

**Factors related to provision of water and sewer services:**

- Rate of growth: Lake Wales experienced unprecedented growth in the last decade, with a 28% increase in population and a 40% increase in land area. Although the current economic slump has brought residential development to a standstill, Lake Wales is poised for significant growth when the market recovers. The area is ripe for speculation; coastal areas and I-4 corridor are highly developed, and land there is costly.
- Abundance of developable land: About 50% of the land within the city limits is vacant (6,600/12,250 acres); over 5,000 acres has a residential future land use designation. Property owners and developers have tentatively proposed the annexation of thousands of additional acres for residential development.
- Condition of utility systems: Rehabilitation of the **wastewater** treatment plant is required to ensure continued functionality and to improve sludge treatment to meet the standards for use at agricultural sites. The improvements will reduce plant operating costs. The upgrade, including an increase in treatment capacity from 1.9 to 2.19 mgd (million gallons per day), is expected to cost approximately \$3 million. Other wastewater system improvements scheduled in the 5-year capital improvements program are

estimated at \$4.3 million and include lift station rehabilitation, slip lining of pipes, and extension of mains. Total wastewater capital projects proposed in the 5-year plan: **\$7.3 million**. **Water** system improvements scheduled in the 5-year program total an estimated **\$4.6 million** and include distribution line rehabilitation and extension, interconnects with adjacent systems, asbestos pipe removal, upgrades to the airport water treatment plant, and land acquisition for the Burns Ave. plant.

- Utility provider: Lake Wales is the only provider of utilities for growth in the area. Agreements with the adjacent communities of Winter Haven and Dundee delineate the boundaries of our service area to the north and west. An agreement with Polk County makes Lake Wales the provider for unincorporated areas to the east and southeast. Although there are other systems close by, they cannot provide for new development. Waverly, an unincorporated village on the City's northern boundary, is served by a Polk County wastewater plant that has no available capacity. The potable water system has had issues with wells, and the City of Lake Wales has provided potable water to Waverly for several years. Highland Park, to the south, has its own water system, but has no capacity for expanding service.
- Private systems: Polk County land use regulations allow up to 3 units per acre to be developed in the RS-Residential classification if provided with public water or sewer. Much of the unincorporated area is designated RS. This provision puts pressure on Lake Wales to provide water service to developments proposed in the unincorporated area. Private systems can be used also, but are a second choice for developers.
- Provision of utilities to developments outside of the City: There are several arguments against providing water or sewer service to developments outside of the City limits. It uses capacity that should be reserved for City developments, encourages leap-frog development, and complicates utility planning. On the other hand, it increases the customer base, and a surcharge of 25% on outside city water customers increases revenue. The current policy of the City is to refuse service without annexation with some exceptions for correction of environmental problems. An agreement to annex property upon its becoming contiguous to the city boundary is not acceptable because it promotes leap-frogging and is difficult to implement.
- Chapter 180: Lake Wales has one Chapter 180 service area located west of US 27 in the vicinity of the airport. The Chapter 180 service area, extending 5 miles from the City limits was dropped several years ago in order to better control expansion of services. The chapter's provisions promoted the development of unincorporated properties by obligating the city to provide service if available.
- Available utility capacity: An analysis of the City's water and sewer systems shows that capacity currently "available" (unused and unreserved) is more than sufficient to provide water service for 5-7 years and sewer service for 7-9 years into the future. With the proposed upgrade of the sewer treatment plant to 2.19 mgd (million gallons per day) and use of reclaimed water (wastewater plant effluent) for irrigation, capacity will serve growth for at least 12 years. The analysis is conservative, assuming immediate resumption of pre-recession development rates.

- Funding facilities for growth: It is the city's policy that new development must pay the cost of capital improvements necessary to provide services; impact fees are charged for this purpose. Impact fees are one-time payments used to fund growth-related system improvements. (Operating costs are paid by all customers through user fees.) Impact fees must be proportionate and reasonably related to the capital facility service demands of new development. The impact fee schedule was amended in 2005, based upon a study commissioned by the city. The study found the impact fees were not covering the costs of facilities to serve new development and recommended significant increases for all types of land uses. For example, for a single-family house, the water impact fee was increased from \$645 to \$789 (22%), and the sewer impact fee from \$1,066 to 2,282 (114%). In 2006, the sewer impact fee was again adjusted, based upon new projections of capital costs in the wastewater facilities plan. With annual increases for rising construction costs, these impact fees are currently (2009) \$1,825 and \$4,372, respectively. Prior to the 2005 amendments, impact fees for non-residential development were based upon floor area rather than water meter size, and some types of development, such as retail stores, were not charged utility impact fees at all.
- Timing the expansion of services: Concurrency regulations require that services be in place at the time they are needed by development approved by the city. Planning for facility expansions and financing to accommodate the numerous development proposals submitted in the early years of the decade presented a challenge. A system for queuing for water and sewer service was put into place requiring payment or security for a reservation of capacity in the systems. Plans for residential developments will not be accepted without participation in the queue system. Non-residential developments are required to pay impact fees with building permit issuance. The system has relieved the city of much of the uncertainty in utilities planning by requiring a financial partnership with developers. When the economy recovers and residential development resumes, plans for system expansions can be made. Remaining capacity is adequate to provide ample time for planning, design, and construction of facilities to meet projected needs.
- Future demand: The queue system for utilities provides good projections for demand. As capacity is reserved and available capacity dwindles, plans can be made for expanding the system to meet future needs. For the wastewater utility, expansion will most likely entail the construction of a second wastewater treatment plant. City wells have more than ample potable water capacity to meet needs far into the future; the city's use of the water is limited by its withdrawal permit. Based on water management district (SWFWMD) regulations and growth projections, the city does not expect an increase in its consumptive use permit from the present 3.81 million gallons per day. Future demand must be met through alternative sources, such as reallocation of well permits as agricultural land is developed. Conservation measures, notably the expanded use of treated wastewater for irrigation, is projected to significantly reduce per capital potable water demand.



## **Success of plan:**

The provisions of the plan have been successful in:

### **Fostering orderly expansion of city limits and services**

- Urban Services Area Map (See FLUE – Obj. 5) – The map has provided a general guide for the expansion of the City limits and utility services. Annexations since 2000 have been primarily in the areas east/northeast and south of the City’s core, in areas designated on the map for expansion. Annexation has also taken place to the north in compliance with the service area agreement with the adjacent Town of Dundee, and in the vicinity of the airport, west of the intersection of US 27 and SR 60 shown as the 10-year industrial expansion area on the map. Areas shown as rural, such as the Winter Haven Corporation property between Lake Ashton and US 27 have remained undeveloped. Issues: Urban Services Area Map does not cover the full extent of the City’s utility service area and needs to be updated.
- Concurrency – Regulations require that developments cannot be approved unless utilities are available or will be available at the time they are needed by the development.
- Requiring annexation for services – This requirement reduces leap-frog development because properties must be adjacent (contiguous) to the City limits in order to annex.

### **Promoting the use of centralized water and sewer systems**

- Service area agreements with Winter Haven, Dundee and County – The agreements delineate the areas to be served by the various jurisdictions. Issue: County allows development with private utility systems.
- Regulations regarding use of septic systems – City regulations discourage use of septic systems. Issues: County regulations allow use of septic systems and private systems rather than requiring connection to a municipal system for development.

### **Providing funding for system improvements to serve development**

- Impact fees – The impact fee study update established fees for new development based upon the capital costs for providing utilities to the development. Issues: Pressure during difficult economic times to reduce impact fees. Maintaining adequate impact fees to ensure that capital projects are paid by new development not by user fees and ad valorem taxes.
- Capacity queue system – Requiring payment of impact fees to secure capacity reservation. Provides a reliable system for projecting capacity needs for capital planning period (5 years).
- User fees – Pay for operation and maintenance. Issues: Increasing user fees to rehabilitate aging system.

### **Maintaining adequate utility capacity for growth**

- Reducing storm water inflow to sanitary sewer system – Repairs to collection system have been successful in reducing inflow.
- Water conservation measures – Rate structure, water use restrictions, and conservation education are used to reduce potable water demand.

- Reuse of treated effluent – Reuse system reduces potable water use for irrigation. Issues: Wastewater reuse system for irrigation has not met target dates.
- Capital improvements planning - The capital improvements program is updated annually as part of the City’s budget. Per requirements of the Growth Management Act, the Capital Improvements Element was updated in 2009 and will be updated on an annual basis. The CIP has provided a method for orderly planning for expansion of services. The South Side Force Main was constructed to serve growth areas east and south of the core City. Interconnects between Lake Wales and Winter Haven’s water systems have been completed.
- Concurrency management system – Requiring that adequate capacity is available at the time a project is approved or will be available when needed by a development is key to capacity planning.
- Limiting services to properties within city limits – Providing service, particularly potable water, to developments outside the city limits reduces capability for providing for developments within the city.

**Strategies:**

1. Maintain utility service agreements with neighboring communities and County to define Lake Wales utility service area.
2. Work with Polk County and property owners to discourage the proliferation of private utility systems on the periphery of the city. Encourage new development to annex for city utilities.
3. Continue to require annexation for utility service.
4. Update plans for water and reuse distribution and wastewater collection system expansion and the urban services area map to provide a schedule for orderly expansion and residential growth.
5. Continue to prohibit the use of septic systems except as an interim and temporary method as systems are expanded.
6. Continue using the queue system for residential development utility capacity reservations with utility impact fee payment required at time of reservation.
7. Continue concurrency review and approval system.
8. Periodically update impact fees and user fees to reflect actual costs.

**Key Issue Matrix**  
**Providing Water and Wastewater Services for Growth**

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<b>FUTURE LAND USE ELEMENT</b>			
<p style="text-align: center;"><b>Urban Service Areas</b></p> <p>Objective 5: Desired Urban Growth Pattern Policies 5.06, 5.07, 5.08 – Establishing Urban Service Areas for 5-years, 10-years, and rural area.</p>	<p>Development has been approved in accordance with the Urban Service Area map. However, the map updated in 2000 did not include the full area under agreement with Dundee to the north. Expansion has taken place in this area, although it is not specifically shown on the map.</p>	<p>Evaluate and update map to allow growth in rural areas where appropriate and adjust 5-year and 10-year boundaries to reflect growth and expansion of services since the 2000 comprehensive plan update.</p>	
<p>Policy 5.13: Direct public facility investments in and near existing urban areas through capital improvement funding priorities as established in Capital Improvements Element Policy 1.02.</p>	<p>Policy has been followed in capital planning.</p>	<p>None</p>	
<p>Policy 5.14: Discourage the establishment of new private on-site wastewater treatment systems through Sanitary Sewer Sub-Element Policy 1.2.11.</p>	<p>Policy has been followed, but is not included in the Utilities section (Chapter 21) of the Lake Wales Code.</p>	<p>None.</p>	<p>Amend Chapter 21 to include limitations on new septic systems.</p>
<p>Policy 5.14: Encourage the use of centralized water and wastewater systems through an interlocal utility service agreement with Polk County as established in Intergovernmental Coordination Policy 2.02.</p>	<p>An interlocal agreement with the County addressing this policy was approved in 2008.</p>	<p>None.</p>	<p>County regulations still allow development with private utilities.</p>

<p>Policy 5.16: By October 1, 2001, adopt as part of the Concurrency Management System a system to reserve public facility and service capacity for approved development and to assess the cumulative effect of such approvals on public facility and service capacity.</p>	<p>Concurrency management provisions were added to the Zoning, Land Use and Development Regulations in 2005. A reservation and tracking system is in place.</p>	<p>None.</p>	
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Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<u>Policy 5.18: Require new development to pay for all capital improvements for public facilities needed to serve the development at the adopted levels of service at a cost proportional to the additional capacity or improvement needed.</u>	<u>Impact fees were adjusted in 2005. Upon completion of the wastewater facilities plan in 2006, the wastewater impact fees were increased to reflect the cost of capital projects needed to serve growth. Fees are adjusted annually based on the construction cost index.</u>	<u>None.</u>	
<u>Policy 5.19: To the extent that public facility improvements paid by a developer are used by others outside of the development, reimburse the developer for capital costs from assessments to those others on a basis proportionate to the use.</u>	<u>This policy has been followed in several cases where developments have installed facilities with capacity beyond that projected to be used by the development.</u>	<u>None.</u>	<u>Procedures have been put in place to ensure the proper calculation and implementation of impact fee credits.</u>
<u>Policy 5.20: Require new development to provide bonding or other financial guarantees to ensure the completion of required public facilities improvements.</u>	<u>The Zoning, Land Use and Development Regulations require completion of public facilities prior to platting of residential subdivisions.</u>	<u>None.</u>	
<u>Objective 8: Availability of Utility Facilities</u> Policy 8.02: By October 1, 2001, amend or adopt land development regulations to require developers to confirm that required utility services are available or are committed to be available concurrently with completion of the development prior to the issuance of a development order.			
<u>SANITARY SEWER SUBELEMENT</u>			

<p>Objective 1.1: Elimination of System Deficiencies – Eliminate deficiencies in the municipal sanitary sewer system by replacing worn-out and obsolete system components by 2015. Policy 1.1.01 (list of projects)</p>	<p><u>Most of the projects listed in the element have been completed.</u></p>	<p><u>An update of projects is needed.</u></p>	
<p>Objective 1.2: Expansion of System to Meet Future Needs - Expand the municipal sanitary sewer system as needed to meet the needs of future residents and businesses in such a manner as to maximize the use of existing facilities and discourage urban sprawl.</p>	<p><u>See specific policies.</u></p>	<p><u>Objective remains valid.</u></p>	

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<p>Policy 1.2.01: Level of service  Flow capacity:  Average daily flow 100 gpcd  Maximum daily flow – Average daily flow plus 13 percent  Effluent quality: meet or exceed EPA and DEP discharge parameters</p>	<p><u>Continues to be implemented.</u></p>		
<p>Policy 1.2.02: <u>By October 1, 2001, ensure through the adoption of land development regulations and a concurrency management system that no development order will be issued for any development that would result in the failure of the municipal sanitary sewer system to meet the adopted LOS standards.</u></p>	<p><u>Concurrency regulations were enacted and are being implemented.</u></p>	<p><u>Reword to call for continued concurrency requirements.</u></p>	
<p>Policy 1.2.03: <u>Expansion or increase in capacity of the municipal sanitary sewer system shall be in accordance with projects listed in the Five-Year Schedule of Capital Improvements or projects paid for by developers to serve new development or redevelopment.</u></p>	<p><u>Policy is adhered to.</u></p>		
<p>Policy 1.2.04: (undertake the following projects)</p>	<p><u>Project list must be updated.</u></p>		
<p>Policy 1.2.05: <u>New private development within the Five-year and Ten-year Urban Expansion Areas that are served by on-site wastewater disposal systems shall make the necessary provision to be</u></p>	<p><u>A number of on-site systems have been discontinued and connected to the City's system.</u></p>	<p><u>Policy should be clarified. Is it meant to apply only to systems within the City limits?</u></p>	

<p><u>connected to the Lake Wales sanitary sewer system when the capacity and lines are available.</u></p>			
<p><u>Policy 1.2.06: By December 31, 2005, at minimum, reuse one half of the effluent discharged from the Lake Wales wastewater treatment plant.</u></p>	<p><u>Policy has not been met. Improvements have been made to establish a distribution system south of SR 60. The code requires new developments to construct reuse systems and connect to the City's lines when available. Other capital improvements are scheduled to put the system into place.</u></p>	<p><u>Change target date to match City's capital program.</u></p>	
<p><b>Goal/Objective/Policy</b></p>	<p><b>Implementation</b></p>	<p><b>Proposed Changes</b></p>	<p><b>Notes</b></p>
<p><u>Policy 1.2.07: Continue to update the estimate of the population served by the sanitary sewer system annually and amend the Comprehensive Plan, if necessary, to make adjustments to the adopted level of service standard for wastewater treatment and disposal.</u></p>	<p><u>Records are kept of all new connections and reservations made to the wastewater treatment system as per the concurrency management system.</u></p> <p>The level-of-service standard was re-evaluated and amended in 2005.</p>	<p><u>Amend policy to reference and tie into the concurrency management system.</u></p>	
<p><u>Policy 1.2.08: Continue to restrict municipal sanitary sewer service to within the city limits except in cases where an executed annexation agreement is in force.</u></p>	<p><u>This policy has been adhered to. City code now requires annexation for sewer service except in chapter 180 areas and to address environmental issues.</u></p>	<p><u>Amend policy to reflect code.</u></p>	<p><u>The City's impact fee study recommends requiring annexation for service.</u></p>



<u>Policy 1.2.09: Continue to charge municipal sanitary sewer system customers in areas outside of the city 150 percent of the rate charged customers inside the city.</u>	<u>Outside customers are charged 125% in keeping with state law.</u>	<u>Amend policy to correspond with legal limits.</u>	
<b>Goal/Objective/Policy</b>	<b>Implementation</b>	<b>Proposed Changes</b>	<b>Notes</b>
<u>Policy 1.2.11: Where lines are not available or projected to be available to connect to new wastewater generators to the municipal sanitary sewer system, on-site sewage disposal systems may be permitted which meet the requirements of Chapter 381.272 F. S. Chapter 10D-6 F.A.C., except that</u> <ul style="list-style-type: none"> <li>a) <u>the minimum lot size for any new residential subdivision employing subsurface soil absorption fields shall be 20,000 square feet.</u></li> <li>b) <u>no on-site sewage disposal systems shall be permitted in areas where the soils are rated “Severe” by the Soil Conservation Service for the type of system proposed.</u></li> <li>c) <u>on-site sewage disposal systems shall not be permitted in Conservation areas.</u></li> <li>d) <u>on-site sewage disposal systems shall not be permitted for</u></li> </ul>	<u>Implementation of this policy should be evaluated for consistency.</u>	<u>Adjustments may be needed to the policy to allow on-site systems for commercial and industrial development where it is not feasible to require connections at the time of development because of low flows or other technical issues.</u> <p>Reference to specific state codes and law should be removed and replaced with more generic language in case the citations become invalid.</p>	<u>Policy is not fully reflected in the code.</u>

<p><u>commercial or industrial uses,</u> e) <u>provision shall be made for any new residential units using on-site sewage disposal systems to connect to the municipal sanitary sewer system when lines become available.</u></p>			
<p><u>Policy 1.2.12: New municipal sanitary sewer expansions shall be planned, designed and constructed in a timely manner in accordance with the provisions of Chapter 17-600.405. F.A.C.</u></p>	<p><u>The policy is followed.</u></p>	<p><u>Reference to specific state codes and law should be removed and replaced with more generic language in case the citations become invalid.</u></p>	
<p><b>Goal/Objective/Policy</b></p>	<p><b>Implementation</b></p>	<p><b>Proposed Changes</b></p>	<p><b>Notes</b></p>
<p><u>Policy 1.2.13: In accordance with Capital Improvements Element Policies 3.03, 3.04, and 3.05, continue to require developers to pay for sanitary sewer treatment and collection capacity needed to serve new development at the adopted Level of Service standard.</u></p>	<p><u>See “Future Land Use” policies 5.18, 5.19 and 5.20.</u></p>		
<p><u>CAPITAL IMPROVEMENTS ELEMENT</u></p>			

<u>Objective 3: Cost Sharing for New Development</u>	<u>See “Future Land Use Element” policies 5.18, 5.19 and 5.20.</u>		
<b><u>POTABLE WATER SUBELEMENT</u></b>			
<u>Objective 2.1: Elimination of System Deficiencies – Eliminate identified deficiencies in the municipal water system by replacing worn-out and obsolete system components by 2015.</u>	<u>The capital improvements program includes improvements addressing this policy.</u>	<u>Update target date.</u>	
<u>Policy 2.1.02: Monitor and annually update the master plan for the municipal water system. Update the Comprehensive Plan accordingly.</u>	<u>The potable water master plan was updated in March 2008.</u>  The Water Supply Plan has not been completed.	<u>The Potable Water Subelement must be updated to reflect the new water master plan. The policy should be amended to reflect the requirement for a Water Supply Plan.</u>	
<b><u>Goal/Objective/Policy</u></b>	<b><u>Implementation</u></b>	<b><u>Proposed Changes</u></b>	<b><u>Notes</u></b>
<u>Objective 2.2: Expansion of System to Meet Future Needs – Expand the municipal water service system as needed to meet the needs of future residents and businesses in such a manner as to maximize the use of existing facilities, discourage urban sprawl, and meet the</u>		<u>Update the target date.</u>	

<p><u>water conservation objectives established in the Conservation Element by 2015.</u></p>			
<p><u>Policy 2.2.01: (Level of service standard)</u>  Flow capacity:  Average daily demand: 122 gpcd  Maximum daily demand – 1.43 times average daily demand   Storage capacity: one half times average daily demand.  Pressure: 20 p.s.i. minimum</p>		<p><u>Re-evaluate standards per Potable Water Master Plan and Water Supply Plan.</u></p>	
<p><u>Policy 2.2.02: By October 1, 2001, ensure through adoption of land development regulations and concurrency management system that no development order will be issued for any development that would result in the failure of the municipal water system to meet the adopted LOS standards.</u></p>	<p><u>A concurrency management system was adopted in 2005 addressing this issue.</u></p>	<p><u>Update policy to call for continued concurrency management system requirements.</u></p>	
<p><u>Policy 2.2.03: Expansion or increase in capacity of the municipal potable water system shall be in accordance with projects listed in the Five-Year Schedule of Capital Improvements or projects paid for by developers to serve new development or redevelopment.</u></p>	<p><u>This policy is followed.</u></p>		

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<p><u>Policy 2.2.04: Continue to restrict municipal potable water service to within the city limits except in cases where an executed annexation agreement is in force.</u></p>	<p><u>This policy has been adhered to.</u> City code now requires annexation for sewer service except in chapter 180 areas and to address environmental issues.</p>	<p><u>Amend policy to reflect code.</u></p>	<p><u>The City's impact fee study recommends requiring annexation for service.</u></p>
<p><u>Policy 2.2.05: Continue to charge municipal potable water system customers in areas outside of the city 150 percent of the rate charged customers inside the city.</u></p>	<p><u>The maximum surcharge allowed under state law is 25%.</u></p>	<p><u>Amend policy to comply with law.</u></p>	
<p><u>Policy 2.2.06: By October 1, 2001, revise land development regulations to require all new development to connect to the municipal potable water system when lines are available and in the opinion of the Director of Utilities it is economically feasible for the city to provide such services.</u></p>	<p><u>This policy has been implemented by inclusion in the zoning code.</u></p>	<p><u>Amend policy to continue requirement.</u></p>	
<p><u>Policy 2.2.07: By June 1, 2001, meet with SWFWMD officials to determine the adequacy of the existing consumptive use permit (groundwater withdrawal permit) to meet the needs of the projected population. If additional withdrawal</u></p>	<p><u>The City has drafted its Water Supply Plan and is working with SWFWMD on projections. The consumptive use permit was modified in 2008.</u></p>	<p><u>Update policy.</u></p>	

<u>capacity is needed, make application as appropriate.</u>			
<u>Policy 2.2.08: Update the estimate of the population served by the municipal water system annually and amend the Comprehensive Plan, if necessary, to make adjustments to the adopted level of service standard for potable water.</u>	<u>Records are kept of all new connections and reservations made to the potable water system as per the concurrency management system.</u>	<u>Amend policy to reference and tie into the concurrency management system.</u>	
<b>Goal/Objective/Policy</b>	<b>Implementation</b>	<b>Proposed Changes</b>	<b>Notes</b>
<u>Objective 2.3: Water Conservation</u> Reduce per capita water consumption within the municipal water system by ten percent by 2005 through a combination of strategies and techniques.	<u>The per capita demand was reduced from 134 to 124 gpcpd by 2005. However, it is now estimated at 139 gpcpd. The Water Supply Plan, under preparation, will address this issue.</u>	<u>Amend policy based upon Water Supply Plan.</u>	
<u>Policy 2.3.01: By October 1, 2001, as part of land development regulations, adopt and enforce the minimum standards outlined in the Water Conservation Act, Chapter 553.14, F.S. for water conserving fixtures in new construction.</u>	<u>Water conservation fixtures are required under the building code.</u>	<u>Amend policy to reflect building code requirements.</u>	
<u>Policy 2.3.02: By October 1, 2001, require as part of land development regulations the use of drought-tolerant</u>	<u>Zoning code encourages use of drought tolerant plants.</u>	<u>Amend policy to strengthen conservation measures.</u>	

<u>plants where landscaping is required.</u>			
<u>Policy 2.3.03: Achieve the recommended potable water LOS by the Southern Water Use Caution Area (SWUCA) by 2004.</u>	<u>Meaning of this policy is unclear.</u>	<u>Amend policy per Water Supply Plan recommendations.</u>	
<u>INTERGOVERNMENTAL COORDINATION</u>			
<u>Objective 1: Consider Other Agency Plans</u> <u>Policy 1.01: The City will review the plans and independent special district facility reports of the Southwest Florida Water Management District (SWFWMD), ....etc.</u>	<u>The Potable Water Master Plan and the Water Supply Plan are coordinated with SWFWMD plans for the region.</u>	<u>None</u>	
<b>Goal/Objective/Policy</b>	<b>Implementation</b>	<b>Proposed Changes</b>	<b>Notes</b>
<u>Objective 2. Joint Planning Areas</u> Identify, implement, and coordinate joint planning areas for annexation and service provision.	<u>The City of Lake Wales is participating in planning studies in our area including the Southeast Polk Selected Area Study, the Gateway SAS. and the East Polk (Dundee) SAS.</u>	<u>None</u>	
<u>Policy 2.02: The City and Polk County</u>	<u>An agreement was approved in 2008</u>		

<p><u>shall establish a joint a municipal annexation area and for the exclusive provision of water and sewer service to all development therein.</u></p>	<p><u>establishing the City as service provider to the unincorporated areas east and southeast of the present City limits.</u></p>		
<p><u>Policy 2.03: The City will continue to abide by and uphold the provisions of the utility service areas agreement adopted in 1999 between the Town of Dundee, the city of Lake Wales, and the City of Winter Haven.</u></p>	<p><u>The agreement with the City of Winter Haven has been revised to redefine the service area.</u></p>	<p><u>Update policy.</u></p>	



**Part 4 EAR**  
**Key Issue Analysis**  
**ENCOURAGING INFILL AND REDEVELOPMENT**

**Issue:** Encouraging intensification and reuse/recycling of properties in older areas of the city where services are in place. Downtown and the Lincoln Ave. area are prime targets for this effort.

In already developed areas of the city there are vacant lots and underutilized or virtually abandoned properties that may not be attractive for reuse because of the neighborhood conditions or cost of rehabilitation. Revitalizing these areas is desirable to avoid further decline of older neighborhoods, to preserve and reuse historic structures, to strengthen the tax base, and to make use of infrastructure (roads, sewer, water) that is already in place.

**Concerns:** The questionnaire survey showed support for infill and redevelopment as opposed to expansion into agricultural lands surrounding the city. The number of vacancies in the city and the costs of expanding services for new development were cited. Encouraging apartments and condos downtown to support businesses was suggested.

**Factors related to infill/redevelopment:**

- Cost of rehabilitation of buildings Renovation of older buildings is almost always more costly than building new.
- Location preferences Many business owners prefer to be on highways, such as SR 60 and US 27 rather than in older commercial areas. The standard “footprints” for buildings and parking utilized by many corporations are easier to use on a vacant site than a redeveloped site. Large retailers also have parking requirements that require very large sites.
- Decline of central business districts As is well known, malls and highway commercial centers have supplanted central business districts as centers of commerce. With few exceptions, downtowns in small cities have “come back” only as boutique-style or specialty centers, capitalizing on their nostalgic appeal. Creating a customer base and 24-hour activity by development of residential units in and around the downtown is desirable, but difficult to achieve. Although downtown Lake Wales has an attractive array of historic buildings and many assets for successful revitalization, recovery efforts have met with only mixed success. The Lincoln Ave. area, formerly a central business district, has suffered more serious decline, losing a number of buildings and maintaining only a handful of businesses. Consultants have suggested concentrating on residential redevelopment with neighborhood support businesses.

- Abundance of commercial property The 2005 land use amendments defined three commercial nodes, the RAC – Regional Activity Center and two CACs- Community Activity Centers, and reduced allowable intensities
- Fitting in with existing development The suburban style layouts favored by many businesses, with large building setbacks and ample parking in front of the building, are not compatible with older neighborhoods and may be destructive to traditional downtown streetscapes.
- Use regulations Businesses that require large lots, need direct highway access, or that generate noise or other disturbances, may not be desirable in developed sections of the city. However, limiting uses to traditional “downtown” uses (retail, office, restaurants, etc.) is too restrictive; flexibility is needed to encourage reuse and infill. The zoning code allows changes of use from one non-conforming use to another by special permit from the Planning Board, and allows a wide range of uses in older commercial areas surrounding the central business districts.
- Historic district structures The locally regulated Downtown Historic District was approved in 2008. There are also two other National Register Historic Districts in Lake Wales. A balance must be maintained between preserving the character of the downtown district and putting stumbling blocks in the way of redevelopment. The Historic District Regulatory Board tries to work closely with business owners to strike this balance.
- Infrastructure Required services are for the most part already available to developed areas. Fire flow issues in the downtown are being addressed through upgrade of water mains. Roadways are underutilized in the downtown and Lincoln Ave. areas. Storm drainage systems may be an issue in some areas.
- Parking Existing businesses in older districts often have little or no on-site parking and rely on street parking and public lots. As redevelopment occurs, parking becomes more and more of an issue. There is often the perception by patrons that parking is not convenient in older business districts. Although they will walk considerable distances from mall parking lots and inside malls, walking a couple of blocks in the downtown is seen as too much trouble. Careful planning, financing, and timing for public parking expansion is difficult but necessary for successful redevelopment of central business districts.
- Incentives provided for redevelopment of older sections of the city have been instituted, including establishment of a CRA- Community Redevelopment Area, which captures tax increases for improvements in the CRA; the Core Improvement Area where development is exempt from impact fees except sewer and water; and impact fee exemptions for infill affordable housing. In addition, redevelopments pay only the increase in the impact fee over that of the prior use.
- Dimensional requirements Required lot sizes, frontages, and building setbacks can pose technical barriers to redevelopment and infill, particularly in residential areas. The city code encourages residential infill through administrative waivers of setbacks if the proposed setback is compatible with adjacent properties, “grandfathering” provisions for platted lots, and provisions allowing panhandle lots (reduced frontages).

- Residential density caps Density policies allow higher density near the city’s developed cores. High density (up to 12 units per acre) and medium density (up to 6 units per acre) developments are allowed near arterial highways and commercial nodes. Density is limited to 3 units per acre in outlying areas.
- Mixed use Allowing both commercial and residential where appropriate promotes infill.

**Success of plan:**

The 2005 amendments to the Future Land Use Element and Future Land Use Map were designed to improve the city’s growth management. Measures included in the amendments and implementation include:

- Reducing overall residential densities (du/acre) in HDR from 25 to 12; MDR from 12 to 6; and LDR from 5 to 3. Density ranges allowed under the 2000 plan were found to be higher than established and desirable densities in the city;
- Amending the Future Land Use Map to allow the higher densities close to established commercial centers and arterials;
- Tightening up commercial nodes and reducing land use intensity between those nodes;
- Creating the LCI-Limited Commercial-Industrial FLUM/zoning classifications to help prevent strip commercial development;
- Increasing subdivision lot sizes to encourage use of planned development (PDP) process, encouraging preservation of natural areas;
- Increasing common open space requirements in planned developments, excluding wetland areas from required lot area, and prohibiting single-family and duplex units on lots entirely in a regulatory flood plain.
- Enacting requirements for roadway access designed to encourage development in and close to already developed areas.

Other actions taken to control sprawl:

- General code amendment to require annexation for access to City sewer and water services, with narrow exceptions.
- Incentives for redevelopment and infill. (See “Encouraging Infill and Redevelopment Matrix.”)

**Strategies:**

The following strategies recommended to control urban sprawl should be reflected in the revision of the Comprehensive Plan:

1. Allowing higher densities close to urban and commercial centers.
2. Concentrating commercial development in nodes rather than allowing strip development along roadways.

3. Limiting sewer and water service to residential properties within the City limits. An alternative is to limit these services to properties in a defined 5-year expansion area. However, on property outside the city limits, the City's development standards will not be applied, and the developments will not pay City taxes and impact fees for parks or libraries, although they will utilize the services. (The City's impact fee study recommends annexation for provision of services.) In addition, enabling development around the City boundary by providing services creates blocks to annexation of other properties. Agreements for post-development annexation at such time as a property becomes contiguous are difficult to implement and remove the incentive for achieving contiguity.
4. Working with Polk County on measures to encourage annexation and use of city utilities rather than permitting development with private utilities at densities equivalent to those allowed in the city.
5. Maintaining regulations requiring access to collector roads and multiple entrances for large developments to prevent incoherent roadway patterns.
6. Continuing to encourage planned developments (PDPs) instead of cookie-cutter subdivisions that do not respect the character and natural resources of the property.
7. Providing incentives for redevelopment and infill (See "Encouraging Infill and Redevelopment" matrix.)
8. Continuing to protect and preserve natural resources

**Key Issue Matrix**  
**ENCOURAGING INFILL AND REDEVELOPMENT**

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
FUTURE LAND USE ELEMENT			
<p>Policy 5.02: Promote infill development and redevelopment of existing urban areas by streamlining the development review and approval process through Housing Element Policy 1.02 and by modifying land development regulations through Housing Element Policy 1.03.</p> <p>Policy 1.02 (Housing): By October 1, 2001, initiate a review and modify the development review and approval process to make it as streamlined and efficient as possible as an incentive to encourage private sector participation in meeting affordable housing needs.</p> <p>Policy 1.03 (Housing): By October 1, 2001, review and modify land development regulations to eliminate excessive requirements and provide incentives to increase private sector participation in meeting affordable housing needs, while continuing to ensure the health, safety, and welfare of city residents.</p>			

Goal/Objective/Policy	Implementation	Proposed Changes	Notes
<p>Pol. 5.01 – Locate future land uses on the Future Land Use Map at densities and intensities that will discourage urban sprawl and leap-frog development that unduly depletes the physical, social, and fiscal resources of the city.</p>	<p>2005 CPA amended FLU policies and map. Commercial nodes were made more compact and land use intensities reduced between nodes along highways. Residential densities were reduced overall and high and medium density areas located close to commercial nodes and arterial roads.</p>	<p>Review Floor Area Ratios for the non-residential FLU categories (policies 2.02 through 2.1).</p>	
<p>Pol. 5.02 – Promote a functional and integrated mix of residential and nonresidential land uses through appropriate use designations on the Future Land Use Map and through the use of innovative development techniques as established in Future Land Use Element Policy 1.04.</p>	<p>The zoning regulations allow flexibility in residential development types and layouts through the planned development process and allow mixed use developments in professional and commercial zones. Allowing mixed use in other non-residential zoning districts could be considered.</p>		
<p>Policy 5.05 – Limit the expansion of strip commercial areas as directed in Future Land Use Policy 2.06.</p>	<p>See implementation of Policy 5.04.</p>	<p>Policy 2.06 refers only to the NAC-Neighborhood Activity Centers. Policy should be rewritten to refer to other ways to limit strip development.</p>	
<p>Pol. 5.07, 5.08, 5.09, 5.12 – Urban service areas, extension of services, and capital facility planning. See “Providing Services” matrix.</p>			<p>Extension of services is relevant to controlling sprawl, but is covered in the services matrix.</p>

<u>Goal/Objective/Policy</u>	<u>Implementation</u>	<u>Proposed Changes</u>	<u>Notes</u>
<p><u>Pol. 5.15 – Encourage the use of centralized water and wastewater systems through an interlocal utility service agreement with Polk County as established in Intergovernmental Coordination Policy 2.02.</u></p>	<p><u>An agreement with Polk County was executed in 2008 delineating the City as the utility service provider in the area. However, private sewer and water systems are still permitted.</u></p>	<p><u>None.</u></p>	<p><u>Approval of private utility systems is counter to the goal of controlling urban sprawl. The County should be asked to establish policies discouraging private systems in the City’s service area.</u></p>
<p><u>Pol. 5.21 – Use the Planned Development Process where use and design control is needed to assure land use compatibility, prevent urban sprawl, promote the infill development of vacant properties, and maximize the efficient cost effective provision of public services and facilities</u></p>	<p><u>The PDP regulations were completely revised in 2005 to provide maximum flexibility in layout and to preserve open space. PDPs are now allowed by special permit in all zoning districts.</u></p> <p><u>See also “Providing Services” and “Encouraging Infill and Redevelopment” matrices.</u></p>	<p><u>None.</u></p>	
<u>INTERGOVERNMENTAL</u>			
<p><u>Objective 2. Joint Planning Areas</u> Identify, implement, and coordinate joint planning areas for annexation and service provision.</p>	<p><u>The City of Lake Wales is participating in planning studies in our area including the Southeast Polk Selected Area Study, the Gateway SAS. and the East Polk (Dundee) SAS.</u></p>	<p><u>None.</u></p>	