GROWTH MANAGEMENT
PLAN
GOALS, OBJECTIVES AND POLICIES
HAINES CITY, FLORIDA

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# GOALS, OBJECTIVES AND POLICIES

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**NOTE:**

A bracketed or parenthesized cross reference line follows most all goals, objectives and policies contained in each Element. These cross-references refer to the plan requirement of Rule 9J-5, Florida Administrative Code, the Central Florida Region Planning Council Policy Plan and the State Comprehensive Plan.

Examples are as follows:

1. [9J-5.006(3)(b)4]:  **9J-5006** references the required provisions of rule 9J-5.006, Future Land Use Element; *(3)* references the Goals, Objectives and Policies of this section of the Rule; *(b)* references the specific Objective of this subsection; and *(4)* references the specific Policy contained in the subsection.

2. [CR(a)]: **CR** references the consistency requirement of the Regional Policy Plan contained in the City Consistency Requirement Report; **9** references the Public Facilities section of the Regional Policy Plan; and *(a)* references a specific goal in the section.

3. [SCP (19) Cultural and Historical Resources (b)5]: **SCP** references the State Comprehensive Plan; *(19)* references the Cultural and Historical Resources section of the Plan; *(b)* **5** references a specific Policy contained within the section.

4. These cross references are provided as an aid to the understanding of the origination of many of the requirements contained in the Plan.
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CHAPTER 1

FUTURE LAND USE ELEMENT
9J-5.006(3)

1. REQUIREMENTS FOR FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES.

(a) The elements shall contain one or more goal statements which establish the long-term end toward which land use programs and activities are ultimately directed.

(b) The element shall obtain one or more specific objectives for each goal statement which address the requirements of Paragraph 163.3177(6)(a), Florida Statutes, and which:

(1) coordinate future land uses with the appropriate topography, soil conditions, and the availability of facilities and services;

(2) encourage the redevelopment and renewal of blighted areas;

(3) encourage the elimination of uses inconsistent with the community’s character and future land uses;

(4) ensure the protection of natural resources and historic resources;

(5) coordinate with any appropriate resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet;

(6) discourage the proliferation of urban sprawl;

(7) ensure the availability of suitable land for utility facilities necessary to support proposed development; and

(8) encourage the use of innovative land development regulations which may include provisions for planned unit developments and other mixed land use development techniques.

(c) The element shall contain one or more policies for each objective which addresses implementation activities for the:

(1) regulation of land use categories included on the future land use map or map series; subdivisions; signage; and areas subject to seasonal or periodic flooding;

(2) provision for the compatibility of adjacent land uses;

(3) provision that facilities and services meet the locally established minimum level of service standards, and are available concurrent with the impacts of such development, or that development orders and permits are conditioned on the
availability of the facilities and services necessary to serve the proposed development; and that provide utility service to the various land uses are authorized at the same time as the land uses are authorized;

(4) provision for drainage and stormwater management, open space, and safe and convenient on-site traffic flow, considering needed vehicle parking;

(5) provision of mixed land use designation policies, if locally desired;

(6) protection of potable water well fields, and environmentally sensitive land;

(7) establishment of standards for densities or intensities of use for each future land use category; and

(8) identification, designation and protection of historically significant properties.

2. **FUTURE LAND USE MAP**

(a) The proposed distribution, extent, and location of the following generalized land uses shall be shown on the future land use map or map series:

(1) residential use;
(2) commercial use;
(3) industrial use;
(4) agricultural use;
(5) recreational use;
(6) conservation use;
(7) educational use;
(8) public buildings and grounds;
(9) other public facilities; and
(10) historic district boundaries and designated historically significant properties meriting protection.

(b) The following natural resources shall be shown on the future land use map or map series:

(1) existing and planned water wells and cones of influence, where they exist;
(2) rivers, bays, lakes, flood plains, and harbors;
(3) wetlands;
(4) minerals and soils.

(c) Mixed use categories of land use are encouraged if the local government determines it needs to utilize another land use category consisting of combinations of the land use categories identified above, and if used, policies for the implementation of such mixed uses shall be included in the comprehensive plan.

(d) If determined by the local government to be appropriate, subparagraphs 2(a)(7), 2(a)(8), and 2(a)(9) may be shown as one land use category on the future land use shall be shown on the future land use map or map series.
(e) If the local government has determined it necessary to utilize other categories of the public and private use of land, such categories of land use shall be shown on the future land use map or map series.

3. **PURPOSE.**

The Future Land Use Element and Map will direct the pattern of future development and growth within the City through the year 2015. The future land use classifications, the goals, objectives and policies and the standards and criteria developed to support the Comprehensive Plan have been designed specifically to meet the City’s future needs for this planning horizon. Public facilities (infrastructure) will be required to be developed and annually updated as part of the City growth management process and Capital Improvements Element update. This planning process should result in a more efficient delivery of public facilities and services as a result of coordinating future land use decisions with that of major capital expenditures.

Encouraging compact and contiguous land use patterns and the infilling of vacant lots will be a key factor in controlling the cost of development to the public and maximizing the effectiveness of public facilities and services.

### The Planning Horizon

<table>
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<tr>
<th>Haines City Population Projection Series</th>
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<tr>
<td><strong>Permanent Population (1)</strong></td>
<td><strong>Total Population (2)</strong></td>
</tr>
<tr>
<td>Polk County</td>
<td>Haines City</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>2000</td>
<td>483,924</td>
</tr>
<tr>
<td>2001</td>
<td>496,112</td>
</tr>
<tr>
<td>2002</td>
<td>502,385</td>
</tr>
<tr>
<td>2003</td>
<td>511,929</td>
</tr>
<tr>
<td>2004</td>
<td>528,389</td>
</tr>
<tr>
<td>2005</td>
<td>541,840</td>
</tr>
<tr>
<td>2010</td>
<td>598,978</td>
</tr>
<tr>
<td>2011 (Short-term horizon)</td>
<td>609,430</td>
</tr>
<tr>
<td>2015 (Long-term horizon)</td>
<td>651,241</td>
</tr>
</tbody>
</table>

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(1) University of Florida, Bureau of Economic and Business Research (BEBR), Bulletin No. 145.
(2) Haines City. This total population was submitted to the Department of Community Affairs as a part of the LUPA 06-01 Plan Amendment Cycle and has been used as the city’s official projection series since. However, the data series was incorporated into the re-codified EAR based amendments.
(3) Glatting Jackson. Based upon the 2005 total population per dwelling unit. The baseline data of total dwelling units and population estimate for 2005 was provided by Haines City. See footnote #2.
(4) Haines City. This dwelling unit projection series was submitted to the Department of Community Affairs as a part of the LUPA 06-01 Plan Amendment Cycle and has been used as the city’s official projection series since. However, the data series was incorporated into the re-codified EAR based amendments.

For each public facility except transportation, which uses Polk County TPO standards, the planning horizon year used was 2015. The population of Haines City is estimated at 16,905 in 2005 and the City’s planning staff projects the population to reach 32,000 by the year 2010 and 48,230 by the
year 2015. The projected horizon year population is the basis for most of the demand calculations in this analysis.

To fulfill near-term housing needs, the existing housing stock, committed approved units, and undeveloped vacant lots can provide up to 9,460 units, as shown in the table below.

### Existing and Near Term Housing Stock

<table>
<thead>
<tr>
<th>Housing Stock</th>
<th>DUs</th>
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<tbody>
<tr>
<td>Existing Dwelling Units 1</td>
<td>6,955</td>
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<tr>
<td>Committed Dwelling Units 2</td>
<td>1,105</td>
</tr>
<tr>
<td>Vacant Single Family Lots 3</td>
<td>1,400</td>
</tr>
<tr>
<td><strong>Total Existing and Near Term Housing Stock</strong></td>
<td><strong>9,460</strong></td>
</tr>
</tbody>
</table>

1. Existing Dwelling Units provided by Haines City Planning Dept.
2. Committed Dwelling Units are units approved or in the approval process.
3. Vacant Single Family Lots provided by Haines City Planning Dept.

The horizon year 2015 estimated need for housing is 19,272 dwelling units. This need cannot be supplied by near term housing stock alone. The city will have to provide additional land to be developed as future housing.

### Future Housing Stock

<table>
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<tr>
<th>Housing Stock</th>
<th>DUs</th>
<th>Cumulative DUs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Units 1</td>
<td>6,955</td>
<td>6,955</td>
</tr>
<tr>
<td>Committed Units 2</td>
<td>1,105</td>
<td>8,060</td>
</tr>
<tr>
<td><strong>Vacant Developed</strong></td>
<td><strong>1,400</strong></td>
<td><strong>9,460</strong></td>
</tr>
<tr>
<td>CPA #06-01</td>
<td>4,468</td>
<td>13,928</td>
</tr>
<tr>
<td>CPA #07-01</td>
<td>3,474</td>
<td>17,402</td>
</tr>
<tr>
<td><strong>Other to 2015</strong></td>
<td><strong>1,870</strong></td>
<td><strong>19,272</strong></td>
</tr>
</tbody>
</table>

1. Existing Dwelling Units provided by Haines City Planning Dept.
2. Committed Dwelling Units are units approved or in the approval process.
3. Vacant Single Family Lots provided by Haines City Planning Dept.
4. “Other” was calculated by dividing the projected 2015 population of 48,230 by 2.5 persons per household to obtain 19,292. From the projected dus are subtracted existing dus, committed dus, vacant dus, CPA 06-01 and CPA 06-02 projected dus to obtain 2,342 dus.

The City has had from the inception of its current Comprehensive Plan a Future Land Use Map. The Map has been utilized as the basis for reviewing rezoning request and making land use decisions. Many cities and the County have not followed this recommended process. Chapter 163, FS and Rule 9J-5, FAC, require such a map as part of the Future land Use Element. It is this requirement that has resulted in a coordinated future mapping effort between Haines City, Polk County and the several other participating cities. The general concept is to provide overlay designations to areas which will then be used to determine the density/intensity of development that can be supported and the range of permitted land uses. It is recognized that the overlay areas and the resulting land use categories will have different meanings depending on the size and character of the area being
addressed. As a result, a system has been created which utilizes a “hierarchy” of overlay designations containing some of the same future land uses categories but utilizing a different density/intensity for each overlay designation.

The defined overlay areas relate to facility and service availability, resource limitations and local land use decisions. Service availability is directly related to established levels of service (LOS) and funding decisions. Consequently, overlay boundaries will be largely based on where public improvements and public decisions have been made which support and promote either urban, suburban or rural land use patterns. For purposes of future land use designations, the overlay areas will correspond closely with the fiscal abilities contained in the Capital Improvements Element (CIE). The 5 year CIE should be a reasonable representation of the more intense urban overlay areas. The longer range CIE should represent areas that are expected to evolve into more intense urban uses within the planning time frame.

There are four overlay district designations proposed for use by the County and where applicable, the participating cities. The first designation, Urban Development Areas (UDA), basically is so categorized because all of the infrastructure required to support urban growth and development is already in place or fiscally programmed to be in place at the time of request for new development orders or within the County which are not within the Urban Development Area and which, at a minimum, are currently served, or programmed to be served within the next 5 years by a county owned, municipal, or County-franchised central potable water system. Urban Growth Areas (UGA) are the second overlay district and are areas which will have centralized sewer and water facilities within years 10 through 20 (December 1, 2001, through December 1, 2010). All UGA’s shall be contiguous to an Urban Development Area. Suburban Development Areas are the third overlay designation and constitute those areas outside the Urban Development Area but which are expected to be served by central sewer, water, urban level public safety system, urban roads, a developed park system and elementary schools within walking distance of residential areas. The fourth overlay designation, Rural Development Areas, will be those areas lacking the physical characteristics and improvements normally associated with the Urban Development, Urban Growth and Suburban Development Area overlay designations.

Haines City can fit itself under the “overlay” of the Urban Development Area designation since the City currently has sewer and water available to serve all of its projected growth for the next 5 years, is capable of providing urban level public safety, has an urban road network, a developed parks system and an elementary school within walking distance to residential areas.

The purpose of this element therefore is not only to meet the minimum requirements of Rule 9J-5, Florida Administrative Code, but by formal City Commission action, establish the reasonable framework for providing compatible development opportunities for future residents and the business/development community while protecting those already living in the City and the lifestyle each has selected for themselves.

Both public and private resources will be essential to realize this purpose. The private sector, property owners, builders and developers, will continue to be responsive to the market demands and opportunities, provided development regulations are reasonable. Public resources will not necessarily be solely generated locally but may involve available assistance from Federal, State and county sources.
For this element to be successful, intergovernmental coordination will be critical. Adequate provisions of public facilities for the projected population will require close coordination between the City and adjacent local governments for the necessary water, sewer and other infrastructure components necessary to service these residents.

4. **DEFINITIONS.**

Certain terms are used in the Future Land Use Element Rule 9J-5 requirements that need to be identified as to their specific meaning. The following definitions are taken from Rule 9J-5.003, FAC:

(a) “Agricultural uses” means activities within land areas which are predominantly used for the cultivation of crops and livestock including: crop land; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farm; and silver culture areas.

(b) “Commercial Uses” means activities with land areas which are predominately connected with the sale, rental and distribution of products, or performance of services.

(c) “Cone of Influence” means an area around one or more major water wells the boundary of which is determined by a government agency based on groundwater travel or draw-down depth.

(d) “Conservation Uses” means activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purpose as flood control, protection of quality or quantity of groundwater or surface water, flood plain management, fisheries management, or protection of vegetative communities or wildlife habitats.

(e) “Educational Uses” means activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of building, campus open spaces, dormitories, recreational facilities or parking.

(f) “Floodplain” means areas inundated during a 100-year flood event or identified by the Nation Flood Insurance Program as an A zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

(g) “Historic Resources” means all areas, district or sites containing properties listed on the Florida Master Site File, The National Register of Historic Places, or designated by local governments as historically, architecturally, or archaeologically significant.

(h) “Industrial Uses” means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products.

(I) “Minerals” means all solid materials, including clay, gravel, phosphate rock, lime shells (excluding live shellfish), stone, and heavy minerals, and any rare earths, which are contained in the soils or waters of the state.
“Open Spaces” means undeveloped lands suitable for passive recreation or conservation uses.

“Public Building and Grounds” means structures or lands that are owned leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.

“Public Facilities” means transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, education systems or facilities, parks and recreation systems or facilities and public health systems or facilities.

“Recreational Uses” means activities within area where recreation occurs.

“Residential Uses” means activities within land areas used predominantly for housing.

“Stormwater” means the flow of water which results from a rainfall event.

“Water Wells” means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural, or potable water for general public consumption.

The following is a definition created for the purpose of this planning element:

“Urban Development Areas” means those areas which are, at a minimum, currently or programmed within the next 5 years to be served with central sewer and water; urban level public safety; and urban road network; a developed pars system; and elementary schools within walking distance to residential areas.

5. GOALS OBJECTIVE AND POLICIES.

Goal.

To provide organized and compatible land uses that are sensitive to the environment, fiscally responsible, meet the social, economic and physical need of present and future residents and protect the anticipated quality of life as a result of choosing to live in the City.

Natural Features and Resources.

(a) Objective. For the determination of future land uses described on the Future Land Use Map, the City will locate uses in areas determined by their physical character to be suitable to the soils, topography and other natural features and resources of the land. [9J-5.006(3)(b)1.;(b)4.] [CR 8(a)(1)]

1. Policy. The City shall identify development constraints created by soil conditions, topography, natural features and natural resources, including wetland and lakes, and regulate densities and intensities where such constraints exist, or as need be limit and/or prohibit development altogether. Future development as designated on the
Future Land Use Map shall be located in areas, determined by their physical character, to be suitable to the soils, topography and other natural features and resources of the land. [9J-5.006(3)(b)4.;(c)6.]
[CR 8 (a) (1)]; [CR 8 (d)(1)] SCP (16) Land Use (b) 5 and 6.

2. **Policy.** The City adopted and implemented site plan review procedures for all development which will include provisions to establish setbacks, minimum open space and preservation requirements of natural resources such as lakes, wetlands and aquifer recharge areas. [9J-5.006(3)(7.]
[CR 8 (a)(6)]; [CR 8(c)(1)]; [VCR 8 (d)(1) ] [SCP(16) Land Use (b) 5 and 6; [SCP 926) Plan Implementation (b)4]

3. **Policy.** The adopted site plan review procedures shall require proposed developments to provide soils, topographic, vegetation, and natural resources (such as lakes, wetlands and aquifer recharge areas) information at a level of detail and specificity to determine the suitability of the proposed development for the site. [J-5.006(3)(b)1,(b)4.; (c)1.]
[CR 8(a)(1) and (6)]; [CR 8 (c)(1)]; [CR 8(d)(1)] [SCP(16) Land Use (b) 5 and 6]; [SCP (26) Plan Implementation (b) 4]

**Public Facilities and Services.**

(b) **Objective.** The City will locate future land uses described on the Future Land Use Map in areas where public facilities and services are available for the specific needs of the proposed development. [9J-5.006(3)(b)1.]
[CR 9(b)(1)and (2) [SCP (16) :Land Use (b) 1]

1. **Policy.** The adopted site plan review procedures shall require a determination of availability of public facilities and services and the specific needs of the proposed development [9J-5.006(3)(b) 1.] [CR 8 (a) (1)]

2. **Policy.** The City shall direct development to areas where public facilities and services are available or shall be available at the time of development. High density/intensity land uses shall be directed to areas where the greatest level of public facilities and services presently exist. [9J-5.006(3)(c)3.]
[CR 8(a)(1)]

3. **Policy.** Development orders shall be conditioned upon City established levels of service (LOS) for public facilities and services and to the availability of required facilities and services concurrent with the impacts of the development. [9J-5.006(3)(c)3.]
[CR 8(a)(1)] [SCP(16) Land Use (b) 1]

4. **Policy.** Future Land Use described on the Future Land Use Map shall be located in areas where public facilities and services are available, in conformance with the concurrency management system.
Redevelopment.

(c) **Objective.** The City shall continue to promote the redevelopment and renewal of blighted areas within its corporate limits.

1. **Policy.** The City shall continue to work with appropriate governmental agencies to secure Community Block Grants and other funds and related assistance in redeveloping and renewing blighted areas. The City shall promote the redevelopment and renewal of blighted areas within the corporate limits, and continue to coordinate with Polk County for assistance in securing CDBG and other redevelopment funds. [9J-5.006(3)(b)2.] [CR 8(a)(1)]

2. **Policy.** The City shall continue to work with other agencies in securing financial assistance in redeveloping and renewing blighted areas.[9J-5.006(3)(b)2.] [CR 8(a)(1)]

3. **Policy.** The City shall encourage re-platting of old undeveloped subdivisions by providing a streamlined process for re-platting and small scale subdivisions. [CR 9(b)(8)]

4. **Policy.** The City shall implement the adopted Community Redevelopment Area (CRA) Plan to address the downtown area redevelopment needs and pursue a prescribed plan of action to remedy identified and applicable deficiencies. [SCP (17) Downtown Revitalization (b)2]

5. **Policy.** The City shall evaluate the use of the provisions contained in Chapter 163, Part III, Community Redevelopment, F.S. - in consideration of funding and incentive programs when seeking to revitalize the downtown area.

Nonconformity.

(d) **Objective.** The City shall implement the adopted Land Development Regulations that will phase out or convert to compatible uses those land uses inconsistent with the Future Land Use Map. [9J-5.006(3)(b)3.]

**Policy.** The City shall provide the methodologies in its development regulations for phasing out or upgrading undesirable nonconforming land uses. [9J-5.006(3)(b)3.]

2. **Policy.** The City shall identify, evaluate and where determined to be necessary, eliminate zoning district regulations that may be inconsistent with the Future Land Use Element and Map. [9J-5.006(3)@2.]

3. **Policy.** The City shall, when revising its land development regulations, establish criteria for assuring compatibility between adjacent land uses. [9J-5.006(3)(c)2.]

4. **Policy.** The City shall re-evaluate the objective requiring the amortization of nonconformities no later than 2010.
Historical Resources.

(e) Objective. The City shall protect all historical resources within its jurisdiction. [9J-5.006(3)(c)2.]

[SCP(19) Cultural and Historical Resources (b) 1 and 6]

1. Policy. The City shall seek to establish a local historical society composed of residents within the community and Polk County. The City shall organize a historical advisory committee no later than 2010. [9J-5.006(3)(c)8.]

[SCP(19) Cultural and Historical Resources (b) 3]

2. Policy. The City and the local historical society shall continue to evaluate properties for historical significance. The City shall protect all historical resources in the City. [9J-5.006(3)(c)8.]

[SCP(19) Cultural and Historical Resources (b)5]

Coordination.

(f) Objective. As proposed future land use activities are presented to the City for action, they shall be coordinated with any appropriate resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes. [9J-5.006(3)(b)6.]

1. Policy. As part of the site plan review process, the City shall review Chapter 380, Florida Statutes, for applicability to any plan when making land use decisions for areas addressed in the Future Land Use Plan and Map in an effort to reduce potential conflicts. [9J-5.006(3)(b)6.]

Urban Sprawl.

(g) Objective. The City shall control urban sprawl by implementing the adopted Interlocal Agreement with Polk County to coordinate all development activities requiring municipal services. The City shall coordinate all development requiring municipal services with Polk County and adjacent municipalities. The City shall promote an urban growth pattern within the City that is orderly, compact and compatible with the existing and proposed character of the City. [9J-5.006(3)(b)7.]

[CR 9(a)(1)]

1. Policy. The City shall give first priority to those property owners located within the corporate limits prior to extending facilities and services to properties located in the unincorporated area of the County. [9J-5.006(3)(b)7.]

[CR 9(a)(1)] [SCP (16) Land Use (c)2]

2. Policy. The City shall utilize the Florida Interlocal Cooperation Act of 1969, Chapter 163.01, Florida Statutes, with the County and as necessary, with other local governments to coordinate the provision of any public facilities and services outside its corporate limits. [9J-5.006(3)(b)7.]
3. **Policy.** The City shall establish, in concert with the County, an Urban Service District which is planned to be serviced by the City with potable water and sewer services, based upon planned extensions of the facilities meeting concurrency requirements and joint land use coordination. [9J-5.006 (3)(b)7.]

**Land for Public Facilities and Public Schools.**

(h) **Objective.** The City shall continue to include land on the Future Land Use Map for public facilities to support projected future development. [9J-5.006 (3) (b) 8.]

[C.R. 8 (a) (1)]

1. **Policy.** The Future Land Use Map shall indicate those land areas that will be needed for additional public facilities. [9J-5.006 (3) (b) 8.]

2. **Policy.** In conformance with the concurrency objectives of the Comprehensive Plan, ensure that suitable land is available for public facilities to support proposed development and incorporate into the land development regulations and concurrency management system by 2010.

3. **Policy.** Public schools shall be allowed in all land use classifications, except Conservation and Community Activity Center. When annexing undeveloped land, the City shall classify sufficient land proximate to future residential development to meet projected needs for schools in coordination with the Polk County School Board, and may establish differing criteria for schools of different size and type. The City hereby designates lands contiguous to existing school sites within all Future Land Use Categories (except Conservation and Community Activity Center) for expansion of public schools. Further, the City will strongly encourage the collocation of public facilities such as parks, libraries, and community centers, with schools, when planning and reviewing a proposed site for a new or expanded facility, and shall adopt criteria for collocation in the Land Development Regulations.

**Development Regulations.**

(i) **Objective.** The City shall manage future growth and development through the preparation, adoption, implementation, and enforcement of land development regulations. [9J-5.006 (3) (b) 9.] [C.R. 7 (a) (1)]; [C.R. 8 (a) (1)]; [C.R. 8 (d) (1)]

1. **Policy.** The City adopted development regulations that support the provisions in the adopted Comprehensive Plan that will, at a minimum:

   a. Regulate the use of land consistent with the Future Land Use Element and provide for open space;

   b. Protect lands designated for conservation on the Future Land Use Map and in the Conservation Element;
c. Protect and regulate areas subject to seasonal and periodic flooding and provide for drainage and storm water management;

d. Provide for reasonable regulation of appearance and compatibility of land uses, including signs and related improvements;

e. Protect potable water well fields and aquifer recharge areas;

f. Ensure safe and convenient on-site traffic flow and vehicle parking;

g. Provide innovative land development techniques which offer options such as planned unit development, transfer of development rights and cluster development;

h. Regulate the subdivision of land;

i. Provide for a comprehensive site plan review process for all development;

j. Provide that development orders and permits will not be issued which the adopted level of service for the affected public facilities and services; and

k. Establish densities and intensities of use, where applicable, for future land use category. [9J-5.006 (3) (b) 9.; (c) 1., 4., 6., 7.]
[C.R. 7 (a) (1)]; [C.R. 8 (a) (1) and (2)]; [C.R. 8 (d) (1)]; [C.R. 8 (d) (2)] [SCP (26) Plan Implementation (b) 4]

2. Policy. The City shall require the developer/owner of any site seeking a development order to be responsible for on-site management of storm water runoff in a manner which assures post development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.
[C.R. 7 (a) (1)]; [C.R. 8 (d) (1)]

3. Policy. The City shall, to the extent possible and as appropriate, coordinate its land development regulations with those of Polk County and will strive to develop and utilize a similar or uniform future land use classification system to jointly address the organization of land uses in the common Haines City Planning Area.
[C.R. 7 (a) (1)]; [C.R. 8 (a) (3)]

4. Policy. The development regulations are determined to severely limit the practical use of real property, the property owner will be subject to compensation within guidelines established by Florida law.
[SCP (15) Property Rights (b) 1 and 3]

**Future Land Use Map.**

(j) Objective. The Future Land Use Map shall contain those land use classifications necessary to adequately plan and prepare of the future growth and development of the City. The location and density of future development shall be directed to appropriate areas as
illustrated on the Future Land Use Map, consistent with the goals, objectives and policies of the Comprehensive Plan. [9J-5.006(3) (4)(a)] [C.R. 7 (a) (1)]

1. Policy. At a minimum, the Future Land Use Map shall contain the following land use classifications:

(The following were approved as per the Stipulated Settlement Agreements entered into by the City of Haines City and the DCA under LUPAs 05-01 and 06-01 and finalized in March and April of 2007).

- Agriculture (AG)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Business Park (BP)
- Business Park Modified (BPM)
- Professional Institutional Center (PIC-NR)
- Neighborhood Activity Center (NAC)
- Community Activity Center (CAC)
- Commerce Park (CP)
- Commercial Corridor (CC)
- Commercial Enclave (CE)
- Industrial (IN)
- Industrial Park (IP)
- Institutional (I)
- City/Public Uses (CPU)
- Parks/Recreation (PR)
- Schools, Public and Private (SCH)
- Conservation/Wetlands (CON)

North Ridge land shall carry an “NR” Suffix

The City shall prepare “Selected Area Plans” for special purposes, including redevelopment of the central business district, development of large undeveloped or underdeveloped areas experiencing land use transition that are directly or indirectly linked with a major thoroughfare, newly annexed areas or areas proposed for annexation. Selected Area Plans must be consistent with the adopted Growth Management Plan. If the Selected Area Plan includes policy that is inconsistent with the Growth Management Plan, the Growth Management Plan must be amended prior to the effective date of the Selected Area Plan in order to ensure compliance with the “consistency doctrine.

[9J-5.006(3) (4)(b)]
[C.R. 7 (a) (1)] [SCP (16) Land Use (b)3]
2. **Policy.** The Future Land Use Map shall, at a minimum, contain the following land and water features:

   a. historical district boundaries and designated historically significant properties meriting protection when such have been identified and so classified;
   b. existing and planned water wells and cones of influence;
   c. lakes;
   d. wetlands; and
   e. minerals and soils.

3. **Policy.** Upon adoption of this element, the City of Haines City shall declare itself as an Urban Development Area and shall be so designated in accordance with the “Implementations Actions” section of this element.

4. **Policy.** A private property owner with property having land use classification(s) applied in a manner which is determined to constitute a taking through the unreasonable exercise of legislated police power shall be subject to compensation according to Florida law in an amount to be established by judicial proceeding.

5. **Policy.** The calculation of density for residential uses for amendments to the Future Land Use Map shall be based on a net buildable density that is based on 80% of the gross acreage, and assumes that 20% of the gross acreage will be reserved for provision of infrastructure and protection of environmentally sensitive lands. Net residential density is the number of dwelling units per net buildable acre. Net buildable acreage is the number of acres within the boundary of a development excluding areas devoted to road rights-of-way, transmission power line easements, lakes and wetland or flood prone areas.

**Transportation.**

(k) **Objective.** Location of uses on the Future Land Use Map shall be based on existing and projected availability of adequate transportation facilities. The location and density of future development, as illustrated on the Future Land Use Map, shall be concurrent with the availability of adequate transportation facilities.

**Fiscal Responsibility.**

(l) **Objective.** The City shall only consider approving proposed development plans that are in keeping with its fiscal ability to provide public facilities and service the proposed development.
1. **Policy.** Development orders requiring public facilities and services shall be approved only when such orders are consistent with the City’s ability to deliver such facilities and services as provided for in its 5 year Capital Improvement Element. [C.R. (8) (a)(1)]

2. Based on the adopted CIE and the adopted Capital improvements Program, the City shall only consider approving proposed development plans that meet the adopted concurrency management system requirements.

**Training and Education.**

(p) **Objective.** The City shall maintain a program which provides training and educational opportunities to keep employees and other City officials current with growth management and fiscal responsibilities.

1. **Policies.** The City shall, on an annual basis, actively promote and budget for employees, advisory bodies and elected officials to attend and conduct training programs and seminars addressing growth management issue and solutions. [C.R. (8) (a)(8)] [SCP (16) Land Use (b) 7]

2. **Policies:** The City shall provide training and education opportunities to keep employees and other City officials current with growth management and fiscal responsibilities.

6. **IMPLEMENTATION.**

Certain implementation actions will be necessary as a result of the development of the goals, objectives and policies contained in this Element. There are many related tasks or programs which the City must undertake upon adoption of the Element to accomplish these ends.

The implementation strategy, through development of specific actions, will provide direction necessary for change in some City operations, identify constraints the city must operate within or overcome and assist in developing a work program to put the implementation plan into effect. Finally, the recommended actions will provide the basis for determining the financial feasibility of the Element.
Control of Future Land Uses With Public Facilities and Services.

**Objective (a), Policies 1, 2 and 3** of the Future Land Use Element address the control placed on the densities and intensities of development where the limitations of soils, topography and other natural resources and features of a site or area have been identified.

In order to implement this objective and these policies, the following actions shall be taken:

(a) The City shall require developers to submit, as a part of the site plan review process, an analysis of soil suitability for the intended use, boundary and topographic surveys, and identification of all natural resources and features of the site including vegetation and trees. All cost associated with the provision of this information shall be the responsibility of the owner/developer submitting the proposed project for review. Future development as designated on the Future Land Use Map shall be located in areas, determined by their physical character, to be suitable to the soils, topography and other natural features and resources of the land.

(b) The City shall include in its revised development regulations, density and intensity transfers and related provisions where limitations are identified as a part of the proposed project site analysis submitted for review.

(c) The City shall designate in the Future Land Use Element, in the form of overlays or other graphic format, those natural resources such as water well fields and cones of influence, conservation and preservation areas identified as part of the Conservation Element, areas subject to flooding, lakes and soils.

Coordination of Future Land Uses with Public Facilities And Services.

**Objective (b), Policies 1, 2, and 3** of the Future Land Use Element address the coordination between the location of uses on the Future Land Use Map and the availability of public facilities and services to accommodate the proposed uses. In order to implement this objective and these policies, the following actions shall be taken:

(a) The City shall condition the issuance of all development orders on the availability of required public facilities and services concurrent with the impacts of the proposed development and the adopted level of service. Development orders shall not be issued if such proposed development will result in public facilities and/or services being reduced below their adopted level of service at the time of need. Future Land Use described on the Future Land Use Map shall be located in areas where public facilities and services are available, in conformance with the concurrency management system.

(b) The City shall make available public facilities and services and shall direct proposed development to areas where such facilities are adequate.
Redevelopment and Renewal of Blighted Areas.

Objective (c), Policies 1, 2, 3, 4 and 5 of the Future Land Use Element address the promotion of programs for the redevelopment and renewal of blighted areas within the City. In order to implement this objective and these policies, the following actions shall be taken:

(a) The City shall promote the redevelopment and renewal of blighted areas within the corporate limits. The City shall continue to seek funding through the County for Community Development Block Grants and other sources to improve areas with blighted conditions. The code enforcement process shall be used to correct deficiencies in code violations and to reduce blighting conditions in neighborhoods.

(b) An information program will be developed to make the public aware of programs and monies available for correcting deficiencies in blighted areas and promote investment and reinvestment in older neighborhoods in an effort to prevent and discourage deterioration of structures and properties.

(c) Re-platting of vacant lots in old subdivisions will be encouraged in order to provide additional development opportunities.

(d) The downtown area was evaluated to prepare a strong program of redevelopment as part of the CRA Plan, to increase the tax base and to encourage greater use of a vital resource of the City.

Land Uses and Zoning Inconsistent With The Future Land Use Plan.

Objective (d), Policies 1, 2, and 3 of the Future Land Use Element address the phasing out or conversion of nonconforming uses and eliminating zoning district classifications that are inconsistent with the character of uses contained in the Future Land Use Map. In order to implement this objective and these policies, the following actions shall be taken:

(a) At the time of revision of development regulations, techniques were adopted establishing a phasing out of certain uses determined to be nonconforming and explore incentives for conversion of other nonconforming uses to uses consistent with the Plan.

(b) Zoning district classifications identified as inconsistent with the Plan shall be revised or eliminated as determined to be necessary.

(c) Techniques and standards were adopted as part of the development regulations which establish methods for promoting and encouraging compatibility between land uses.

Protection of Historical Resources.

Objective (e), Policies 1, 2 and 3 of the Future Land Use Element address the protection of historical resources within the City. In order to implement this objective and these policies, the following actions shall be taken:
(a) The City shall work closely with the Polk County Historical Society and the State in establishing criteria for determining what historical resources exist within its corporate limits.

(b) The City shall organize a historical advisory committee.

(c) After identification of historical resources by the local historical advisory committee, the City shall continue to protect all historical resources in the City.

Coordination With Appropriate Resource Planning and Management Plans.

**Objective (f), Policy 1** of the Future Land Use Element addresses the coordination of proposed future land use designations or decisions with any appropriate resource planning and management plan prepared in compliance with Chapter 380, Florida Statutes. Such plans are prepared by local governments as an alternative to Area of Critical state concern designations by the State. The City has no such plans. In the event such plans were prepared in the Haines City Planning Area of Polk County, as designated in the “Memorandum of Understanding”, the City would review such plans as a part of its land use decision making process in an effort to reduce or avoid conflicts.

Urban Sprawl.

**Objective (g), Policies 1, and 2** of the Future Land Use Element address the control of Urban Sprawl. In order to implement this objective and these polices, the following actions shall be taken:

(a) In order to encourage infill development as an attractive alternative and to promote compact growth, the City shall provide utilities and related services to those developments that take place in areas already served by public facilities and services on a first priority basis.

(b) The City shall issue development orders and plan public facility improvements and expansions in a manner which supports implementation of the Future Land Use Element and Map, which is consistent with the Capital Improvement Element and closely adheres to the urban Development Area boundaries.

(c) The City shall use the joint “Memorandum of Understanding” as the vehicle to establish interlocal agreements with the County to plan for and extend public facilities and services beyond the corporate city limits.

(d) The City shall coordinate all development requiring municipal services with Polk County and adjacent municipalities and promote an urban growth pattern, within the City, that is orderly, compact and compatible with the existing and proposed character of the City.
Land for Future Public Facilities.

Objective (h), Policy 1 of the Future Land Use Element addresses the provision of suitable land for public facilities needed to support future growth and development. At present, the projected population and supporting services can be accommodated utilizing the lands containing the present public facilities. However, the City shall indicate on the Future Land Use Map those areas that may later be determined to be needed for future facility expansion. In conformance with the concurrency objectives of the Comprehensive Plan, the City shall ensure that suitable land is available for public facilities to support proposed development and incorporate into the land development regulations and concurrency management system by 2010.

Development Regulations.

Objective (i), Policies 1, 2, 3, and 4 of the Future Land Use Element address the methods and techniques which will be used to manage and regulate future growth and development. Management of future growth and development shall be through the preparation, adoption, implementation, and enforcement of land development regulations.

In order to implement this objective and these policies, the following actions have been taken:

(a) The City revised its existing development regulations and adopted new provisions where needed to implement the Future Land Use Element and Map. These revised and new regulations address at a minimum, (1) consistency with the Future Land Use Element; (2) protection of lands designated for conservation; (3) regulation of lands subject to seasonal and periodic flooding; (4) provisions for adequate drainage and storm water management; (5) protection of potable water wells and aquifer recharge areas; (6) safe and convenient on-site traffic flow and vehicle parking needs; (7) development of regulations which provided methods for utilizing new and innovative land development techniques; (8) the subdivision of land; (9) development of a thorough and systematic site plan review process; (10) provisions that development orders will not be issued which result in a reduction below the adopted level of service; and (11) establishment of densities and intensities of use for each land use category.

(b) The City shall adopt development regulations that assure the public that post development runoff will not exceed pre-development runoff.

(c) The City shall coordinate land development regulation revisions and the development of its Future Land Use Map with Polk County to the maximum extent feasible.

(d) Property owner rights shall be protected through possible compensation if it is determined that reasonable use of property is denied.

(The following was approved as per the Stipulated Settlement Agreements entered into by the City of Haines City and the DCA under LUPAs 05-01 and 06-01 and finalized in March
and April of 2007).

(c) **Site Plans.** The land development regulations shall establish a site plan requirement. The site plan review process shall require that proposed development applications include a site plan that demonstrates compliance with the Comprehensive Plan, applicable Selected Area Plans, and all applicable land development regulations, including, but not limited to, land use regulations, setbacks, open space, buffer yards, landscaping and tree planting specifications, outdoor lighting, signage, appearance of site and structures, performance standards governing potential noxious or otherwise adverse impacts, environmental protection, off-street parking and safe and convenient internal circulation, design of outside operations such as loading and unloading and permitted outside storage, traffic generation, and requisite infrastructure and on- and off-site improvements.

The City shall prepare “Selected Area Plans” for special purposes, including redevelopment of the central business district, development of large undeveloped or underdeveloped areas experiencing land use transition that are directly or indirectly linked with a major thoroughfare, newly annexed areas or areas proposed for annexation. Selected Area Plans must be consistent with the adopted Growth Management Plan. If the Selected Area Plan includes policy that is inconsistent with the Growth Management Plan, the Growth Management Plan must be amended prior to the effective date of the Selected Area Plan in order to ensure compliance with the “consistency doctrine.”

**Development Regulations.**

(a) **Objective (i), Policy 1** of the Future Land Use Element addresses those lands which are located in the 100-year flood plain, as identified by the Federal Emergency Management Agency Flood Insurance Rate Maps, residential densities shall not exceed one dwelling unit for each 5 acres and for non-residential development not more than 5% of the land area shall be covered with structures and no more than 8% of the land area may be covered with impervious surfaces.

**Future Land Use Map.**

**Objective (j), Policies 1, 2, 3, and 4** of the Future Land Use Element address the development of a series of future land use classifications which shall be used for locating permitted uses on the Future Land Use Map. The location and density of future development shall be directed to appropriate areas, as illustrated on the Future Land Use Map, consistent with the goals, objectives and policies of the Comprehensive Plan.

In order to implement this objective and policies, the following actions shall be taken:

(a) Polk County and the participating cities have worked to develop a minimum of four major “area” classifications that are to be used as overlay district designations on the Future Land Use Map. These designations are (1) Urban Development Areas, (2) Urban Growth Areas, (3) Suburban Development Areas and (4) Rural
Development Areas. Haines City will use only the Urban Development Area designation and shall have all of the land within its entire corporate boundary classified as part of this overlay district. The Urban Development Area is defined in the definition section of the Element.

(b) The proposed County Future Land Use Plan contains activity center designations scaled to meet regional, community, neighborhood and convenience commercial needs. The City of Haines City shall utilize the following criteria for the designations of Community Activity Centers, Neighborhood Activity Centers and Convenience Centers on the Future Land Use Map.

Community Activity Centers shall be located within the Urban Development Area and are intended to accommodate the shopping, business and service needs of residents of the City and surrounding area population. General characteristics of Community Activity Centers are:

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Specifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor Area Ratio (FAR)</td>
<td>0.35</td>
</tr>
<tr>
<td>Usable Site Area</td>
<td>20 to 60 acres</td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>150,000 to 400,000 square feet</td>
</tr>
<tr>
<td>Min. Population Served</td>
<td>20,000 to 50,000 people</td>
</tr>
<tr>
<td>Market Area Radius</td>
<td>2 miles or more</td>
</tr>
<tr>
<td>Typical Lead Tenant</td>
<td>Variety, department, discount store, retail sales</td>
</tr>
<tr>
<td>Other Typical Tenants</td>
<td>Supermarket, theater, offices, drug store, Post Office, professional services, restaurant and related services.</td>
</tr>
<tr>
<td>Transitional Uses</td>
<td>Medium and high density residential, (50% max. land area) institutional (10% max. land area), open space.</td>
</tr>
</tbody>
</table>

Neighborhood Activity Centers shall be located within the Urban Development Area and are intended to accommodate the shopping, business and service needs of residents of the City and the adjacent surrounding population. General characteristics of Neighborhood Activity Centers are:

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Specifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Intersections of arterial roads or along arterial roads; minimum travel distance of two miles between Neighborhood Activity Centers within the Urban Development Area.</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>0.35</td>
</tr>
<tr>
<td>Usable Site Area</td>
<td>5 to 20 acres</td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>20,000 to 150,000 square feet</td>
</tr>
<tr>
<td>Min. Population Served</td>
<td>5,000 to 10,000 people</td>
</tr>
<tr>
<td>Market Area Radius</td>
<td>1-1/4 miles or more</td>
</tr>
<tr>
<td>Typical Lead Tenant</td>
<td>Supermarket, related retail sales</td>
</tr>
<tr>
<td>Other Typical Tenants</td>
<td>Office, convenience store, service station, drug store, gas station, related commercial services.</td>
</tr>
</tbody>
</table>

(c) The City shall use a modified version of a Polk County land use designation known as Business Park Centers. The following criteria shall be utilized for the designation of Business Park Centers on the Future Land Use Map:
Business Park Centers and Commerce Parks may be located within the Urban Development Area providing the necessary public facilities and services are available or scheduled to be available at the time of issuance of any development order. Business Park Centers and Commerce Parks are intended to provide locations for the placement of establishments to accommodate commercial trades; warehousing and wholesale activities; light and medium industrial and manufacturing activities that are located on site with a minimum of two (2) acres and are setback, buffered, and landscaped from the gateway corridors as well as less intensive uses to ensure green open space buffers adjacent to street frontages and land uses that are less intensive, open space for access to light, access for maintenance and emergency services and to provide visibility for motorists entering and exiting the site. Industrial and manufacturing activities must submit site plan drawings illustrating structures, facilities, and operations including scale, mass, intensity, elevations and design that demonstrate compatibility with existing and planned land use on adjacent properties; shall incorporate buffer yards, screening, landscape and design specifications. The following land uses are prohibited within a Business Park Centers and Commerce Park: salvage yards, storage of explosive materials, sale of automobiles, trucks, recreational vehicles, campers or other large machinery and equipment; campgrounds, flea markets, sexually oriented business such as adult entertainment, or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager. General characteristics of Business Park Centers and Commerce Parks are:

**Location:** Intersections of arterial roads or along arterial roads and preferably with rail access.

**Floor Area Ratio:**

0.70

**Usable Site Area:**

5 acres or more

**Gross Floor Area:**

200,000 to 1,000,000 square feet

**Min. Population Served:**

10,000 or more people

**Market Area Radius:**

20 miles or more

**Typical Lead Tenant:**

One or more light assembly plants, or warehouse facility, employing at least 50 people.

**Other Typical Tenants:**

Office, distributors, research and development.

(d) **Professional Institutional Center (PIC-NR)**

The Professional Institutional Center (PIC_NR) shall be an Activity Center Future Land Use Map designation only within the US 17/North Ridge SAP and shall be designed to allow health related and professional facilities and other support businesses. The following policies are applicable to development on lands designated
PIC-NR:

1. **Characteristics.** The PIC-NR is intended to accommodate the employment and functional needs of the medical community as well as associated uses and retail and commercial uses to serve the employees within the PIC-NR. The PIC-NR will generally contain medical offices and support facilities including uses to support the employee population. General characteristics of land designated PIC-NR shall be as follows:

   a. **Approximate Size:** 10 acres or more
   b. **Gross Leasable Area (GLA):** More than 3,000 square feet
   c. **Minimum Population Support:** More than 2,500 people
   d. **Market-Area Radius:** More than 2 miles
   e. **Typical Tenants:** Services to persons needing professional and medical services such as administrative, clerical, or professional duty offices, doctors offices, hospitals, pharmacies, medical supply retail stores, assisted living facilities, nursing homes, and small scale retail stores and services for the clients and employees of the land use category. Hotels and motels are also permitted to serve the users of the districts.

2. **Residential Use Restricted.** Residential is not permitted as a primary use, but shall be permitted on a site with twenty acres or more duly approved as a traditional neighborhood planned unit development, including special design criteria requiring that the residential development be part of a vertically mixed use structure. The residential units shall be located above ground floor commercial development and the density shall comply with medium density residential threshold and the height of a mixed use building shall be limited to one story of ground level commercial and two stories of residential use--a height cap of 3 stories for mixed-use buildings. [Source: PC Comp Plan Appendix 2.131-Q1 & Policy 2.131-Q-4 (K-e) “North Ridge Selected Area Plan.” See FLUE, page B-7 special residential” allows 15-25 du/ac. but the SAP is more restrictive, see page HH-6.]

3. **Floor Area Ratio.** The maximum floor area ratio (FAR) shall be 0.70. Higher FARs, not to exceed 1.25, will be allowed when duly approved as a conditional use pursuant to criteria in Policy 1.1.2.

4. **PIC-NR Land Use Density and Intensity.** Retail and commercial uses may only be developed as part of a bona fide vertically mixed use structure. The residential units shall be located above ground floor office and/or commercial development and the density shall be no greater than fifteen dwelling units per acre and the height of a mixed use building shall be limited to one story of ground level commercial and two stories of residential use--a height cap of 3 stories for mixed-use buildings. The maximum ISR shall be 0.7 in all cases. [See PC Comp Plan Appendix 2.131-Q4-K(C) (f) “North Ridge Selected Area Plan,” The less restrictive ISR in CARM is 0.70. See PC Comp Plan Appendix 2.131-Q4-K(C) (g) “North Ridge Selected Area Plan” for more intense alternative.]
## PIC-NR US 27 NORTH RIDGE LAND USE DENSITY AND INTENSITY

<table>
<thead>
<tr>
<th>DENSITY (units/acre)</th>
<th>FLOOR AREA RATIO (FAR) Only Applies to Non-residential Floor Area</th>
<th>IMPERVIOUS SURFACE RATIO (ISR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Use Only Permitted as a Planned Unit Development Use within a Vertically Mixed Use Structure (TND)</td>
<td>Basic Non Residential Development Over 0.35 FAR Must Be Duly Approved as a Conditional Use⁴</td>
<td>Vertically Mixed Use (TND) Development Only Permitted on Sites 20 Acres or More and Must Be Duly Approved as a Planned Unit Development²,³</td>
</tr>
<tr>
<td>15 u/a</td>
<td>0.35</td>
<td>1.25</td>
</tr>
</tbody>
</table>

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1. Densities and intensities in the Green Swamp Upland Transition Area located east of the Core Area of Critical State Concern (GSACSC). The Green Swamp Core Area is defined in Policy 1.2.1.

2. Vertically mixed use development shall be allowed and encouraged within the PIC-NR Future Land Use Map designation on sites of twenty (20) acres or more and such development shall be duly approved as planned unit development which must incorporate the best management principles and practices of “traditional neighborhood design” or “new urbanism.” Buildings within a vertically mixed use development (TND) shall be allowed to a maximum of three stories with up to two stories of residential above the non-residential use. FAR applies to non-residential use only.

3. Commercial development within vertically mixed use traditional neighborhood development shall not exceed an ISR of 60% unless the lots are part of a site plan which maintains an overall ISR of 50%. [PC Comp Plan Appendix 2.132 “Critical Area RMP,” Policy 2.132-B-9].

4. Vertically mixed use development shall be allowed and encouraged within the PIC-NR Future Land Use Map designation on sites of twenty (20) acres or more and such development shall be duly approved as planned unit development which must incorporate the best management principles and practices of “traditional neighborhood design” or “new urbanism.” Buildings within a vertically mixed use development (TND) shall be allowed to a maximum of three stories with up to two stories of residential above the non-residential use. FAR applies to non-residential use only.

The City shall use the following criteria as a guideline for locating Residential land uses in the Urban Development Area of the Future Land Use Map:

- **Low Density Residential:** 0 to 4 dwelling units per acre, 31%
- **Medium Density Residential:** 5 to 14 dwelling units per acre, 29%
- **High Density Residential:** 15 to 30 dwelling units per acre, 7%

**Statement of Intent.** The City shall use the following statements of intent when utilizing the residential future land use categories:
Low Density Residential has been applied to those areas that primarily consist of existing low density, single family detached dwellings established over the past years. As the City expands its boundaries, this classification will have considerable additional application. The primary type dwelling suited for this classification is the free standing or single family detached dwelling unit. Schools, parks and related public uses will be a part of this classification.

Medium Density Residential areas have been utilized where mixtures of dwelling types exist on smaller lots and generally have access to minor arterial and urban collector streets. The primary intent of this classification is to encourage the continuation of mixtures of housing types. These dwelling units should include one and two story apartments, townhouses, duplexes, and singly family dwellings. Schools, parks and related public uses will be a part of this classification. Development activities within the intent of this classification can be achieved where such requirements as minimum land areas are met, open space is provided, public facilities and services are available and access to principal streets is safe and convenient.

High Density Residential future land use classification is available for use but has not been applied to any of the present land areas in the City. The intent of the classification is to encourage various swelling unit mixes, including apartments, townhouses, low rise multiple family dwelling and certain single family type structures. Densities up to 14 dwellings per acre currently do not exist in the City. Such densities will require a high demand for public facilities and services and direct access to principal streets. Schools, parks and related public uses will be part of this classification. It is anticipated this classification will be used as the City expands its corporate limits. However, this will not preclude its use within the present corporate limits if adequate land parcels can be assembled for such uses.

Other Future Land Use classification shall include Institutional; Convenience Center; Commercial Corridors (existing); Commercial Enclaves; Industrial; City, Public Uses, Parks; Schools, Public, Private; Conservation; Wetlands; Agriculture; and are described as follows:

Institutional classifications shall apply to land areas and uses for hospitals, major clinics and related uses including housing for medical staff, pharmacies and medical offices. This designation permits a 0.35 Floor Area Ratio (FAR).

Convenience Center classifications are intended to accommodate the convenience shopping needs of residents living within the immediate surrounding area. General characteristics of Convenience Centers are:

- **Floor Area Ratio:** 0.35
- **Usable Site Area:** 1 to 5 acres
- **Gross Floor Area:** 3,000 to 20,000 square feet
- **Min. Population Served:** 1,000 or more people
- **Market Area Radius:** 1 to 1-1/4 miles or more
- **Typical Lead Tenant:** Convenience Store
- **Other Typical Tenants:** Laundry, dry cleaning, barber, restaurant, gas station
Commercial Corridor classifications are characterized by linear concentrations (strip commercial) of all types of commercial, office, light fabrication and vehicular dealerships along a roadway. New development within Commercial Corridors shall be limited to infilling existing strip commercial lands. Any new infill development within an existing Commercial Corridor shall be limited to a depth which corresponds to the prevailing depth of existing development in the immediate area of the new development. No industrial uses will be permitted as infill within areas designated Commercial Corridor. This land use permits a 0.35 Floor Area Ratio (FAR).

Commercial Enclaves classification are those concentrations of small commercial and offices uses and existing zoning districts which are located outside any activity centers and/or commercial corridors and whose future development or redevelopment will not likely further degrade the City’s growth management program. These enclaves are the result of past zoning and/or annexation actions by the City, which may or may not have been previously developed, but are given official status through their designation on the Future Land Use Map. New development within a Commercial Enclave shall be limited to the development or redevelopment of property zoned commercial at the time of the adoption of this Element. The expansion of establishment of new Commercial Enclaves after the adoption of this Element shall not be permitted. This land use permits a 0.35 Floor Area Ratio (FAR).

Industrial. New land areas designated as Industrial Park after the adoption of this element shall only be so designated when presented to the City as part of a Selected Area Plan. Such uses shall be planned and developed in manner compliant with gateway protection standards as well as urban design standards that advance land use compatibility and standards for site plan development. This land use permits up to a 0.70 Floor Area Ratio (FAR).

City, Public Uses, Parks classifications applies to all City, County, State and Federal lands within the City. This includes parks, offices, municipal buildings and public lands.

Schools, Public, Private classifications applies to all educational buildings and grounds within the City.

Conservation/Wetlands classification applies to all lands designated for conservation purposes within the City. Residential densities shall not exceed one (1) dwelling unit per ten (10) acres.

Agriculture classification applies to all lands qualifying for and receiving green belt exemptions and allows for 1 dwelling unit per 5 acres.

Coordination Between Future Land Use and Transportation Facilities.

**Objective (k), Policy 1** of the Future Land Use Element addresses the coordination between designation of land uses on the Future Land Use Map and the availability of an adequate transportation system to serve these uses.

In order to implement this objective and policy, the following actions shall be taken:

(a) The City shall not approve development orders for any proposed development
that does not meet concurrency.

(b) The City shall coordinate the development of the Future Land Use Map and the Traffic Circulation Element to ensure that new facilities or improvements to existing facilities necessary to support proposed development shown on the Future Land Use Map are provided.

Coordination of Proposed Development Plans with Capital Improvements Element.

Objective (l), Policy 1 of the Future Land Use Element addresses the coordination of a request for public facilities and services with the Capital Improvement Element for funding and timing of delivery of facilities and services. In order to implement this objective and policy, the following actions shall be taken:

(a) The City shall review each request for a development order to determine public facility and service needs, the City’s ability to deliver and the timeframe for delivery and the required payment for such facilities and services.

(b) The City shall not provide public facilities and services to any proposed development if the Capital Improvements Element contains no provisions for delivery of these facilities and services.

(c) Based on the adopted CIE and the adopted Capital Improvements Programs, the City shall only consider approving proposed development plans that meet the adopted concurrency management system requirements.

Corridor or Linear Development.

Objective (m), Policies 1 and 2 of the Future Land Use Element addresses the problems associated with highway “strip development”. In order to implement this objective and policy, the following actions shall be taken:

(a) The City shall develop regulations that provide incentives to combine parcels of land for development purposes and discourage small lot development for commercial and industrial uses by 2010. Provisions shall be made in the regulations to permit certain commercial and industrial uses when they can be made compatible with adjacent uses. Landscaping, earthen berms and setbacks shall be some of the techniques used in developing compatibility requirements.

Highway Visual Design Standards.

Objective (n), Policy 1 of the Future Land Use Element addresses improving the visual appearance of the land areas abutting the rights-of-way of U.S. Highways 17, 27, and 92 through the City. In order to implement this objective and policy, the following actions shall be taken:

(a) An evaluation has been conducted for preparation of a major street tree planting plan and coordinated with the Bartow Office of the Florida Department of Transportation in an effort to improve the visual impact on the public traveling through the City on U.S. Highway 17, 27, and 92.
(b) In preparing Selected Area Plans the City shall develop site specific standards and criteria in order to implement other objectives and policies within the Growth Management Plan. For instance, the City shall include in the selected area planning process design standards intended to implement City objectives for enhancing the visual appearance of gateways leading into Haines City such as US Highway 17, 27, and 92 as well as SR 17 and CR 544. The City shall incorporate in the design criteria a system of flexible regulations that address land use type, intensity, transition in land use and structural characteristics, and appearance of site and structures from the gateway right-of-way, building setbacks, building height and mass, outdoor lighting, as well as landscaping and road frontage tree design and specifications. In addition, the City shall incorporate in the Selected Area Plans urban design specifications that address design of improvements, including on- and off-site vehicular circulation, cross easements, building mass, design of entryways, windows, roofline and building materials used on facades visible from a gateway right-of-way, location and design of service areas such as parking lots, loading and unloading zones, outside storage, or other approved and permitted unenclosed industrial activities. Design criteria shall address and reinforce smooth land use transition; protection of residential areas; control of outdoor lighting, design of signage; landscaped buffer yards; landscaping along street facades; building setbacks that ensure green open space buffers adjacent to street frontages, side and rear yard open space for privacy, access to light, access for maintenance and emergency services and ensure sight visibility for motorist, pedestrians, and bicyclists entering and exiting the premises; off-street parking buffered from right-of-way, restrict location of loading areas, parking of fleet vehicles, and permitted outdoor storage (e.g. screened from gateways), criteria that implements the functions of street trees, including buffers and screening, provision of canopy for purposes of shade, and varied types and specimens to ensure an aesthetic appearance and design consistent with best principles and practices, and improved appearance of building facades along gateway corridors.

(c) The City shall consider administering the adopted Sign and Landscape Regulations to promote attractive corridors for the City’s major street system.

**Impact Fees.**

**Objective (o), Policies 1, 2, and 3** of the Future Land Use Element addresses the assessment of impact fees for all new development within the City. In order to implement this objective and these policies, the following actions shall be taken:

(a) The City will review current impact fee schedules to determine if they in fact do cover the cost of facility improvements as well as consider other facilities which are impacted by new development, but currently do not require impact fee collection.

(b) The City has established an impact fee schedule for all public facilities that will vary in actual amounts collected based on the length of extension or complexity of the facility in order to encourage utilization of close in connections and infill development orders. Developers shall be required to
connect to existing infrastructure.

(c) The City budget shall be constructed in a manner which will minimize the use of ad valorem taxes for construction of new public facilities where demand has been created as a result of new development.

Training and Education.

**Objective (p), Policy 1** of the Future Land Use Element addresses the training of city employees, appointed bodies and elected officials in all aspects of growth management. In order to implement this objective and policy, the following action shall be taken:

(a) The City shall annually budget for employees responsible for growth management activities to attend education programs and seminars to keep current on the implementation requirements of the Growth Management Act. Funds shall be budgeted for all appointed bodies and elected officials to participate in seminars on Growth Management and implementation techniques. The City shall utilize the services and programs offered by the Florida Institute of Government/Polk Community College, Florida League of Cities and related organizations for these purposes.

(b) The City shall provide training and education opportunities to keep employees and other City Officials current with growth management and fiscal responsibilities.
CHAPTER 2
TRAFFIC CIRCULATION ELEMENT

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1. REQUIREMENTS FOR TRAFFIC CIRCULATION GOALS, OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goal statements which establish the long-term end toward which traffic circulation programs and activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal statement which addresses the requirements of Paragraph 163.3177(6)(b), Florida Statutes, (A traffic circulation element consisting of the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways.) And which:

(1) provide for a safe, convenient and efficient and non-motorized transportation system;

(2) coordinates the traffic circulation system with the future land uses shown on the future land use map or map series;

(3) coordinates with the plans and programs of any appropriate metropolitan planning organization, public transportation authority and any appropriate resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet, and the Florida Department of Transportation’s 5-Year Transportation Plan; and

(4) provides for the protection of existing and future rights-of-way from building encroachment.

(c) The element shall contain one or more policies for each objective which addresses implementation activities for the:

(1) establishment of minimum levels of service standards at peak hour for all roads within the local government’s jurisdiction;

(2) control of the connections and access points of driveways and roads to roadways;

(3) provision of safe and convenient on-site traffic flow, considering needed motorized and non-motorized vehicle parking;

(4) establishment of measures for the acquisition and preservation of existing and future rights-of-way; and

(5) consideration of bicycle and pedestrian ways in the planning of transportation facilities.

2. TRAFFIC CIRCULATION MAP

(a) The general location of the following proposed features shall be shown on the future traffic circulation map or map series;
(1) collector roads;
(2) arterial roads;
(3) limited access facilities; and
(4) ports, airports, rail lines, high speed rail lines, and related facilities.

(b) Roadway functional classifications shall be utilized; and may be subdivided into principal, major, or minor levels, and urban and rural categories, if determined by the local government to be appropriate.

(c) The future traffic circulation map or map series shall identify the proposed number of lanes for each roadway.

3. DEFINITIONS

Certain terms are used in the Traffic Circulation Element Rule 9J-5 requirements that need to be identified as to their specific meaning. The following definitions are taken from Rule 9J-5.003:

(a) “Arterial Road” means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

(b) “Collector Road” means a roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.

(c) “Local Road” means a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements and high volume land access for abutting property.

(d) “Level Of Service” means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on the operational characteristics of the facility.

(e) “Limited Access Facility” means a roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access.

(f) “Right-Of-Way” means land in which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for a transportation or utility use.

(g) “Roadway Functional Classification” means the assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, collector roads, and local roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.
4. **PURPOSE**

The purpose of this element is to plan for the future traffic needs of residents and nonresidents who travel within and through the City. As in the past, the Future Land Use Map and the resulting land uses will have the greatest influence on the requirements for improvements in this element. The planning effort must address both motorized and non-motorized traffic circulation systems. Sidewalks and bicycle ways for non-motorized traffic are considered a part of traffic circulation planning.

Goals, objectives and policies (GOP) for adequate traffic circulation are to be established by the City to meet the established needs of the resident and non-resident population. The City shall work with the Florida Department of Transportation, Polk County and the Transportation Planning Organization (TPO).

Potential revenue sources for improvements will come from gas sale taxes, revenue and general obligation bonds, assessment fees and impact fees. Transportation impact fee ordinances have been adopted by many Florida local governments as a means of offsetting roadway improvement costs. Such impact fees must be applied in a manner that directly benefits the development from which it is collected.

5. **BACKGROUND**

Haines City is located in the northeast quadrant of Polk County. It is comprised of approximately 6,358.7 acres and the 2005 population is estimated to be 16,905.

Haines City is served by three roads designated as U.S. Highways. These are U.S. 17, U.S. 27, and U.S. 92.

U.S. 17 serves Florida beginning in the Jacksonville area and meanders southward through central Florida and Haines City on to the Punta Gorda area on the Gulf Coast. Because of the meandering nature and general driving conditions along the route, it is not selected by most through state drivers. Its importance to Haines City is on a local area basis.

U.S. 27 begins its Florida alignment north of Tallahassee and extends southward across the state through Haines City and on to Miami. This is by far the most significant thoroughfare directly serving Haines City.

Beginning in the Tampa Bay area, U.S. 92 is primarily an east-west thoroughfare located south of Interstate 4. It goes through Plant City, Lakeland, Haines City and Kissimmee to the east and then becomes 192 and is continued eastward to the Melbourne area.

There are two other significant roadways serving Haines City: 1) U.S. 27A which originates south of Frostproof and travels north to the center of Haines City, ending at the intersection with U. S. 17/92; and 2) S.R. 544 which originates at U.S. 92 in Auburndale and travels east through the southern portion of Haines City, ending at Lake Marion.

The majority of the commercial activity of Haines City is located on the roadways described in the above paragraphs.

Interstate 4, extending from St. Petersburg eastward across the State to Daytona Beach is located 7 miles to the north of the City.
Therefore the emphasis for traffic circulation should be on moving vehicles through the City as safely and conveniently as possible with signalization as necessary to control major points of ingress and egress. Safety of non-motorized traffic movement is of the utmost concern to the City.

Resident population projections for Haines City for the year 2010 are 32,000 people and 48,230 people for the year 2015. The additional 31,410 people expected to reside in the City by the year 2015 will be housed in single family detached and attached units, multiple family units and some form of manufactured housing. It is anticipated that the major growth directions will be in the southeast and north sides of the City.

The TPO for the Lakeland/Winter Haven urbanized areas adopted a year 2010 Transportation Needs Plan in October 1988. The Plan recommends certain improvements to the areas road network. These improvements are the minimum required to satisfy county-wide traffic demands on the major transportation network. Improvements for collector roads, other than those which are on the computer network, may be required due to level of service factors.

The City is in the process of developing a Selected Area Plan that is projected to be completed in 2007. This Selected Area Plan will encompass the entire service area for the City of Haines City and will set forth all planned future roadways, extensions and upgrades.

One of the important uses for the 2010 Transportation Needs Plan will be to identify future right-of-way needs so that these corridors can be protected from development.

6. TRAFFIC CIRCULATION MAPS

Traffic Circulation Map No. 1 represents the highway functional classification system adopted as part of this Element and is based upon FDOT data and the currently adopted City Comprehensive Plan. There are three categories of roadways; (1) principal arterials, (2) urban collectors - County and (3) urban collectors - City. These are identified on the maps in solid and broken line patterns. Rail lines and proposed high speed rail lines are depicted on the map with a ladder line pattern. Table Nos. 1, 2, and 3 provide a detailed breakdown of these roadways by State, County, and City classifications. This map is located in the pocket at the end of the Plan.

Traffic Circulation Map No. 2 depicts the proposed improvements adopted by the TPO and the City as a part of the 2010 Transportation Needs Plan. There are no new roads proposed for the Haines City area. A request has been made to the Florida Department of Transportation for a new roadway section at the railroad track bridge on U.S. 17/92 (Hinson Avenue) between 10th Street and 17th Street is planned for construction. There are two roadways in the Haines City area projected to be upgraded. These are: 1) U.S. 27 which will change from a 4 lane divided arterial to a 6 lane divided arterial; and 2) U.S. 17/92 (17th Street) from Hinson Avenue to Johnson Avenue will add 2 lanes to become a 4 lane divided arterial in the long-range 2011-2010 Polk County Plan. Additional improvements that are/will be needed in the very near future will be presented to the Florida Department of Transportation and Polk County for consideration under their work program additions.

Location of additional proposed sidewalks and new bikeways will be determined as a part of the Selected Area Plan that is projected to be completed in 2007.
7. **GOALS, OBJECTIVES AND POLICIES**

**Goal**

To provide a safe, efficient and convenient means of motorized and non-motorized traffic movement for residents and non-residents in and through the City. [9J-5.007(3)(b)1.]

**Safe, Convenient and Efficient Transportation System**

(a) **Objective.** The City shall adopt Land Development Regulations to provide a safe and adequate motorized traffic circulation system for its residents and users. [9J-5.007(3)(b)1.]

**Policy.** The level of service standard for freeways and arterials on the Florida Intrastate Highway System shall be level of service “C,” unless otherwise approved by the FDOT. The level of Service standard for arterial, collector and local roadways shall be “D,” with the exception of State Road (SR) 17, a Florida Scenic Highway and US 17-92, between Hinson Avenue and SR 17, in downtown Haines City, both of which shall have a level of service standard of “E”. [9J-5.007(3)(c)1.]

1. **Policy.** The City shall implement a 5 year maintenance schedule for all municipal streets under City jurisdiction. [SCP (20) Transportation (b)6]

2. **Policy.** The City shall implement the intersection visibility requirements contained in the zoning ordinance. [9J-5.007(3)(c)2.]

3. **Policy.** In order to provide greater traffic safety, the City shall maintain no parking zones at street intersections. [9J-5.007 (3)(c)2.]

4. **Policy.** Existing directional, control, parking, information and related traffic signs and signals shall be evaluated for possible changes and needs. [9J-5.007(3)(c)3.]

5. **Policy.** The city shall enforce a landscape maintenance and weed control ordinance that will contribute to traffic safety along all motorized and non-motorized traffic ways. [9J-5.007(3)(c)3.]

6. **Policy.** The City shall coordinate its transportation planning program with the TPO, Polk County and FDOT to maintain provision of a safe and adequate motorized traffic circulation and pedestrian system.

7. **Policy.** US 17-92 Concurrency. US 17-92 is a principal arterial roadway within the City limits of Haines City. Currently, there is a singular segment of the roadway that is projected to not meet the adopted level of service standard due to a constrained typical section. This segment is included in the Polk County Long Range Transportation Plan for improvement and is shown as a cost feasible project. The City will support the funding of this improvement at the earliest possible time and will maintain consistency with the strategies adopted by Polk County and the Florida Department of Transportation necessary to address this deficiency. The City will include this improvement within its five-year capital improvement schedule at such time as it is included in the first five years of the metropolitan planning organization’s plan.
8. **US 17-92, CR 580 and CR 544 Concurrency**: The City shall coordinate with the Polk County Transportation Planning Organization and the Florida Department of Transportation to support the funding of improvements at the earliest possible time along US 17-92 for the SR 17 to Hinson Avenue and US 27 to SR 17 roadway segments, and on CR 580 between Power Line Road and the Osceola County Line and on CR 544 between CR 542 and US 27 to support the following actions:

1) Maintain consistency with the strategies adopted by Polk County and the Florida Department of Transportation necessary to address the deficient segments;
2) Include these improvements within the City’s five-year capital improvement schedule at such time as it is included in the first five years of the Metropolitan Planning Organization’s plan;
3) Conduct an updated study to increase the transportation impact fee schedule to levels consistent with current construction costs and travel characteristics;
4) Establish a procedure to collect proportionate share transportation improvement contributions from all required development; and
5) Identify and take steps to implement the study, design and construction of additional roadway network and linkages that will reduce the demand on specific roadways and improve the distribution and utilization of the existing transportation infrastructure

(b) **Objective.** The City has initiated studies to provide solutions to providing a safe and adequate non-motorized and pedestrian traffic circulation system. [9J-5.007(3)(b)1.]

1. **Policy.** The City is preparing in 2007, for the linking of existing sidewalks and non-motorized traffic ways, to a system of new non-motorized traffic ways. [9J-5.007(3)(c)5.]

2. **Policy.** Funding for recommended improvements contained in the non-motorized traffic plan is scheduled to be included in the FY 2008-2009 Capital Improvements Element. [9J-5.007(3)(c)5.]

3. **Policy.** The non-motorized traffic circulation master plan will be utilized where practical using the existing rights-of-way throughout the City. [9J-5.007(3)(c)3 and 5.]

4. **Policy.** Pedestrian ways and bikeways shall be combined where practical and feasible to keep cost of improvements and maintenance to a minimum. [9J-5.007(3)(c)4.]

**Future Land Use**

(a) **Objective.** Regulations shall be adopted in 1991 contain provisions for future land uses to be provided with a traffic circulation system adequate to meet the needs of the projected users. [9J-5.007(3)(b)2.]

1. **Policy.** Existing City development regulations were evaluated in 1991 and will be evaluated in 2010 to determine what changes, if any, are needed to meet the transportation requirements of the existing and projected population. [9J-5.007(3)(c)3.]
2. **Policy.** A development impact review ordinance was adopted in 1991 which addresses the impacts of development on the motorized and non-motorized traffic circulation system of the City.

3. Haines City shall maintain coordination with adjacent municipalities to insure appropriate coordination with those communities. [9J-5.007(3)(c)3.]

4. **Policy.** The minimum LOS standard for SR 17 shall be LOS “E”. This standard is consistent with the standard established by Polk County for the sections of SR 17 in unincorporated Polk County. [9J-5.007(3)(c)3.] [CR 10(c)(1)]

5. The minimum acceptable LOS for US 17-92, between Hinson Avenue and SR 17 shall be LOS “E” peak-hour. This level of service standard will be reviewed for appropriateness following the conclusion of a detailed traffic study to verify the LOS “E” peak-hour peak-direction volume threshold. The study will be conducted in coordination with the FDOT and the POLK TPO and will adhere to current industry methodologies.

6. In Fiscal Year 2006/2007, Haines City shall conduct a traffic study for US 17-92 between Hinson Avenue and SR 17. The purpose of this study will be to analyze existing and future travel needs, based programmed improvements and approved area development, and to develop related transportation improvements of strategies to address identified deficiencies. This study will also identify an appropriate long-term level of service standard specific to this arterial roadway segment.

7. Development orders, including permits, will not be issued for projects that are served by an arterial or collector roadway operating or projected to operate below the minimum LOS, based on a detailed traffic impact analysis. The traffic analysis required may include the procedures for a Travel Speed and Delay Study (per FDOT requirements) or a Highway Capacity Analysis consistent with the procedures outlined in the 2000 Highway Capacity Manual published by the Transportation Research Board. Should the detailed analysis verify available capacity will exist following approval of the project, development orders may be issued.

8. **Policy.** If determined to be necessary to meet future traffic circulation needs, transportation impact fees shall be developed and adopted by the City. [9J-5.007(3)(c)3. and 4.]

9. **Policy.** In 1991, the existing off street parking requirements for all land uses were reviewed to determine their adequacy to meet current parking needs. [9J-5.007(3)(c)3.]

10. **Policy.** The City shall evaluate the needs for non-motorized vehicular parking areas and equipment in 2010. [9J-5.007(3)(c)3.]

11. **Policy.** The City shall maintain the adopted levels of service for the state and local roadway system, consistent with the adopted Future Land Use Map and concurrency management system.
**Transportation Planning Organization**

(a) **Objective.** The City shall continue to coordinate its traffic circulation plans with those of the Transportation Planning Organization (TPO) for the Lakeland/Winter Haven Urbanized Areas (TPO) and the Florida Department of Transportation (FDOT) 5-Year Transportation Plan. The City shall continue to coordinate its transportation planning policies and strategies with the Transportation Planning Organization (TPO) and the FDOT 5 – year Transportation Plan. [9J-5.007(3)(b)3.] [SCP (20) Transportation (b)3 and 13]

1. **Policy.** The City shall enter into, as part of the Intergovernmental Coordination Element Goals, Objectives and Policies, an interlocal agreement with the TPO for coordination of the City traffic circulation plans with those of the TPO. [CR 10(c)(3)] [SCP (20) Transportation (b)3 and 13]

2. **Policy.** The City shall seek the cooperation and utilize the resources of the TPO for funding of those roadway improvements that fall within the TPO’s priority and funding jurisdiction.

3. **Policy.** The City shall seek the cooperation and utilize the resources of the FDOT for those roadway improvements within the City that fall within the FDOT’s 5-Year Transportation Plan priority and funding jurisdiction.

4. Haines City shall coordinate with public transportation providers operating in areas designated as “Transit Coordination Areas” by the Polk County Comprehensive Plan, and the Polk TPO to support the development of Urban and Rural Transit Service Areas and their implementation and service.

**Preservation of Rights Of Way**

(a) **Objective.** The city shall work to protect existing and future rights of way from building encroachment and other forms of development that would hinder roadway improvements when needed. [9J-5.007(3)(c)4.]

1. **Policy.** The City shall, through the Land Development Regulations, assure the prevention of building encroachment and hindering utilization of right-of-way for street expansion. [9J-5.007(3)(c)4.] [CR 10(c)(5)];[CR 10(c)(9)] [SCP (20) Transportation (b)14.]

2. **Policy.** The City shall, as part of the review process contained in Policy 1., utilize a street setback line on all principal arterials, County urban collectors and City urban collectors. [9J-5.007(3)(c)4.] [CR 10(c)(9)] [SCP (20) Transportation (b)14.]

3. **Policy.** The City shall work toward securing rights-of-way and requiring public-private participation in supporting transportation improvements.

(b) **Objective.** Required right-of-way needs to accommodate projected travel demands on the State, regional and City transportation corridors. [9J-5.007(3)(b)4.]

1. **Policy.** The City shall work with representatives of the TPO and the FDOT to identify the applicable State, regional and City transportation corridor right-of-way
needed for future improvements. [9J-5.007(3)(c)4.] [CR 10(c)(4)] [SCP (20) Transportation (b)3, 13, and 14.]

2. Policy. The City shall determine if compatibility exists between current ROW setback regulations and FDOT/TPO long range transportation improvements.

(c) Objective. The City shall coordinate land development orders with applicable State agencies. [9J-5.007(3)(b)2.]

1. Policy. Driveway access permits for land developments shall be coordinated with FDOT and County DOT as applicable. [9J-5.007(3)(c)2.] [CR 10(c)(7)]

2. Policy. The City shall coordinate transportation permitting requirements with appropriate State and County agencies.
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1. REQUIREMENTS FOR HOUSING ELEMENT GOALS, OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goal statements which establish the long-term end toward which housing programs and activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal statement which address the requirements of Section 163.3177(6)(f), Florida Statutes, and which provide for:

1. adequate and affordable housing conditions, and for the structural and esthetic improvement of existing housing;

2. the elimination of substandard housing conditions, and for the structural and esthetic improvement of existing housing;

3. adequate sites for housing for low and moderate income families and for mobile homes;

4. adequate sites in residential areas or areas of residential character for group homes and foster care facilities licensed or funded by the Florida Department of Health and Rehabilitative Services;

5. the conservation, rehabilitation or demolition of housing, including the identification of historically significant housing;

6. relocation housing; and

7. the formulation of housing implementation programs.

(c) The element shall contain one or more policies for each objective which addresses implementation activities for the:

1. involvement, including partnerships, of local government with the private and non-profit sectors to improve coordination among participants involved in housing production;

2. improvement in the regulatory and permitting process, if deemed necessary by the local government;

3. establishment of standards addressing the quality of housing, stabilization of neighborhoods and identification and improvement of historically significant housing;

4. establishment of principles to guide conservation, rehabilitation and demolition program techniques and strategies;

5. establishment of principles and criteria guiding the location of housing for low and moderate income families, mobile homes, group homes and foster care facilities, and households with special housing needs including rural and farm worker households,
and including supporting infrastructure and public facilities;

6. establishment of principles and criteria guiding the location of group homes and foster care facilities licensed or funded by the Florida Department of Health and Rehabilitative Services that foster non-discrimination, and encourage the development of community residential alternatives to institutionalization including supporting infrastructure and public facilities;

7. consideration of the utilization of federal, state and local subsidy programs; and

8. provision of relocation housing.

2. **PURPOSE.**

Home ownership has been and is today considered by many an American birthright. However, those individuals and families struggling to simply find and keep a weatherproof roof over their heads have a different perception of this concept.

Nationally, almost one-third of American households today are unable to obtain adequate housing at affordable prices. The incidence of housing problems is highest among the poor: more that two-thirds of very-low income households live in deficient or crowded housing, or pay excessive housing cost; and the supply of units affordable for the poor will house only about half of the number of poor households. But affordability problems are reaching higher income levels, and moderate-income households and young families are increasingly being squeezed out of adequate housing as well. One reason for this is the “domino effect” in which poor households, often with great financial difficulty, occupy a large share of moderate-cost housing, pushing some moderate-income families into higher-priced housing that they too can ill afford.1

Another area of deficiency is the scarcity of dwelling units that offer the special features and services needed by physically and mentally handicapped persons and by the growing population of frail elderly.

Safe and affordable housing has become only a dream for them because of continuing increase in cost for the product. In Florida, and more specifically in Polk County, this trend is unlikely to be altered in the 10 year planning time frame. In an effort to protect the environment which initially attracted so many to the area and the necessity of paying for past unchecked development impacts, existing and future residents are going to be required to “pay the piper”. Such payments will be in the form of impact fees, user fees, service charges and property taxes to cite a few examples. All of these increased costs will be add-ons to the price the public will pay for the right to own and/or occupy a space to live.

The purpose of this element therefore is not only to meet the minimum requirements of Rule 9J-5, but by formal action to establish a reasonable framework for providing affordable housing opportunities for the present and future residents of the City. Both public and private resources will be essential to realize this purpose. The private sector, builders and developers, will continue to be responsive to the market demands and opportunities provided development regulations are reasonable. Public resources will not necessarily be generated only on a local basis but may involve available assistance from Federal, State and County sources.

For this element to be successful, intergovernmental coordination will be extremely important. Adequate provision of housing for the projected population will require close coordination between
the County, the City and State agencies for the necessary water, sewer and other infrastructure components necessary to service these residents.

In concert with the necessity for provision of housing for new residents, the City must likewise exert strong emphasis on rehabilitation and/or demolition of the 153 identified substandard dwelling units scattered throughout the City, some in concentrations, others not so readily apparent.4

3. DEFINITIONS.

Certain terms are used in the Housing Element Rule 9J-5 requirements that need to be identified as to their specific meaning. The following definitions are taken form Rule 9J-5.003:

(a) “Foster Care Facility” means a facility which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents and serving either children or adult foster care residents.

(b) “Group Home” means a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes or emergency shelters.

(c) “Low And Moderate Income Families” means “lower income families” as defined under the Section 8 Assisted Housing program, or families whose annual income does not exceed 80 percent of the median income for the area. The term “families” includes “households”.

(d) “Mobile Home” (manufactured home) means a structure, transportable in one or more sections, which, in traveling mode, is eight body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development table certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards.

(e) “Relocation Housing” means those dwellings which are made available to families displaced by public programs, provided that such dwellings are decent, safe and sanitary and within the financial means of the families or individuals displaced.

(f) “Residential Uses” means activities within land areas used predominantly for housing.

4. GOALS OBJECTIVES AND POLICIES.

Goal.

In order to preserve and protect the quality of life in Haines City, provide opportunities to insure that the public receives decent, safe and sanitary housing of a type, size, location and cost to meet the needs and requirements of current and future residents. [9J-5.010(3)(a)]
Housing Needs.

(a) Objective. The City shall assist private enterprise and the nonprofit housing providers in securing additional dwelling units needed to accommodate the projected population expected to reside in the City. [9J-5.010(3)(b)1]; [9J-5.010(3)(b)7] [CR 1(a)] [SCP (5) Housing (b)3]

1. Policy. The City adopted development regulations, construction codes and permitting processes to determine if excessive requirements exist and took appropriate steps to amend them where necessary in order to assist private enterprise and nonprofit providers in meeting the projected housing needs. [9J-5.010(3)(c)2] [CR 1(a)] [SCP (5) Housing (b)4]

2. Policy. The City shall implement a program to systematically seek funding assistance from Federal, State, County and private sources to assist in meeting the housing needs of the existing and projected additional households. [9J-5.010(3)(c)7] [CR 1(a)]; [CR (1)(c)(2)] [SCP (21) Governmental Efficiency (b)13]

3. Policy. The City shall implement a monitoring program to measure the efficiency and effectiveness of the private/nonprofit housing delivery process in meeting established future housing needs. [9J-5.010(3)(c)1] [CR 1(a)]

4. Policy. The City shall assist the private sector to provide sound and affordable housing to meet the needs of existing and anticipated households.

Housing and Construction Standards.

(b) Objective. Provide the current and future City residents with the assurance of adequate individual living space and minimum construction standards for all housing units built within the corporate limits. [9J-5.010(3)(b)1]; [9J-5.010(3)(b)2]

1. Policy. The city shall implement the 2006 minimum housing code. [9J-5.010(3)(c)3] [CR 1(b)], [CR 1(c)(1)]

2. Policy. The City adopted by reference, the applicable State Laws and Statutes which eliminate de facto and de jure housing discrimination. [CR 1(b)(1)] [SCP (5) Housing (b) 1]

3. Policy. The City implemented all non-discrimination policies and/or laws regarding “Fair Housing” to insure that all households seeking housing are treated equally. [CR 1(b)(2)] [SCP (5) Housing (b)1]

4. Policy. The City adopted all current Standard Building Code Congress codes and updates adopted by the Congress on a systematic basis and shall review such codes for applicability on an annual basis. [9J-5.010(3)(c)7] [CR 1(c)(4)]

5. Policy. The City shall work with private enterprise to establish a public/private partnership to assist in the conservation and/or rehabilitation of substandard housing
units and construction of low and moderate income and special needs housing. [9J-5.010(3)(c)4]; [9J-5.010(3)(c)7]
[CR 1(c)(5)] [SCP (21) Governmental Efficiency (b)13]

6. **Policy.** The City shall implement updated and current City regulations governing the type of construction, utility provisions, size, location and other standard provisions for housing in the City. The City shall review and update a Housing and Building code and other standard codes every five years or when such codes are published, beginning in 2010.

**Infrastructure Needs.**

(c) **Objective.** The City will encourage new housing only in areas where infrastructure is already in place, under construction or where funds are available and committed in the Capital Improvements Element for such improvements. [9J-5.016(4)(b)]
[CR 1(d)(1)]

1. **Policy.** The City shall implement the adopted development and site plan review procedures to insure that all housing necessary infrastructure meeting required levels of service (LOS) or will be at the time of issue of the certificate of occupancy. [9J-5.006(3)(c)1]
[CR 1(d)(1)]

2. **Policy.** Through use of the “Memorandum of Understanding,” the City shall coordinate development standards with Polk County for residential developments currently outside and not adjacent to the corporate limits but needing Haines City municipal services so that acceptable minimum standards will be met should they later become a part of the City as part of the Selected Area Plan (SAP) to be adopted in 2007.

3. **Policy.** The City shall encourage infill housing and redevelopment of substandard housing units, and areas where the supporting infrastructure is in place and the City shall adopt a goal of eliminating 15 substandard units per year. New housing development shall meet the concurrency management requirements of the City.

**Care Facilities.**

(d) **Objective.** Adopt development regulations to permit community residential homes as provided for in Chapter 419, F.S. and nursing homes, adult congregate living facilities, adult day care facilities and similar care facilities as provided for in Chapter 400, F.S. [9J-5.010(3)(b)4]
[CR 1(e)] [SCP (5) Housing (b)2]

1. **Policy.** The Future Land Use Element shall provide for the inclusion of licensed care facilities as a part of the land uses permitted in residential land use classifications. [9J-5.010(3)(c)6]
[CR 1(e)(2)] [SCP (5) Housing (b)2]

2. **Policy.** The City adopted development regulations to insure that licensed care facilities are permitted in areas of residential character. [9J-5.010(3)(c)6]
[CR 1(e)(1)] [SCP (5) Housing (b)2]
3. **Policy.** The City shall provide criteria for the location of sites suitable for licensed care facilities. [9J-5.010(3)(c)6] [SCP (5) Housing (b)2]

4. **Policy.** The City shall maintain within the development regulations, the provisions to allow community residential homes as provided for in Chapter 419, F.S. and nursing homes, adult congregate living facilities, adult day care facilities and similar care facilities as provided for in Chapter 400, F.S.

**Specialized Housing.**

(e) **Objective.** Adopt development regulations which will provide opportunities for siting of housing units meeting the projected needs of the low and moderate income families and manufactured mobile housing residents. [9J-5.010(3)(b)3] [SCP (5) Housing (b)3]

1. **Policy.** The Future Land Use Element shall provide for the inclusion of low and moderate income housing and manufactured housing as a part of the residential land use classifications. [9J-5.010(3)(c)5] [SCP (5) Housing (b)3]

2. **Policy.** The City adopted its development regulations to insure that provision is made to provide adequate sites for low and moderate income housing and manufactured housing. [9J-5.010(3)(c)5] [SCP (5) Housing (b)3]

3. **Policy.** The City adopted criteria for location of sites suitable for low and moderate income housing including the required infrastructure and related public facilities. [9J-5.010(3)(c)5] [SCP (5) Housing (b)3]

4. **Policy.** The City adopted criteria for location of sites suitable for manufactured housing including the required infrastructure and related public facilities. [9J-5.010(3)(c)5] [SCP (5) Housing (b)3]

5. **Policy.** The City shall provide manufactured housing units to be located within the corporate limits as provided for by Florida Statute 320.827 and 320.8285. Factory built housing shall be permitted in the City as provided for by Florida Statute 553, Part IV, Factory Built Housing.

6. **Policy.** The City shall implement a provision be placed in the development regulations which will mandate that all new manufactured housing and recreational vehicle developments be provided, at the expense of the developer, with shelter space sufficient to meet the needs of the development’s projected hurricane season population. [CR (7) Public Safety (d)3]

7. **Policy.** The City shall maintain the provisions in the development regulations to permit the development of low to moderate income homes continue the review of the
development regulations for streamlining procedures to encourage the development of infill housing for low to moderate income families.

**Historically Significant Housing.**

(f) **Objective.** The City will establish a program which will provide for the identification and conservation of historically significant housing. [9J-5.010(30(b)5]

1. **Policy.** The City shall, in 2011, develop a program including standards, for identification and inspection of historically significant housing. [9J-5.010(3)(c)3]

2. **Policy.** The City shall request, in 2011, the State Bureau of Historic Preservation to provided technical assistance and/or grants to establish standards and assess structures built prior to 1940 before authorizing demolition activities. [9J-5.010(3)(c)3]

3. **Policy.** The City shall develop, in 2011, qualification criteria and a program for seeking financial assistance for the preservation and rehabilitation of historically significant housing. [9J-5.010(3)(c)3]; [9J-5.010(3)(c)7]

4. **Policy.** The City shall maintain an inventory of all significant historical structures and lands and shall establish a program by 2011 for seeking financial assistance for the preservation and rehabilitation of historical properties.

**Relocation.**

(g) **Objective.** Develop a program to provide assistance for those households displaced as a result of Federal, state and local programs including code enforcement actions. [9J-5.010(3)(b)6]

1. **Policy.** The City shall adopt a program and qualification criteria designed to assist low and moderate income households required to relocate as a result of minimum housing code enforcement actions. [9J-5.010(3)(c)8]

2. **Policy.** The City shall adopt guidelines to work with low and moderate income households required to relocate as a result of Federal or State actions. [9J-5.010(3)(c)7]

3. **Policy.** The City shall work through the Polk County Community Development Division in seeking financial assistance for relocation housing for families displaced as a result of minimum housing code enforcement actions. [9J-5.010(3)(c)7]

4. **Policy.** The City shall maintain its program for assisting households displaced as a result of governmental programs with relocation assistance.
CHAPTER 4
CONSERVATION ELEMENT
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1. REQUIREMENTS FOR CONSERVATION GOALS, OBJECTIVES AND POLICIES

(a) The element shall contain one or more goal statements which establish the long-term end toward which conservation programs and activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal statement which addresses the requirements of Paragraph 163.3177(6)(d), Florida Statutes, and which:

1. consider air quality;
2. conserve, appropriately use and protect the quality and quantity of current and projected water sources;
3. conserve, appropriately use and protect minerals, soils and native vegetative communities including forests; and
4. conserve, appropriately use and protect fisheries, wildlife habitat and marine habitat.

(c) The element shall contain one or more policies for each objective which addresses implementation activities for the;

1. protection of water quality by restriction of activities known to adversely affect the quality and quantity of identified water sources including existing cones of influence, water recharge areas, and water wells;
2. conservation, appropriate use and protection of areas suitable for extraction of minerals;
3. protection of native vegetative communities from destruction by development activities;
4. emergency conservation of water sources in accordance with plans of the regional water management district;
5. restriction of activities know to adversely affect the survival of endangered and threatened wildlife;
6. protection and conservation of the natural functions of existing soils, fisheries, wildlife habitats, rivers, bays, lakes, floodplain, harbors, wetlands including estuarine marshes, beaches and shores, and marine habitats;
7. protection of existing natural reservations identified in the recreation and open space element;
8. continuing cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local
jurisdiction; and

9. designation of environmentally sensitive lands for protection based on locally
determined criteria which further the goals and objectives of the conservation
element.

2. PURPOSE

Florida has developed as a primary and second home state for people through the years, principally
because of the State’s existing natural resources and favorable environmental conditions. These
natural resources include air, water, abundant sunlight, beaches, shorelines, marshes, streams,
wildlife, minerals, forest resources, agricultural lands and related systems. Due to the heavy influx
of relocating families, industry, commerce and the tourist business, many of these natural resources
are being severely altered, endangered or in some cases depleted.

The purpose of this element, therefore, is to evaluate the present natural resources in the City and to
establish goals, objectives and policies whereby these resources can be managed and conserved for
current and future use by the City’s residents.

It is important to note that even through a City adopted Comprehensive Plan has official status only
within its jurisdiction, natural resources are not confined to artificially created boundaries. Because
of this, adjacent jurisdiction natural resources are of significant value in the City’s conservation
efforts.

In order to accomplish these purposes the City will need to coordinate its plans in a cooperative
venture with other agencies and local governments. These steps will be necessary not only for
fulfillment of the plans but for funding certain programs that may be necessary in the
implementation process.

3. BACKGROUND

The most important visible natural resource in Haines City are the lakes. They are Lakes Tracy,
Eva, Brown, Elsie, Hester, Alice and Butler. The present corporate limits contain portions of Lakes
Lowery, Little Lake Hamilton, Tower, Engineers, Joe and Brooks. Geographically, these bodies of
water are scattered throughout the City and provide approximately 964 surface acres. The measured
shorelines of Lakes Eva and Tracy total 4.8 miles or 25,344 lineal feet.1 The general public has
access to approximately 1,300 lineal feet (5%) of this frontage.2

Haines City has many other natural resources as well. These include the wetlands associated with
the lakes system, good drinking water, clean air and soil conditions generally suitable for urban uses.

Major residential growth will likely occur in the southeast quadrant of the City with other
development scattered in the remaining quadrants. It is anticipated that additional lands in the
unincorporated area adjacent to the southeast quadrant and on the north and northwest of the City
will be annexed within the year 2015 planning time frame. Close coordination with the County will
be necessary for these unincorporated areas to be developed in a manner compatible with the City’s
goals of protecting while enjoying the use of the natural resources.

The goal, objectives and policies stated below will provide the basis for the City to protect, preserve
and conserve its natural resources for present and future generations to enjoy.
4. **GOALS, OBJECTIVES AND POLICIES**

**Goal**

To conserve, protect and manage natural resources within Haines City in a manner appropriate to ensure the highest environmental quality possible for current and future residents. [9J-5.013(2)(a)]

**Air Quality**

(a) **Objective.** Haines City will continue and in 1991 will strengthen its development regulations to meet the applicable minimum air quality standards set by the Florida Department of Environmental Protection (DEP) and the Environmental Protection Agency (EPA). [9J-5.013(2)(b)]

[SCP (11) Air Quality (b)1]

1. **Policy.** The City adopted and will implement air quality standards through the use of industrial performance standards in the Land Development Regulations. [9J-5.013(2)(b)1] [SCP(11) Air Quality (b)1]

2. **Policy.** The City shall coordinate work with the DEP in testing for possible violations of air quality standards. [9J-5.013(2)(b)1] [SCP (11) Air Quality(b)1 and 2]

3. **Policy.** The City adopted and will implement provisions in its development regulations which will contain the best management practices for minimizing unconfined emissions generated by construction activity. [CR 11(1)(a)6]

4. **Policy.** The City shall cooperate with DEP and other air quality programs and shall re-evaluate its Land Development Regulations and performance standards to ensure compliance with air quality standards.

**Surface Water**

Surface water quality protection from new development within the City as a result of development regulations to be adopted in 1991. [9J-5.013(2)(b)2]

1. **Policy.** Stormwater run-off from new developments will be directed to retention systems that will provide treatment that meets DEP and Southwest Florida Water Management District (SWFWMD) minimum requirements. [9J-5.013(2)(c)1]; [9J-5.013(2)(c)6] [CR 3 (d)(3)] [SCP (8) Water Resources (b)10]

2. **Policy.** The requirements for stormwater retention systems were adopted and will be implemented in the site plan review process within the City development regulations in compliance with State water quality standards as defined in Section 17-3, FAC. [9J-5.013(2)(c)1]; [9J-5.013(2)(c)3] [CR 3 (d)(1)]; [CR 2 (d)(3)] [SCP (8) Water Resources (b)10]

3. **Policy.** Within the corporate limits, the City shall coordinate with DEP, DNR, SWFWMD,
and the County to improve compliance with the dredge and fill permitting process. [9J-5.013(2)(c)1]; [9J-5.013 (2)(c)3]; [9J-5.0113 (2)(c)8] [CR 3 (d)(3)]

4. **Policy.** The City shall re-evaluate its Land Development Regulations and requirements for stormwater retention systems to meet the water quality treatment requirements of FDEP and SWFWMD in 2011.

(b) **Objective.** Development regulations were adopted and will be implemented to protect the natural functions of the 100-year floodplain around the lakes and within wetlands. [9J-5.013(2)(c)6] [SCP (8) Water Resources (b)8]

1. **Policy.** The City shall protect life and property and protect and preserve natural open spaces and lakes. [9J-5.013(2)(c)9] [CR 3(d); [CR 3(d)(2)] [SCP (8) Water Resources (b)8]

2. **Policy.** The Flood Hazard Zoning District shall meet the most current requirements of the National Flood Insurance Program regulations. [CR 3(d)(2)] [SCP (8) Water Resources (b)8]

3. **Policy.** The City adopted Land Development Regulations to protect the 100-year flood plain and shall amend the requirements as necessary to meet the National Flood Insurance Program regulations.

(c) **Objective.** The City will explore the effects of annexation of lakes adjacent to the present corporate limits.

1. **Policy.** The City shall review the resulting environmental effects of annexing the remaining portions of lakes that are already partly within the corporate limits. If it is determined that the lakes will be more consistently protected by being under a single governmental jurisdiction, then the city shall pursue with the local legislative delegation the process of annexing these lakes into the corporate limits.

2. **Policy.** The City shall continue to monitor and assess the water quality of its lakes and coordinate with Polk County in evaluating the merits of annexing the remaining portions of lakes that are only partly within the corporate limits.

**Water Wells**

(a) **Objective.** The current and future potable water supply taken from wells within the City will continue to be good quality and will not be permitted to be degraded. [9J-5.013(2)(b)2] [SCP (8) Water Resources (b)1,5 and 9]

1. **Policy.** The City shall continue, in cooperation with and under FDER guidelines, to monitor groundwater quality and levels. [9J-5.013(2)(c)1] [CR 3(e)(1)]

2. **Policy.** The City has adopted a well protection ordinance which utilizes the cone of
influence study as the basis for establishing the boundaries of a well protection overlay district. [9J-5.013(2)(c)1] [CR 3(b)(1)] [SCP (8) Water Resources (b)1,5 and 9]

3. **Policy.** Adopted Regulations shall protect water recharge areas. [9J-5.013(2)(c)1] [CR 3(b)(2)] [SCP (8) Water Resources (b)2 and 9]

4. **Policy.** The City shall in 2010, continue to implement a program to prevent leaking underground storage tanks and related groundwater contamination. [9J-5.013(2)(c)1] [CR 6(b)] [SCP (8) Water Resources (b)5 and 9]

5. **Policy.** The City shall continue ongoing tank programs, permitting activities and contamination cleanup as required by the Water Assurance Act of 1983 and State and federal tank rules. [9J-5.013(2)(c)1] [CR 6(b)(1)] [SCP (8) Water Resources (b)9]

6. **Policy.** The City shall continue to implement its practices and procedures to ensure that 95% of all domestic and industrial wastewater disposal systems will be properly operated to preclude contamination to the City’s water resources. [9J-5.013(2)(c)1] [CR 6(d)(1)] [SCP (8) Water Resources (b)9]

7. **Policy.** The City shall continue to implement its practices and procedures to ensure that domestic wastewater production is being reduced by 15% based on the 1985 average daily per capita generation of 100 gallons by promoting various water conservation practices, such as provisions in the Land Development Regulations, rate structures, etc. [9J-5.013(2)(c)4] [CR 6(e)(1)] [SCP (8) Water Resources (b)14]

8. **Policy.** The City shall coordinate with Polk County and FDEP and monitor the quality of the potable water supply taken from water wells; annually evaluate its adopted well protection ordinance and adopt appropriate amendments and to evaluate its regulations for protecting its water recharge areas.

(b) **Objective.** Per capita domestic water usage shall be decreased by 15% compared to the 1977-1986 average 10 year levels. [9J-5.013(2)(b)2] [CR 3 Goal(a)]

1. **Policy.** The City adopted and will implement its permanent water shortage ordinance, adapted from the Southwest Florida Water Management District Water Shortage Plan. [9J-5.013(2)(c)4] [CR 3(a)(3)]; [CR 3(c)(1)] [SCP (8) Water Resources (b)2 and 14]

2. **Policy.** Development orders approving land and water uses shall give favorable consideration to plans for domestic waste water systems which use gray water as a source for black water uses and such other uses which do not require potable water. [9J-5.013(2)(c)4] [CR 3(a)(2)]; [CR 3(a)(6)] [SCP(8) Water Resources (b)13]; [SCP(18) Public Facilities (b)10]
3. **Policy.** The City shall adhere to the Florida Water Conservation Act (Section 553.14, F.S.). [9J-5.013(2)(c)4] [CR 3(a)(5)]

4. **Policy.** The City adopted a Water Shortage Ordinance with the objective of continuing to reduce domestic water usage consistent with the Florida Water Conservation Act.

(c) **Objective.** Land and water use approvals shall implement adopted Land Development Regulations that encourage use of native vegetation in domestic, commercial, public and other forms of landscaping to reduce water requirements. [SCP (8) Water Resources (b)2 and 14]

1. **Policy.** The City shall implement adopted Land Development Regulations through its landscape ordinances which encourages use of native vegetation where applicable through a system of incentives. [CR 3(a)(4)] [SCP (8) Water Resources (b)2 and 14]

2. **Policy.** The City shall implement adopted Land Development Regulations through its irrigation ordinance which encourages the use of efficient water conservation technology and practices. [9J-5.013(2)(b)2]

3. **Policy.** The City shall implement adopted Land Development Regulations to enforce its landscape and irrigation ordinances and encourage the use of xeriscape landscaping.

**Minerals.**

There are no known minerals deposits within the City suitable for extraction.

(a) **Objective.** As lands are annexed, the City shall protect, conserve and regulate for appropriate use those lands identified as suitable for mineral extraction. [9J-5.013(2)(b)3]

1. **Policy.** The City shall utilize the services of and coordinate with state agencies such as DEP and DNR and the water management district to ensure that any development orders issued for mining shall minimize the effects of resource extraction on ground water and surface waters. [SCP (14) Mining (b)6]

**Soils.**

The majority of soils within the City, as identified by the SCS in a detailed survey in 1978, are classified Candler and Candler-Urban Complex. Other soil types exist on a scattered and small area basis. No areas were noted by the SCS as having soil erosion problems.

(a) **Objective.** Establish and adopt development regulations which will protect those soils that as yet contain no urban development with major emphasis on prevention of soil erosion. [9J-5.013(2)(b)3]
1. **Policy.** The City shall implement its adopted development regulations which protect those soils that as yet contain no urban development with major emphasis on prevention of soil erosion. [9J-5.013(2)(c)6]

2. **Policy.** The City shall protect native vegetative communities through enforcement of its Land Development Regulations, as well as coordination with Federal and State agencies. By 2010, the City shall review its permitting and development review procedures to ensure compliance with regulatory agencies.

**Native Vegetative Communities.**

There are no identified native vegetative communities within the City. However, should the corporate limits be expanded to include such communities, the City will have in place those regulations necessary to protect these unique conditions.

(a) **Objective.** As lands are annexed, the City will protect all native vegetative communities to the extent permitted by Federal and State regulatory agencies such as COE, DER, DNR and SWFWMD. [9J-5.013(2)(b)3]

1. **Policy.** The City adopted regulations compatible with or by reference to Federal and State regulatory agency rules to protect all native vegetative communities that may be annexed into the corporate limits. [9J-5.013(2)(c)5 and 6]

2. **Policy.** As lands are annexed, the City shall protect all native vegetative communities as a part of the annexation agreement. [9J-5.013(2)(b)4]

3. **Policy.** The City shall protect native vegetative communities through enforcement of its Land Development Regulations, as well as coordination with Federal and State agencies. The City shall continue review its permitting and development review procedures in 2010 to ensure compliance with regulatory agencies.

**Wildlife.**

There are no known threatened or endangered wildlife species or wildlife habitats within the City.

(a) **Objective.** At the time lands are annexed into the City, an evaluation of such properties shall be conducted by the City and property owner to determine if rare, endangered, threatened and special concern species and their habitats exist on site and if so, regulations adopted by the City shall be applied to provide protection for the species and/or habitats. [9J-5.013(2)(b)4] [SCP (10) Natural Systems and Recreational Lands (b)3]

1. **Policy.** The City adopted and will implement its development regulations to protect all rare, endangered, threatened and special concern species and their habitats that may come to exist in the City as a result of annexation of land and water areas. [9J-5.013(2)(c)5 and 6] [CR 4(a)(1)] [SCP (10) Natural Systems and Recreational Lands (b)3]

2. **Policy.** The City adopted regulatory provisions for protecting all rare, endangered, threatened and special concern species and their habitats shall continue to be implemented through the development impact review process. [9J-5.013(2)(c)5] [CR 4(a)(1)] [SCP (10) Natural Systems and Recreational Lands (b)3]
3. **Policy.** The City shall coordinate with the Florida Game and Fresh Water Fish Commission as required by site plan and development impact reviews and in compliance with the development regulations. [9J-5.013(2)(c)5] [CR 4(a)(1)] [SCP (10) Natural Systems and Recreational lands (b)3]

4. **Policy.** While there are no known threatened or endangered wildlife species or habitats within the City, the City shall coordinate its development review procedures with the Florida Game and Fresh Water Fish Commission to ensure compliance with the Land Development Regulations. The City shall also coordinate its review of land to be annexed to determine the potential existence of species or habitats.

**Lakes and Fisheries.**

(a) **Objective.** The City will continue to work with the Florida Game and Fresh Water Fish Commission and the Southwest Florida Water Management District to protect the water levels and water quality of the lakes to enhance the fisheries. [9J-5.013(2)(c)4] [SCP (8) Water Resources (b) 12]

1. **Policy.** The City shall work with the Florida Game and Fresh Water Commission to assist in monitoring activities on the lakes that might cause harm and/or destruction to the fisheries. [9J-5.013(2)(c)6]

2. **Policy.** The City shall work with SWFWMD and SJRWMD to assist in monitoring water use consumption activities on the lakes that may cause a lowering of the lake levels. [9J-5.0123(2)(c)6] [SCP (8) Water Resources (b) 11]

3. **Policy.** The City shall protect the water quality and water levels of its lakes and shall evaluate its development review procedures and its coordination procedures with the Florida Game and Fresh Water Fish Commission, SWFWMD and SJRWMD to ensure development compliance.

(b) **Objective.** Existing access will continue to be made available to the lakes within the City for the use of the public. The City will strive to provide expanded public access to Lake Tracy and other lakes that may be annexed into the corporate limits.

1. **Policy.** The City shall work with the County to provide access to the lakes for swimming, boating, fishing and where applicable, skiing and related water activities.

2. **Policy.** The City shall continue to maintain the public park on the north side of Lake Eva.

3. **Policy.** The City shall work with the County and other agencies to provide greater boat access to Lake Tracy.

4. **Policy.** The City shall continue to maintain existing public access to its lakes.
**Wetlands.**

(a) **Objective.** The City adopted Land Development Regulations, to conserve the wetland areas on the periphery of the lakes to serve as natural filter beds for these bodies of water and as wildlife habitats where they are established and suitable for such use. [9J-5.013 (2)(b)4]

1. **Policy.** Development shall be required to protect wetland areas within the City through the use of density transfers in cluster developments, use restrictions, setbacks, and open space and vegetative buffers. [9J-5.013(2)(c)9]
   [SCP (10) Natural Systems and Recreational Lands (b)1]

2. **Policy.** Adopted development regulations shall permit density transfers to protect wetlands. [9J-5.013(2)(c)6]
   [SCP (8) Water resources (b)12]

3. **Policy.** The City shall accept title to wetlands set aside as a result of density transfers as part of consideration for issuing development orders. [9J-5.013(2)(c)9]
   [SCP (8) Water resources (b)9]; [SCP (10) Natural Systems and Recreational Lands (b)1 and 2]

4. **Policy.** In order to further the goals for protection of the City’s natural resources, the City recognizes wetlands to be environmentally sensitive and designates wetlands of ten (10) acres or more to be designated as conservation on the Future Land Use map. The City has adopted a shoreline protection ordinance and transferable development rights in its Land Development Regulations and shall continue to enforce its land development regulations to ensure compliance of wetland protection.

**Existing Natural Reservations.**

There are no identified and known existing natural reservations within, nor currently adjacent to the City.

**Unique Vegetative Communities.**

There are no identified and known existing natural reservations within, nor currently adjacent to the City.

**Environmentally Sensitive Lands.**

There currently are no identified environmentally sensitive lands within the City.

**Hazardous Wastes.**

(a) **Objective.** The City shall continue to implement programs to promote the safe disposal of hazardous and bio-hazardous materials.
   [CR 6 (a)]

1. **Policy.** The City shall schedule its annual Amnesty Day for the collection of household hazardous wastes and through coordination with FDEP and Florida Department of Health and Rehabilitative Services and amend the Land Development Regulations, as necessary, to reflect the current regulations. The City shall maintain
and monitor its established safe disposal program for hazardous and bio-hazardous materials.
CHAPTER 5
RECREATION AND OPEN SPACE ELEMENT
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1. REQUIREMENTS FOR RECREATION AND OPEN SPACE GOALS OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goal statements which establish the long-term end toward which recreation and open space programs and activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal statement which address the requirements of Paragraph 163.3177(6)(e), Florida Statutes, and which:

1. ensure public access to identified recreation sites, including where present, beaches and shores;
2. coordinate public and private resources to meet recreation demands;
3. ensure that parks and recreation facilities are adequately and efficiently provided; and
4. ensure the provision of open space by public agencies and private enterprise.

(c) The element shall contain one or more policies for each objective which address implementation activities which:

1. include specific open space definitions and standards in local land development regulations;
2. designate or acquire open space and natural reservations;
3. maintain or improve existing levels of beach and shore access including those beach access routes and beach access facilities required to be identified in the coastal management element and access to waterways required to be shown on the future land use map or map series;
4. adopt standards for levels of service for recreation; and
5. correct or improve existing deficiencies in parks and recreation facilities.

2. PURPOSE.

“During recent decades, marked and rapid change has taken place in America’s social, industrial, economic, and political life. Such change has amplified the significance of recreation and leisure and has greatly affected the leisure activities of the American people”.

“Florida is a traditional Mecca for outdoor recreation seekers in the eastern United States, if not the entire United States. Every year millions of tourists flock to Florida to enjoy warm sunshine, sandy beaches, and abundant outdoor recreation opportunities. Residents delight in Florida’s pleasant climate which provides endless opportunity for year-round recreation”.
“The desire for leisure time is a natural and worthy human desire. Throughout history, leisure time used for creative and regenerative purposes, and to encourage the virtues, has been essential to the full development of each individual. Today, as a result of the technological and productive achievements evolved through man’s ingenuity, greater opportunities exist for the pursuit of meaningful leisure time activities. Leisure time has become an integral part of daily living and, to the extent it is used for recreation, recreation has also become an accepted part of daily life”.

“Recreation is necessary for the continued refreshment of the body and mind throughout the lifetime of the individual. The range of recreational pursuits is limited only by the individual’s choice of activities which are meaningful to him. Recreation is a human need, contributing to human happiness, essential to the well being of people and, as such, the public welfare is promoted by providing opportunities for wholesome and adequate recreation. Recreation, therefore, is a legitimate governmental responsibility”.

“More recreation facilities and services are needed today than ever before. This is due largely to the continued growth and urbanization of the population and to increased leisure time, improved transportation, higher standards of living, longer life expectancy, and greater appreciation of the values of recreation. Opportunities for participation in certain forms of outdoor recreation will become more and more limited as population grows, unless the fixed supply of land, water, and shoreline areas and the cultural resources which support recreation are conserved and protected from piecemeal destruction”.1

Haines City has an opportunity and a responsibility to do additional planning for its share of recreation facilities for its present and future citizens. Needs of City residents are somewhat similar to those people residing elsewhere in Florida.

The City has done a commendable job of providing recreation facilities for its current residents. This planning element will become Haines City’s commitment to meeting recreational needs for its future residents.

3. BACKGROUND.

A master plan for recreation was prepared by the City in 1974 as part of the consideration being given to build a new swimming pool. The City has utilized this plan as a guide in developing additional and improving some of its existing recreation facilities. However, the City has not formally adopted a Recreation Element. Even without a formally adopted plan, the City continues to make and plan for improvements so that present and future residents projected to live in the City by the year have excellent and mostly adequate recreation facilities in the future.

4. ADOPTED STANDARDS.

Without an adopted plan the City has had no formal standards to follow in determining what its actual facility needs are based on a factor such as population. Space standards were included as a recommendation in the analysis portion of this element. These standards, when adopted, will become the recreation level of service (LOS) requirements for the City. These were derived from standards contained in “Outdoor Recreation in Florida, 1989”2 and “Criteria For Leisure Facilities”3 and were based on The National Park Association’s publication titled “National Park Recreation and Open Space Standards”.4 Table No. 1 contains the parkland space standards recommended for adoption by the City.
There are four non-school sites within the City that exceed the minimum 5 acre size necessary for classification as a neighborhood park. None of these parks reach the minimum of 15 acres in size required for classification as a community park. However, neighborhood parks can vary in size from 5 to 15 acres and serve a population up to 5,000 persons. The 1986 estimated population of 12,607 people needs 25.2 acres of neighborhood parks based on these standards. Acceptable walking distances are between 1/4 to 2 miles.

Lake Eva Park is the largest single tract of land used for a park and is on 11.26 acres of land with approximately 891 feet of water frontage. Distance to this park from the furthest residence is approximately 2.5 miles. The other parks, including downtown facilities and ball fields contain 44.24 acres. Total City land area devoted to parks is 55.5 acres. There are an additional 55.3 acres of recreational land associated with the various public schools in the City, bringing the total to 110.8 acres. While most of the park facilities are not located on extremely large tracts of land, they generally are located close to the population areas of the City.

5. **CURRENT NEEDS.**

Based upon the 1986 population estimate of 12,607 people and the individual facility standards referred to previously, the City is providing more than the minimum active recreation facilities for its residents in all areas except tennis courts, basketball courts, and open recreation play fields. The City has however, substantially exceeded the standards of 2 acres per 1,000 people for neighborhood parks which would require a minimum of 25.2 acres based on population alone. The City is currently providing a total of 44.27 acres of park land plus the additional 377 acres of lakes. The deficiencies, therefore, lie not in the lack of space provided but in the lack of facilities at the present locations.

In the areas of user oriented facilities, there are 5 lighted and 2 unlighted tennis courts, enough to serve a population of 12,000 people; 2 lighted and 1.5 unlighted basketball courts, enough to serve 10,000-15,750 people; 2 regulation baseball diamonds, enough to serve 12,000 people; 9 softball fields, enough to serve 27,000 people; 2 sports open play fields, enough to serve 5,503 people; 2 swimming pools, enough to serve 15,000 people; 16 shuffleboard courts, enough to serve 16,000 people; and 4 three walled courts, enough to serve 40,000 people.

The City also provided special area such as the City beach and boat ramp for swimming, boating, fishing, and skiing opportunities. The City beach provides space for 1,426 people at a time based upon ½ linear foot per person of beach frontage. There are 2 freshwater lakes with public access for fishing which total 309 surface acres. There are 2 boat ramps capable of accommodating 80 boats per day and 560 users. The two lakes are capable of handling 8 boats at a time towing water skiers at 40 acres per boat. Picnic shelters and tables can be found at the beach, Oakland Park and Lake Elsie Park. They are capable of providing space for approximately 167 people under 2 shelters and 9 uncovered tables.

A minor deficiency in Haines City parks would be headed by lack of passive recreation space. Most of the park lands are committed to high energy and active uses. There are some lands adjacent to existing parks that would be conducive to passive systems. Lake Elsie Park, east Park and Lions Park are examples. A second problem is the scattering of park system. Maintenance and supervision might not be as efficient as it could be at larger and more concentrated sites. This division of park lands is not likely to be remedied due to the already developed land around the parks. Consequently, the City needs to program maintenance and supervision of the parks in the most cost effective manner possible.
Perhaps the greatest deficiency in the park system is the present conditions of many of the facilities. There are tennis courts with no nets, basketball courts with no goals and many pieces of playground equipment in bad repair.

The City commissioned a Recreation and Open Space Master Plan in 2007 that evaluated a long term future for recreation services in conjunction with the City’s growth goals. The master plan included future expansion areas of the City in its evaluation of the current and future system, providing a framework for future updates to the Recreation and Open Space Element. The analysis included a facility based evaluation as well as service areas and connectivity, and included the evaluation of potential future level of service standards and system plan nomenclature. The master plan will provide a platform of continual study for ensuring that the element address needs associated with future growth of the City.

6. PROJECTED NEEDS.

The City owned recreation facilities can accommodate resident projected populations of 13,884, 15,120 and 16,072 people for the target years 1990, 1995, and 2000 respectively, in all areas except tennis, basketball and open play fields. For the year 2000 there will be a need for an additional 3 lighted tennis courts, 1 lighted basketball court and approximately 1 acre of open play field.

Non-resident daily population projections total 4,190, 4,563 and 4,851 people for the years 1990, 1995 and 2000 respectively. By definition, non-residents are those people who stay in the City for less that six months, including overnight visitors. Therefore, it seems reasonable for the City to plan and prepare for only a portion of these visitors in determining its total recreation needs within the planning time frame of the year 2000. If the City counts all of the non-residents who occupy the manufactured homes (726), recreational vehicle parks (1,094), migrant housing facilities (2,080) and the motel guests (207) on a peak daily basis, an additional 4,190 people will need to be added to the recreation needs population for 1990. The 4,107 total daily nonresident population projection has been increased by 2.02% for the base year 1989 to 1990 when the data was gathered. The total combined resident and non-resident projected populations are 18,074, 19,683 and 20,923 for the years 1990, 1995 and 2000 respectively.

Three of the six motels, including the largest and representing 65% of the total rooms and all of the manufactured home developments and recreational vehicle parks provide private swimming pools to their residents. In determining future swimming pool needs, the people occupying these uses are discounted from the combined resident and non-resident population projections. Therefore, for the swimming pool needs, the people occupying these uses are discounted from the combined resident and non-resident population projections. Therefore, for the swimming pool needs the total population projections for the years 1990, 1995 and 2000 are reduced to 16,048, 17,477 and 18,578 respectively. These numbers include only the projected migrant non-residents at an increase of 4.04% for the two years and 8.9% and 6.3% increase for other years.

Shuffleboard is promoted for and typically played by the semi-retired and retired generation. This is evidenced by the fact the each of the manufactured housing developments and recreational vehicle parks in the City provide shuffleboard courts for their occupants. The occupants are primarily and in some cases exclusively semi or fully retired. Migrant worker families are made up of younger members with very little interest in or time for sport. Therefore, only the motel non-resident projected population will be included in determining future shuffleboard court needs.
Using the same format as that used for swimming pools, the years 1990, 1995 and 2000 will have a combined population projection of 14,099, 15,354, and 16,321 respectively in determining shuffleboard court needs.

By using the combined City/School Board sites and based on the above population projection format, the City will need the following additional recreational facilities by the year 2000:

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>NUMBER</th>
<th>COST</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennis Courts</td>
<td>3</td>
<td>$10,000 each</td>
<td>$30,000</td>
</tr>
<tr>
<td>Field Sports Area</td>
<td>1</td>
<td>20,000 each</td>
<td>$20,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>$50,000</strong></td>
</tr>
</tbody>
</table>

The City has more than ample children’s playground equipment such as swings, slides and similar apparatus at the park/beach, downtown and at other park sites. As mentioned earlier, however, a good amount of the present equipment has fallen into disrepair. If existing facilities are repaired, there would probably be sufficient numbers of such equipment within the City. It is anticipated however, that if park space is expanded, additional play apparatus will be added to the present inventory.

7. **LEVEL OF SERVICE STANDARDS, LOS.**

Rule 9J-5 defines “Level of Service, LOS” as an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on the operational characteristics of the facility.

The standards referred to previously will become a part of this element in compliance with Chapter 163, Part II of the Florida Statutes and Rule 9J-5, FAC. The standards are based upon the combined but modified versions of the National Recreation and Parks Association Open Space Standards, Outdoor Recreation In Florida, 1976, Florida Department of Natural Resources and Criteria For Leisure Facilities, FRPA and FPZA, 1975. These standards are shown in Table No. 1 (but do not include standards for Urban-District Parks and Regional Parks), Table No. 2, Table No. 3, and Table No. 4. Parks and Recreation Facility Locations Map is shown at the end of this element.

8. **GOALS, OBJECTIVES AND POLICIES.**

**Goal.**

To provide a balanced system of recreation facilities and open space which will satisfy the needs of the present and projected future residents of the City and will emphasize use of Haines City’s natural resources. [9J-5.014(3)(a)]

**Public Access.**

(a) **Objective.** The City shall continue to provide and maintain adequate public access to the parks and park lands located within its boundaries. [9J-5.014(3)(b)1.]

1. **Policy.** The City shall continue to provide and maintain adequate public access to the parks and park lands located within its boundaries. [9J-5.014(3)(b)1.]

2. **Policy.** The City will continue to provide and maintain adequate public access to Lake Eva and Tracy. [9J-5.014(3)(c)3.]
3. **Policy.** To support operational, maintenance and supervisory cost, the City shall continue to charge a user fee for use of the parks, picnic areas, boat ramps, ball fields and related supervised active recreational facilities. [9J-5.014(3)(c)3.]

4. **Policy.** The City shall provide and maintain adequate public access to the parks and park lands located within its boundaries. The City shall review its user fee schedule annually to determine if the fees are appropriate to support operations, maintenance and supervisory costs.

### Public And Private Resources.

(a) **Objective.** The City shall implement its existing financial method and programs for funding future expansion and improvements of the existing park system and recreation facilities. [9J-5.014(3)(b)2.]

[CR 4(c)(1)]

1. **Policy.** The City shall seek funds for expansion of and improvements to its recreation facilities for inclusion in the 5 year Capital Improvements Element. [9J-5.014(3)(c)5.] [CR(c)(1)]

2. **Policy.** The City shall implement a program for actively seeking funds for expansion of its recreation facilities from County, State and Federal sources. [CR 4(c)(1)]

3. **Policy.** The City shall seek State and Federal Assistance for expanding its recreation facilities and to establish priorities in the 5 year Capital Improvements Plan.

(b) **Objective.** The City shall continue to meet with the Polk County School Board and staff to enter into interlocal agreements for sharing use of school site facilities at schools in the corporate limits. [9J-5.014(3)(b)3 and 4.] [CR 4(c)(1)]

1. **Policy.** The City shall pursue Interlocal Agreements by 2011 with the Polk County School Board for use of school sites at the high school, junior high school and elementary schools for recreational programs. [9J-5.014(3)(c)5.] [CR 4(c)(1)]

2. **Policy.** The City shall maintain the interlocal agreement with Polk County School Board for sharing school site facilities and formally include the School Board in the development review process and in the recreation planning process for continuing to share school facilities.

(c) **Objective.** The City has established a participation program whereby private organizations may contribute money and/or land for expansion of the park lands and/or facilities within the parks. [9J-5.014(3)(b)2.]

[CR 4(c)(1)] [SCP (10) Natural Systems and Recreational Lands (b) 13]; [SCP (21) Governmental Efficiency (b)13]

1. **Policy.** A participation program for soliciting funds from civic clubs, individuals and businesses will be established by 2010, provide additional equipment and facilities in the parks. [9J-5.014(3)(c)5.]

[CR 4(c)(1)] [SCP (10) Natural Systems and Recreational Lands (b)13]; [SCP (21) Governmental Efficiency (b)13]
Governmental Efficiency (b)13]

2. **Policy.** A participation program for soliciting funds and/or lands from civic clubs, individuals and businesses will be established by 2010 to provide additional park sites or expansion of present parks. [9J-5.014(3)(c)5.] [CR 4(c)(1)] [SCP (10) Natural Systems and Recreational Lands (b) 13]; [SCP (21) Governmental Efficiency (b)13]

3. **Policy.** Through its Land Development Regulations and private donations, the City shall solicit program investment in the development of recreation facilities.

**Adequacy of Parks and Recreation Facilities.**

It has been determined in the analysis of the recreation data that the land areas for parks and recreation facilities in the City are more than adequate to meet the projected population for the year 2030.

(a) **Objective.** The City will adopt by 2010, a program for funding future expansion and improvements of the park system and recreation facilities [9J-5.014(3)(b)3.]

1. **Policy.** The City shall implement adopted recreation impact fees for all residential development and utilize such funds in a manner consistent with the requirements of the Florida Statutes. [CR 4(c)(2)]

2. **Policy.** While the City continues to meet the level of service standards for recreation facilities, the City shall review its program for funding and formally adopt a program for funding additional recreation facilities and continuing to meet level of service standards by 2010.

3. **Policy.** The City shall require all new residential development to provide neighborhood parks at the time the subdivision development plans are approved. Neighborhood parks shall be provided based on 4.5 upland acres for 1000 population.

4. **Policy.** The City shall, by December 2009, evaluate the effectiveness of the Recreation and Open Space element, and shall revise the element based on consideration of the recommendations of the Haines City Recreation and Open Space Master Plan.

**Open Space.**

The City of Haines City does not have the capability, if such were available, nor the fiscal resources to acquire natural reservations. Small public and private open spaces will be acquired as development occurs.

(a) **Objective.** A minimum of 20% non-vehicular open space shall be provided by all new developments permitted in the City when development orders are approved. [9J-5.014(3)(b)4.] [SCP (10) Natural Systems and Recreational Lands (b)12]

1. **Policy.** The City has adopted regulations containing open space definitions and standards, by development type, and included them in its development regulations. [(J-5.014(3)(c)1.] [CR 4(b)(1)] [CR 4(b)(2)]
2. **Policy.** The City has adopted regulations to develop impervious surface definitions and standards, including the percent permitted, by development type, and include in its development regulations. [CR 4(b)(2)]

3. **Policy.** The City has adopted regulations containing develop criteria and standards for setbacks for all building and development from water bodies and incorporate these into its development regulations. [CR 4(b)(2)]

4. **Policy.** The City adopted a minimum of 20% open space and setback standards established in the Land Development Regulations and shall review its landscaping standards in 2010 as part of the open space requirements.

**Standards.**

(a) **Objective.** Park and recreation standards have been adopted as a part of this Element and these standards shall serve as the level of services (LOS) standards for the Recreation and Open Space Element and related Elements of the Plan. [9J-5.014(3)(b)3.] [SCP (10) Natural Systems and Recreational Lands (b)11]

1. **Policy.** The Park Standards shown in Table No. 1, the Use Standards For User-Oriented Facilities shown in Table No. 2, the Standards For Resource-Based Outdoor Recreation Activities shown in Table No. 3 and the Space Standards When Unit Facility Is Provided shown in Table No. 4 of these Goals, Objectives and Policies are adopted as part of this Element and these standards shall serve as the level of services (LOS) standards for the Recreation and Open Space Element and related Elements of the Plan. [9J-5.014(3)(c)4.] [SCP (10) Natural Systems and Recreational Lands (b)11]

2. **Policy.** The City shall maintain the adopted levels of service and shall annually review its recreation needs and shall budget needed improvements in its Capital Improvement Program.
## CHAPTER 6
### INTERGOVERNMENTAL COORDINATION ELEMENT
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1. **REQUIREMENTS FOR INTERGOVERNMENTAL COORDINATION GOALS, OBJECTIVES AND POLICIES.**

(a) The element shall contain one or more goal statements which establish the long-term end toward which intergovernmental coordination activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal statement which address the requirements of Paragraph 163.3177(6)(h), Florida Statutes, and which:

1. Coordinate the comprehensive plan with the plans of school boards, other units of local government providing services but not having regulatory authority over the use of land, and with the comprehensive plans of adjacent municipalities, the county, adjacent counties, and

2. Ensure that the local government addresses through coordination mechanisms, the impacts of development proposed in the local comprehensive plan upon development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region and in the state;

(c) The element shall contain one or more policies for each objective which addresses programs, activities, or procedures for:

1. The coordination of planning activities mandated by the various elements of the comprehensive plan with other local governments, school boards, other units of local government providing services but not having regulatory authority over the use of land, the region, and the state;

2. Resolving conflicts with other local governments through the regional planning council’s informal mediation process;

3. The provision of services and information;

4. Resolving annexation issues;

5. Reviewing the relationship of proposed development of the area to the existing comprehensive plans of adjacent local governments;

6. Consistent and coordinated management of certain bays, estuaries and harbors that fall under the jurisdiction of more than one local government in the case of local governments required to prepare a coastal management element; and

7. The review of development proposed in the comprehensive plan including a policy statement indicating relationships of the proposed development to the existing comprehensive plans of adjacent local governments.
2. **PURPOSE.**

Coordination of development activities between departments within a single local governmental jurisdiction at times is seemingly difficult. Accomplishing a coordinated development task between several local governments and regulatory agencies at times is seemingly impossible. It can and at times does take place. However, when success does occur, it is generally the result of careful planning and not accidental. Consequently, many problems arise through lack of coordination between affected local governments and in some cases these problems are irreversible.

Therefore, the State Legislature has seen fit to mandate the coordination of development activities between local governments in an effort to reduce the degradation of Florida’s natural resources, minimizing conflicts of land use and duplication of services and subsequently the waste of taxpayer’s dollars.

The purpose of this element in Haines City’s Comprehensive Plan is to establish specific lines of communication and procedures to follow for coordinating development activities in the best interest of the public.

Several intergovernmental coordination deficiencies were pointed out in the analysis of the City’s current planning and development activities with those planning and development activities of other local governments. However, two major steps towards a unified coordination effort between local municipalities and the County were identified. These are the creation of urban planning areas outside corporate limits and the “Memorandum of Understanding” that several cities, including Haines City, have agreed to institute with the County.

The urban planning areas have been created to coordinate the development activities in the unincorporated area of the County that will occur close to or immediately adjacent to a city because of services it may be in a position to provide the development community. The cities will have the opportunity to participate in the future land use decisions made by the County since city Capital Improvement Elements will be affected by such decisions. The coordination mechanism adopted by the City and County is titled the “Memorandum of Understanding”.

Major goals of the “Memorandum” are to minimize potential jurisdictional conflicts and duplication of services, sharing of data, coordinate future land use planning and maintain communications between the governing bodies.

It is generally felt by the planning staff and planning consultants of all participating local governments involved in this work that creation of individual planning areas and implementation of the “Memorandum” will improve the opportunities for a realistic coordination of all planning elements. This will be especially true of the recreation, potable water, sewer and transportation elements.

The analysis indicated the other coordination agreements between the City and other local governments and agencies are working well.

3. **BACKGROUND.**

As shown in the data collected for this element, the City currently has 34 agreements for services, most of which are in written form. No doubt additional agreements will be reached for additional services in the future. To make this process work in a more effective manner, goals, objectives and
policies are presented below, spelling out the necessary steps to be taken to implement this element.

4. **GOALS, OBJECTIVES AND POLICIES.**

   **Goal.**

   Develop a process to coordinate, as determined to be required and/or necessary, those public and private service and development activities in the City with other affected local governments and agencies; to more efficiently and effectively manage available public resources by minimizing duplication of efforts in order to preserve and protect the quality of life in Haines City. [9J-5.015(3)(a)]

   **Comprehensive Plan Coordination.**

   (a) **Objective.** The City shall systematically conduct Comprehensive Plan coordination with the affected adjacent local governments and departments within these local governments, the School Board and appropriate regulatory agencies. [9J-5.015(3)(b)1]; [9J-5.015(3)(b)2] [CR 13(a)(1)] [SCP (21) Governmental Efficiency (b)1 and 5]

   1. **Policy.** The City shall follow the procedural requirements in Chapter 9J-11, F.A.C when coordinating with local governments, departments and/or agencies to receive copies of the City’s Comprehensive Plan for their review and use. [9J-5.015(3)(c)1] [CR 13(a)(1)]

   2. **Policy.** The City shall utilize the “Memorandum of Understanding” with the County to establish a formal exchange of planning data and service related information. [9J-5.015(3)(c)1 and 3] [CR 13(a)(1)]

   3. **Policy.** The City shall continue to institute, in cooperation with the Cities of Winter Haven, Davenport and Lake Alfred, a “Memorandum of Understanding” for the purpose of developing a formal method of exchanging planning data and service related information. [9J-5.015(3)(c)1 and 3] [CR 13(a)(1)]

   4. **Policy.** The City shall implement a set of annexation policies and criteria to be coordinated with the County and the Cities of Winter Haven, Davenport and Lake Alfred. [9J-5.015(3)(c)4] [CR 13(a)(1)]

   5. **Policy.** The City shall utilize the “Memorandum of Understanding” in cooperation with the County and the Cities of Winter Haven, Davenport and Lake Alfred to develop and adopt a process of exchange, review and comment on the Comprehensive plans or elements thereof for each jurisdiction at the time of mandated reviews. [9J-5.015(3)(c)7] [CR 13(a)(1)]
6. **Policy.** As part of the Selected Area Plan (SAP) to be adopted in 2007, the City and County shall continue to review their Future Land Use classifications to determine compatibility and usability between the two jurisdictions and modifications that may be required to better coordinate development and conservation activities.

7. **Policy.** The City shall maintain its coordination agreements with local governments, the School Board, and appropriate regulatory agencies and review each agreement, evaluate its effectiveness and designate a City Representative for each board or committee.

(b) **Objective.** The City shall continue to implement the Southwest Florida Water Management District (SWFWMD) requirements under the designation as a Water Use Caution Area. [9J-5.015(3)(b)]

1. **Policy.** The City shall continue to use the current notification process utilized by the SWFWMD to notify the public of the requirements for compliance and to implement the conditions and requirements as a result of the City being designated as a Water Use Caution Area. [9J-5.015(3)(c)]

2. **Policy.** The City shall implement the SWFWMD requirements under the designation as a Water Use Caution Area.

**State Comprehensive Plan.**

(a) **Objective.** The City has adopted a Comprehensive Plan which not only meets local needs but furthers the purpose and intent of the State Comprehensive Plan and Regional Policy Plan. [CR 13(a), Goal] [SCP (26) Plan Implementation (b)7]

1. **Policy.** The City shall implement a Comprehensive Plan which meets the needs of the local residents and furthers the purposes and intent of the applicable provisions of the State Comprehensive Plan and the Regional Policy Plan. [CR 13(a)(1)]; [CR 13(a)(3)] [SCP (26) Plan Implementation (b)7]

2. **Policy.** The City shall review each amendment to the State Comprehensive Plan and the Regional Policy Plan, evaluate the relationship to the City’s Comprehensive Plan and amend the City’s Plan as appropriate.

**Plan Impacts.**

(a) **Objective.** The City shall, as a part of its development regulations, review and assess potential impacts of any proposed development amendments contained in its Comprehensive Plan on the County, Winter Haven, Davenport, Lake Alfred, the region and the State. [9J-5.015(3)(b)2] [SCP (21) Governmental Efficiency (b)1]

1. **Policy.** By 2010, the City shall develop and adopt guidelines defining which local governments, departments, and/or agencies (such as DER, FDOT, DNR and SWFWMD) will be notified requesting their review and input of potential impacts of proposed developments contained in the Haines City Comprehensive Plan. [9J-5.015(3)(c)5]
2. **Policy.** The City shall follow the procedural requirements in Chapter 9J-11, F.A.C. when coordinating with the appropriate local governments, departments and agencies to be notified requesting their review of development orders when a predetermined set of criteria or a threshold has been reached by a proposed development.

3. **Policy.** The City shall continue to notify the School Board of all requests for residential development orders. [9J-5.015(3)(b)1]

4. **Policy.** The City shall utilize the “Memorandum of Understanding”, in cooperation with the County, to develop and adopt a coordination process to notify and be notified of amendments to the respective Comprehensive Plan Elements, particularly land use, recreation and infrastructure. [9J-5.015(3)(c)1 and 5]

5. **Policy.** By 2010, the City shall institute, in cooperation with the Cities of Winter Haven, Davenport, and Lake Alfred, a “Memorandum of Understanding” for the purpose of developing and adopting a coordination process to notify and be notified of amendments to the respective Comprehensive Plan Elements, particularly land use, recreation and infrastructure. [9J-5.015(3)(c)5]

6. **Policy.** The City shall implement its adopted review process of its own Comprehensive Plan to evaluate compatibility with the Plans of adjacent local governments and record how and where they are not compatible. [9J-5.015(3)(c)5]

7. **Policy.** The City shall participate with the Region in increasing public participation in the implementation of the Central Florida Regional Policy Plan. [CR 13(b)(1)]

8. **Policy.** The City has developed a process to allow for the County, neighboring communities, the School Board, the region and State agencies to review and assess potential impacts of any proposed development or proposed amendments to its Comprehensive Plan.

9. **Policy.** The City’s coordination process with the School Board and other units of government shall be formally adopted through interlocal agreements.

**Interlocal Agreements.**

(a) **Objective.** Interlocal agreements shall be a primary tool utilized by the City for assisting in implementing the goals, objectives and policies of the Comprehensive Plan and for securing services in a cooperative manner from other local governments, agencies and parties. [9J-5.015(3)(b)2] [SCP (26) Governmental Efficiency (b) 5]; [SCP (26) Plan Implementation (b)8]

1. **Policy.** The city shall continue to use current interlocal agreements with other local governments and agencies that are of benefit to the residents of Haines City. [9J-5.015(3)(c)3]

2. **Policy.** The City shall continue to use the provisions of Chapter 163.01, Florida Interlocal Cooperation Act of 1969, Florida Statues, to govern the agreements made between the City and other local governments, agencies and parties. [9J-5.015(3)(c)3] [SCP (26) Plan Implementation (b)8]
3. **Policy.** The City shall enter into interlocal agreements with any local government, agency and/or party when beneficial services can be attained for the betterment of the quality of life for Haines City residents. [9J-5.015(3)(c)3]

4. **Policy.** The City will continue to actively participate in implementing the Interlocal Agreement with the Polk County School Board as regards the coordination of locating new schools and expanding or redeveloping existing school facilities. The School Board is encouraged to locate new educational facilities near urban residential areas where public infrastructure and services exist to support the new facilities, and where such can support infill development.

4. **Policy.** The City’s coordination process shall be reviewed and evaluated each year, and where necessary to improve effectiveness, the City will negotiate amendments to the interlocal agreements.

**Public Participation.**

(a) **Objective.** The City shall review and revise its public participation process to offer opportunities and encourage local residents to participate in all City activities, including policy development, growth management planning and budgetary decisions.

1. **Policy.** The City shall continue to post notices, run public notices in the local media and advise the public of all activities where decisions may be made that may effect their health, safety, and welfare. [SCP (26) Plan Implementation (b) 6]

2. **Policy.** The City shall annually review its formal public participation process and where necessary to improve the level of the public’s participation, the City shall amend its procedure and shall publish these procedures.

**Joint Processes for School Siting.**

(a) **Objective.** The City of Haines City shall meet the requirements of the Florida Statutes regarding the siting of new public facilities, or the expansion of existing educational facilities operated by the Polk County School Board.

In 2005 the Haines City began working with the School Board, the County, and the 14 cities in Polk County that are not exempt from the new school concurrency requirements per Chapter §163.3180(13), F.S. to update the agreement to draft and adopt a Public School Facilities Element that provides for a county-wide uniform school concurrency management system.

School Concurrency Management System: In 2008, Haines City, Polk County School Board (PCSB), County and other 14 non-exempt cities in the Polk County School District will implement a uniform school concurrency management system as required per Chapter §163.3180(13) F.S. and in accordance with the Interlocal Agreement for Public School Facilities Planning. The concurrency management system will be implemented at the sub-district level and based on the School Board’s financially feasible capital facilities plan to provide for a uniform level of service. The formalization of the exchange of data related to proposed residential development will be necessary for the School Board to make concurrency determinations prior to the City’s consideration for approval of residential site
plans and plats. The City will provide notice to and coordinate with the PCSB regarding land use or zoning actions which may increase residential densities. Formal means of coordination will be needed to implement mitigation for school facilities. School concurrency mitigation agreements will require the School Board and the affected local government to concur to the terms of the agreements with the applicant/developer.

1. **Policy.** As per Chapter 235, F.S., at least 60 days prior to the purchase or leasing of property that may be used for a new or expanded public educational facility, and where the proposed site is in or adjacent to the City of Haines City, the Polk County School Board shall notify the City of the location of the site. The City shall review the site as it relates to consistency with the Haines City Growth Management Plan, Future Land Use Element, including a preliminary analysis of the potential impacts to public facilities. The City’s review shall be given to the School Board within 45 days after receipt of their initial notification to the City.

2. **Policy.** As per Chapter 235, F.S., the planning for new or expanded educational facilities must consider the effects of the location of public education facilities, including the feasibility of keeping central city facilities viable, in order to encourage central city redevelopment and the efficient use of infrastructure while discouraging urban sprawl. The City will encourage the collocation of public facilities of any kind, including parks, libraries, recreation opportunities and schools, when planning and reviewing a proposed site for a new expanded educational facility.

3. **Policy.** As per Chapter 235, F.S., if the proposed site for a new or expanded educational facility is consistent with the future land use policies and categories of the Haines City Growth Management Plan, the City may not deny an application for such a facility but may impose reasonable development standards and conditions which consider the site plan and its adequacy related to environmental concerns, health, safety and welfare, and effects on adjacent property.

4. **Policy.** City staff shall continue to participate in the Planners Working Group as established in the Interlocal Agreement for Public School Facilities Planning to set direction, plan for the annual school summit, formulate recommendations and discuss issues related to the Public School Facilities Element and the Interlocal Agreement as well as ancillary infrastructure improvements needed to support schools and ensure safe access to school facilities.

5. **Policy.** The City shall continue to exchange data with the School Board regarding population projections, development trends, the 5-year Schedule of Capital Improvements Projects and School Board (5-year) facility plans as such data or plans are updated but not less than annually.

6. **Policy.** The City notify the School Board of all proposed residential development projects, which are subject to school concurrency per the Interlocal Agreement for Public School Facility Planning.

7. **Policy.** The City will continue to work with Polk County School Board to identify appropriate sites for new schools in the City of Haines City and/or in the City’s utility service area. This coordination will include participation in the site selection committee and evaluating potential sites for new public schools per the Interlocal
Agreement on School Facility and Land Use Planning. The City also commits to continued participation in annual summits, planning for joint use of facilities and data sharing as called for in the adopted Interlocal Agreement.

8. Policy. The City shall coordinate, as appropriate, any change in established level-of-service standards for public facilities, including, at minimum, for all 10-year updates to the City of Haines City Comprehensive Plan, five-year updates to the Polk County Long-Range Transportation Plan, and annual updates to the Polk County School Board 5-year Program of Work.
# CHAPTER 7
CAPITAL IMPROVEMENTS ELEMENT

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1. REQUIREMENTS FOR CAPITAL IMPROVEMENTS ELEMENT GOALS, OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goal statements which establish the long-term end for the timely and efficient provision of public facilities through the use of sound fiscal policies.

(b) The element shall contain one or more objectives for each goal and shall address:

1. the use of capital improvements element as a means to meet the needs of the local government for the construction of capital facilities necessary to meet existing deficiencies, to accommodate desired future growth and to replace obsolete or worn-out facilities;

2. the limitation of the public expenditures that subsidize development in high hazard coastal areas;

3. the coordination of land use decisions and available or projected fiscal resources with a schedule of capital improvements which maintains adopted level of service standards and meets the existing and future facility needs;

4. the extent to which future development will bear a proportionate cost of facility improvements necessitated by the development in order to adequately maintain adopted levels of service; and

5. the demonstration of the local government’s ability to finance the needed improvements identified in the individual comprehensive plan elements and to manage the land development process so that public facility needs created by previously issued development orders or future development do not exceed the ability of the local government to fund and provide the needed capital improvements.

(c) The element shall contain one or more policies for each objective which addresses programs and activities for:

1. the establishment of criteria used to evaluate local capital improvements projects. Such criteria shall be directly related to the individual elements of the comprehensive plan and shall include consideration of;

   a. the elimination of public hazards;

   b. the elimination of existing capacity deficits;

   c. local budget impact;

   d. the accommodation of new development and redevelopment facility demands;

   e. financial feasibility; and
f. plans of state agencies and water management districts that provide public facilities within the local government’s jurisdiction;

2. the establishment of local debt policies, such as;
   a. the limitation on the use of revenue bonds as a percent of total debt;
   b. the maximum ratio of total debt service to total revenue, and
c. the maximum ratio of outstanding capital indebtedness to property tax base;

3. the establishment of policies for the replacement and renewal of capital facilities;

4. the establishment of level of service standards for facilities which are within the local government’s jurisdiction, including sanitary sewer, solid waste, drainage, potable water, transportation and recreation. These standards shall be those found in the applicable individual comprehensive plan elements;

5. provisions for the availability of public facilities to serve developments for which development orders were issued prior to the adoption of the comprehensive plan;

6. provisions for the availability of public facilities needed to support development concurrent with the impacts of such development subsequent to the adoption of the local comprehensive plan. Public facility and service availability shall be deemed sufficient if the public facilities and services for a development are phased, or the development is phased, so that the public facilities and those related services which are deemed necessary by the local government to operate the facilities necessitated by that development, are available concurrent with the impacts of the development;

7. provisions for the adoption of a capital budget as a part of the annual budgeting process;

8. assessing new developments a pro rata share of the cost necessary to finance public facility improvements necessitated by development in order to adequately maintain adopted levels of service; and

9. the use of local government fiscal policies to direct expenditures for capital improvements which recognize the policies or the other individual comprehensive plan elements.

2. REQUIREMENTS FOR CAPITAL IMPROVEMENTS ELEMENT.

(a) The comprehensive plan shall contain:

1. the schedule of capital improvements, for which the local government has fiscal responsibility, selected for the first five fiscal years, by year, after the adoption of the comprehensive plan, which shall reflect the need to reduce existing deficiencies, remain abreast of replacements, and to meet future demand including:
   a. project description and general location; and
b. determination of consistency with individual comprehensive plan elements.

2. a list of projected cost and revenue sources by type of public facility for the five year period.

(b) The plan shall identify those regulations and programs to be adopted which will ensure that the goals, objectives and policies established in the capital improvements element are met or exceeded. These programs shall include provisions that facilities and services meet or exceed the standards established and are available concurrent with the impacts of such development so that no development order or permit may be issued which results in a reduction in the level of services established in the comprehensive plan no later than one year after its submittal due date established in Chapter 9J-5, FAC.

3. PURPOSE.

The purpose of the Capital Improvements Element is to evaluate the need for public facilities as identified in the Comprehensive Plan elements to estimate the cost of improvements for which the City has fiscal responsibility; to analyze the fiscal capability of the City to finance and construct improvements; to adopt financial policies to guide the funding of improvements and to schedule the funding and construction of improvements in a manner necessary to ensure that such improvements are provided when required based on needs identified in the other Comprehensive Plan elements. This element becomes the measure of the financial feasibility of the Comprehensive plan and focuses on the capital outlay required to meet existing deficiencies to maintain adopted level of service standards for public facilities contained in the Plan.

4. DEFINITIONS.

Certain terms are used in the Capital Improvements Element Rule 9J-5 requirements that need to be identified as to their specific meaning. The following definitions are taken from Rule 9J-5.003:

(a) “Capital Budget” means the portion of each local government’s budget which reflects capital improvements scheduled for a fiscal year.

(b) “Capital Improvement” means physical assets constructed or purchased to improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purpose of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

(c) “Level Of Service” means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on the operational characteristics of the facility.

5. GOALS, OBJECTIVES AND POLICIES.

Goal.

To provide the necessary public facilities for City residents and planned growth in a manner that is fiscally responsible, cost effective and protective of the public health, safety and welfare through a calculated fiscal management process and service delivery system.
Capital Facilities Construction.

(a) **Objective.** Implement the adopted capital improvement process as the means to correct existing deficiencies, to accommodate planned growth and to replace obsolete and/or worn out facilities as contained in the 5-Year Schedule of Capital Improvements of this element. [9J-5.016(3)(b)1] [CR 9(b)]

1. **Policy.** On an annual basis, proposed capital improvement projects shall be evaluated and ranked according to the following priority level criteria:
   
   a. **Level One.** whether the project is needed to protect public health, safety and welfare, to fulfill the City’s legal commitment to provide facilities and services, or to preserve or achieve full use of existing facilities.
   
   b. **Level Two.** whether the project increases efficiency of use of existing facilities, prevents or reduces future improvements costs, provides service to developed areas lacking full service or promotes in-fill development.
   
   c. **Level Three.** whether the project represents a logical extension of facilities and services consistent with the Future Land Use Plan, to areas within a designated service area or is compatible with plans of the County, State or water management district.

   [9J-5.011(2)(c)1]; [9J-5.016(3)(c)1. and 7.] [CR 9(b)(7)]

2. **Policy.** The City shall implement the evaluation criteria adopted in 1990 to rank capital improvement projects and establish priorities for the 5-year Schedule of Capital Improvements.

Capital Improvements/Land Use Coordination.

(b) **Objective.** Land use decisions (including future land use map amendments and all development orders) shall be coordinated with the City’s financial commitment to expand or improve facilities as described in the 5-Year Schedule of Capital Improvements for the purposes of providing facilities that serve existing and future development at the adopted level of service standards. [9J-5.016(3)(b)3.] [CR 9(a)]; [CR 9(b)] [SCP (16) Land Use (b)1]

1. **Policy.** The City shall implement its adopted development regulations to include provisions for land dedication or payment-in-lieu of dedication as a part of land development or land subdivision for the purpose of securing easements for utility systems, setbacks for traffic circulation systems, parks and open space and for meeting all adopted level of service standards. [9J-5.016(4)(b)] [CR 9(a)(3)]; [CR 10(c)(5)]

2. **Policy.** The City Staff shall be responsible for certifying that all development orders are consistent with the Development Regulations, Comprehensive Plan and the 5-Year Schedule of Capital Improvements. [9J-5.016(4)(b)] [CR 9(a)(2)]

3. **Policy.** Land use development orders shall be granted by the City only when
facilities functioning at the adopted level of service exist, or will be available concurrent with occupancy or use of such developed land. [9J-5.016(4)(b)] [CR 9(a)(1)]; [CR 9(b)(2)]

4. **Policy.** The following level of service (LOS) standards are established and shall be maintained for previously approved but unexecuted development orders and for all new development or redevelopment in the City or as designated for service by the City:

<table>
<thead>
<tr>
<th>ELEMENT/FACILITY</th>
<th>STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Traffic Circulation.*</td>
<td></td>
</tr>
<tr>
<td>Fla. Interstate Highway System</td>
<td>LOS C @ peak hour</td>
</tr>
<tr>
<td>Arterial</td>
<td>LOS D @ peak hour</td>
</tr>
<tr>
<td>Urban Collector-County</td>
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<td>Urban Collector-City</td>
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<tr>
<td>Local Streets</td>
<td>LOS D @ peak hour</td>
</tr>
<tr>
<td>SR 17</td>
<td>LOS E @ peak hour</td>
</tr>
<tr>
<td>US 17-92, Hinson Ave. to SR 17</td>
<td>LOS E @ peak hour</td>
</tr>
</tbody>
</table>

See Traffic Circulation Map for specific street designations.

For the 2007-2012 capital improvements schedule, there are no deficiencies. Improvements for this horizon are being provided for and managed as part of the concurrency process, and Table 1 provides an analysis of the network and corridors. Objective (a) Policy 8. U.S. 17-92, CR 580, and CR 544 Concurrency addresses the deficiencies identified in the segment analysis shown in the table.

### Table 1
**SUMMARY OF ROADWAY CAPACITY AND LEVEL OF SERVICE, YEAR 2011**

<table>
<thead>
<tr>
<th>Route</th>
<th>Lane</th>
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<th>LOS</th>
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<td>321</td>
<td>B</td>
<td>102</td>
<td>3,300</td>
<td>1,110</td>
<td>4,410</td>
</tr>
</tbody>
</table>

b. **Potable Water.** Average water consumption rate:
c. **Sanitary Sewer.** Average sewage generation rate: 100 gallons per capita per day

<table>
<thead>
<tr>
<th>TYPE DEVELOPMENT</th>
<th>DWELLING</th>
<th>WASTE WATER USAGE (MGD)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SQUARE</td>
<td>SUB-</td>
</tr>
<tr>
<td>EXISTING DEVELOPMENT&lt;sup&gt;1&lt;/sup&gt;</td>
<td>6,955 DUS</td>
<td>1.808</td>
</tr>
<tr>
<td>COMMITTED DEVELOPMENT&lt;sup&gt;2&lt;/sup&gt; DWELLING UNITS</td>
<td>1,105 DUS</td>
<td>.287</td>
</tr>
<tr>
<td>VACANT SINGLE FAMILY LOTS</td>
<td>1,400 LOTS</td>
<td>.364</td>
</tr>
<tr>
<td>CPA 06-1 PROJECTED DEVELOPMENT&lt;sup&gt;3&lt;/sup&gt; DWELLING UNITS NON-RESIDENTIAL</td>
<td>2,234 DUS</td>
<td>.581</td>
</tr>
<tr>
<td>OTHER PROJECTED DEVELOPMENT TO 2015&lt;sup&gt;4&lt;/sup&gt; DWELLING UNITS</td>
<td>2,672 DUS</td>
<td>.695</td>
</tr>
</tbody>
</table>

**TABLE 2B(1): PROJECTED 2006-2010 SEWAGE TREATMENT DEMAND**
**CITY OF HAINES CITY**

**CURRENT SEWAGE TREATMENT PLANT CAPACITY:**
**PROGRAMMED 2010-2020 PLANT EXPANSION CAPACITY ESTIMATED AT 6.03 MGD<sup>5</sup>:** 2.970

**TABLE 2B(2): PROJECTED 2011-2015 SEWAGE TREATMENT DEMAND**
**CITY OF HAINES CITY**

<table>
<thead>
<tr>
<th>TYPE DEVELOPMENT</th>
<th>DWELLING</th>
<th>WASTE WATER USAGE (MGD)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SQUARE</td>
<td>SUB-</td>
</tr>
<tr>
<td>RESIDENTIAL DEVELOPMENT PROJECTED AS OF 2011</td>
<td>14,376 DUS</td>
<td>3.738</td>
</tr>
<tr>
<td>NON-RESIDENTIAL DEVELOPMENT AS OF 2011</td>
<td>347,663&lt;sup&gt;3&lt;/sup&gt;</td>
<td>.0417</td>
</tr>
<tr>
<td>CPA 06-1 PROJECTED DEVELOPMENT 2011-2015 DWELLING UNITS NON-RESIDENTIAL</td>
<td>2,234 DUS</td>
<td>.581</td>
</tr>
<tr>
<td>OTHER PROJECTED DEVELOPMENT 2011 - 2015 DWELLING UNITS</td>
<td>2,672 DUS</td>
<td>.695</td>
</tr>
</tbody>
</table>
CURRENT SEWAGE TREATMENT PLANT CAPACITY:
PROGRAMMED 2010-2020 PLANT EXPANSION CAPACITY ESTIMATED AT 6.03 MGD:

1 Existing DUs provided by the Haines City Finance Department based on utility customer data. Water customers include 7,179 DUs (i.e., 224 units proposed have a water allocation). Sewage treatment volume for existing development as well as the designed capacity of the sewage treatment plant reported at 1.5 mgd and 2.97 mgd, respectively, by Haines City Utilities Department and by Southwest Florida Water Management District (SWFWMD).

2 Committed usage figure based on approved development permits having no sewer service allocation. Permit data supplied by Haines City Community Development Department (HCCDD).

The City’s adopted level of service standard for sewage treatment is 100 gpd per capita which was converted to 250 gpd per dwelling unit.

3 CPA 06-1 development was projected pursuant to the methodology explained in Table 1. Projected sewage treatment for dwelling units was determined by applying the above stated LOS standard. Projected sewage treatment for non-residential usage was determined by applying a ratio of sewage treatment to potable water LOS standards (260 ÷ 330 = 0.75) to City’s formula for projecting non-residential potable water level of service (LOS) = 0.16 gpd per sq. ft. ÷ 0.75 gpd sewage treatment per sq. ft. of non-residential usage.). The City reported 7,179 potable water customers; however, this total includes a 224 unit allocation to A & B Groves (currently undeveloped).

4 The total existing wastewater customers is 6,955 (i.e., 7,79 less 224 customers = 6,955).

5 The existing sewage treatment plant is operating at a volume of only 1.50 mgd, -- only 50% of the treatment plant’s designed capacity (2.97 mgd). Projected future development to 2015 will require an estimated treatment plant capacity of 4.667 mgd. In order to ensure that future land use is effectively coordinated with the timely provision of public services including sewage services, the City has begun the process of soliciting an engineering firm to develop a plan to implement necessary sewage treatment plant expansion, including design specifications. Preliminary assessments by the City estimate a need for a phased sewage treatment plant capacity of 6 mgd. The expansion program will be phased to accommodate projected development illustrated in Table 2B through 2015 to 2020. The engineering study shall recommend a capacity, design, and plant expansion schedule that is effectively coordinated and planned to meet land use projections, timing of service demand, and consistent with adopted level of service standards. The City shall ensure that no new development shall receive a final development order unless and until the development has met sewage treatment plant concurrency requirements and all development is served by the City sewerage system. The City shall continue to enforce user fees and connection fees as well as potable water and wastewater concurrency requirements in order to ensure available sources of funding for needed water and wastewater improvements.

2) STANDARDS FOR RESOURCE - BASED OUTDOOR RECREATION ACTIVITIES

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>RESOURCE</th>
<th>FACILITY</th>
<th>STANDARD</th>
<th>MINIMUM SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swimming</td>
<td>Freshwater</td>
<td>Beach</td>
<td>½ linear foot of beach per user per day</td>
<td>100 sq. ft. of beach per person</td>
</tr>
<tr>
<td>Fishing</td>
<td>Freshwater</td>
<td>--</td>
<td>One within 50 miles of 20,000 population</td>
<td>3 acres of water area</td>
</tr>
<tr>
<td>Boating</td>
<td>Freshwater</td>
<td>Boat Ramp</td>
<td>1 ramp for 40 boats per day (280 users per ramp per day)</td>
<td>Minimum 1 acre</td>
</tr>
<tr>
<td>Water Skiing</td>
<td>Freshwater</td>
<td>--</td>
<td>40 acres of water per boat</td>
<td>40 acres of water per boat</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Picnic tables</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Picnicking
- **Picnic Areas and site**: 9 users per table per day, 4 to 8 tables per acre

### Bicycling
- **Bicycle Trails**: 1 mile of trail for every 1,800 users per day, Minimum 5 feet wide

### 3) STANDARDS FOR USER - ORIENTED FACILITIES

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>POPULATION SERVED*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennis court</td>
<td>1 per 2,000 people</td>
</tr>
<tr>
<td>Basketball court (lighted)</td>
<td>1 per 5,000 people</td>
</tr>
<tr>
<td>Baseball diamond</td>
<td>1 per 6,000 people</td>
</tr>
<tr>
<td>Softball diamond</td>
<td>1 per 3,000 people</td>
</tr>
<tr>
<td>Field sports area</td>
<td>0.5 acre per 1,000 people</td>
</tr>
<tr>
<td>Shuffleboard court</td>
<td>1 per 1,000 people</td>
</tr>
<tr>
<td>Three wall court</td>
<td>1 per 10,000 people</td>
</tr>
<tr>
<td>Swimming pool</td>
<td>1 per 12,000 people</td>
</tr>
</tbody>
</table>

*The improvements required by these standards shall be implemented when the population of the City reaches the absolute numerical threshold established for each identified recreation facility.

### 4) SPACE STANDARDS WHEN UNIT FACILITY IS PROVIDED (AREA IN ACRES)

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>PARK ADJOINING SCHOOL</th>
<th>SEPARATE PARK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Play apparatus area - preschool</td>
<td>.25</td>
<td>.25</td>
</tr>
<tr>
<td>Play apparatus area - older children</td>
<td>.25</td>
<td>.25</td>
</tr>
<tr>
<td>Paved multi-purpose courts</td>
<td>.50</td>
<td>.50</td>
</tr>
<tr>
<td>Recreation center building</td>
<td>(*)</td>
<td>.25</td>
</tr>
<tr>
<td>Sports fields</td>
<td>(*)</td>
<td>5.00</td>
</tr>
<tr>
<td>Senior citizens’ area</td>
<td>.50</td>
<td>.50</td>
</tr>
<tr>
<td>Quiet areas &amp; outdoor classroom (City beach park)</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>Open or “free play” area</td>
<td>.50</td>
<td>.50</td>
</tr>
<tr>
<td>Family picnic area</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4.00</strong></td>
<td><strong>9.25</strong></td>
</tr>
</tbody>
</table>

For the 2007-2012 schedule of capital improvements, all parks are funded through new development for a park level of service standard of 4.5 acres per 1000 residents. This approach is used by the City to address the facilities and acreage requirements identified above and in the Recreation and Open Space Element for neighborhood and community parks, and is consistent with Objective (a), Policy 3 of the Recreation and Open Space Element. All deficiencies are being handled through the master planning process consistent with Objective (a), Policy 4 of the Recreation and Open Space Element, dependent on revision of the
element by December of 2009 to reflect the goals of the Recreation and Open Space Master Plan, and shall create a revised capital improvements program following the update to the element.

5. **Policy.** The City shall coordinate land use decisions and available or projected fiscal resources with the capital improvements program and shall require that public facilities needed to support development are consistent with the City’s Concurrency Management System.

**Capital Improvements Cost Sharing.**

(c) **Objective.** The City shall ensure that all future development pays its share of cost associated with demands for existing and future facility needs. [9J-5.016(3)(b)4.]

1. **Policy.** The City shall require that any proposed development or redevelopment that will utilize components of the existing infrastructure system that has been determined to need replacement within 5 years in order to maintain the adopted level of service standards, shall be required to replace or pay the proportionate costs for the replacement. [9J-5.016(3)(c)8.] [SCP (18) Public Facilities (b) 2 and 3]

2. **Policy.** The City shall require new developments a pro rata share of expenses necessary to finance public facility improvements created by development in order to maintain adopted levels of service standards. [9J-5.016(3)(c)8.] [SCP (18) Public Facilities (b)3, 5 and 9]; [SCP (21) Governmental Efficiency (b)13]

3. **Policy.** The City shall discourage the use of small satellite water, wastewater, solid waste and hazardous waste facilities by proposed developments by requiring, as a part of the development approval process, that such facilities and services be provided only by the City or City/other local governments as applicable, primarily in appropriately located public centers. [CR 9(b)(4) and (6)] [SCP (18) Public Facilities (b)7]

4. **Policy.** The City shall apply its adopted proportionate fair share concurrency methodology to ensure that future development pays its share of cost associated with demands for existing and future facility needs. The City shall isolate program costs and implement user fees where practical. The City shall continue to apply its established cost sharing formula and use impact fees or other development exactions to finance improvements which are required to service future growth.

**Implementation.**

(d) **Objective.** The City will identify and establish the source(s) for funding the needed capital improvements as identified in the several planning elements. [9J-5.016(3)(b)5.]

1. **Policy.** The 5-Year Schedule of Capital Improvements (shown in the following tables) shall reflect the facility improvements, including replacement and renewal, determined to be necessary in the several elements of the Comprehensive Plan in order to establish and/or maintain the adopted level of service standards. [9J-5.016(3)(c)3.]; [9J-5.016(4)(a)1. and 2.]

*Editor’s note: Table 1 below is provided for reference only. There are currently no identified 5-year improvements for Transportation and Recreation (See the discussion in the Level of Service sections of this element).*
**TABLE NO. 1**

5 - YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS FROM 2007 TO 2012

<table>
<thead>
<tr>
<th>FUND</th>
<th>2006-07</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PARKS &amp; RECREATION¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRANSPORTATION²</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Impact fees Revenue Bonds and General Fund Revenues
2. Impact fees Revenue Bonds and General Fund Revenues

Table 2a presents the City’s five-year sewer system capital improvement program. Table 2b presents the combined water and sewer capital improvements funding analysis.

### Sewer System Table 2a: Sewer System Capital Improvements Program: 2007-2011

<table>
<thead>
<tr>
<th>Potable Water Project</th>
<th>Using Dpt.</th>
<th>Fund Source</th>
<th>Total Cost</th>
<th>FY 06-07</th>
<th>FY 07-08</th>
<th>FY 08-09</th>
<th>FY 09-10</th>
<th>FY 10-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polk City Rd 20&quot; main between US 27 &amp; Johnson Av.</td>
<td>Line Maint.</td>
<td>A/B</td>
<td>491,925</td>
<td>491,925</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orchid Av 18&quot; main from Bates Rd to South Blvd.</td>
<td>Line Maint</td>
<td>B</td>
<td>500,000</td>
<td>500,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Polk City Rd, 10&quot; main from US 27 to Lake Brown Dr.</td>
<td>Line Maint</td>
<td>A/B</td>
<td>86,250</td>
<td>86,250</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robinson Dr. 16&quot; main from 14th St. E to 18th St.</td>
<td>Line Maint</td>
<td>A/B/C</td>
<td>118,000</td>
<td></td>
<td></td>
<td></td>
<td>118,000</td>
<td></td>
</tr>
<tr>
<td>Johnson Av. 20&quot; main from Polk City Rd. to 5th St.</td>
<td>Line Maint</td>
<td>A/B</td>
<td>189,750</td>
<td>189,750</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10th St 12&quot; main from CR 544 to Leone Dr.</td>
<td>Line Maint</td>
<td>A/B/C</td>
<td>110,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>110,000</td>
</tr>
<tr>
<td>CR 544 12&quot; main from SR 17 to Peninsular Dr.</td>
<td>Line Maint</td>
<td>A/B/C</td>
<td>104,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>104,500</td>
</tr>
<tr>
<td>12&quot; main from CR 544 to Hughes Rd.</td>
<td>Line Maint</td>
<td>B/C</td>
<td>259,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>259,000</td>
</tr>
<tr>
<td>Hughes Rd. 12&quot; main from Kokomo Rd-Water Tk Rd.</td>
<td>Line Maint</td>
<td>B/C</td>
<td>95,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>95,000</td>
</tr>
<tr>
<td>CR 544 12&quot; main E from Detour Rd.</td>
<td>Line Maint</td>
<td>B</td>
<td>400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>400,000</td>
</tr>
<tr>
<td>Hinson Rd. 8&quot; main form 30 St to Clay Cut Circle</td>
<td>Line Maint</td>
<td>B/C</td>
<td>73,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>73,000</td>
</tr>
<tr>
<td>Install 2 raw water supply wells incl. lines to WP #2</td>
<td>Line Maint</td>
<td>A/B</td>
<td>600,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>600,000</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td></td>
<td></td>
<td>3,027,425</td>
<td>2,181,675</td>
<td>86,250</td>
<td>104,500</td>
<td>354,000</td>
<td>301,000</td>
</tr>
</tbody>
</table>

Funding Sources: A=Current Revenues; B=Impact; C=Revenue Bonds

The City’s combined program for funding potable water and sewer capital improvements is presented below in Table 2b.

### Table 2b: Combined Water and Sewer Capital Improvements Funding Analysis

<table>
<thead>
<tr>
<th></th>
<th>FY 06-07</th>
<th>FY 07-08</th>
<th>FY 08-09</th>
<th>FY 09-10</th>
<th>FY 10-11</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Years 1-3 Funding Requirements:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated Funds Available from Impact Fees @ 10/1/06</td>
<td>5,000,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated Three Year Impact Fee Revenue</td>
<td>5,400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated Two Year Operating Funding Available</td>
<td>600,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Three Year Funds Available</strong></td>
<td>11,000,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planned Three Capital Projects</td>
<td>8,110,050</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated Funds Available @ 10/01/09</td>
<td>2,889,950</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

|                |          |          |          |          |          |
| **Years 4-5 Funding Requirements:** |          |          |          |          |          |
| Estimated Two Year Impact Fee Revenue | 4,000,000 |          |          |          |          |
| Estimated Two Year Operating Funding Available | 400,000 |          |          |          |          |
| Funds From Financing | 17,000,000 |          |          |          |          |
| **Total Two-Year Funds Available** | 24,289,950 |          |          |          |          |
| Planned Two Capital Projects | 17,655,000 |          |          |          |          |
| **Projected Retained Funds:** | 6,634,950 |          |          |          |          |
ANALYTICAL COMMENTARY 1.b.1: PLAN AND MANAGE FUTURE LAND USE CONSISTENT WITH THE NEED TO PROVIDE ADEQUATE SEWERAGE TREATMENT CONCURRENT WITH THE DEVELOPMENT IMPACTS.

Impacts of Future Land Use on Sewerage System Level of Service. Table 2a: “Projected Impacts of Haines City Large Scale Comprehensive Plan Future Land Use Map Amendment” and Table 2B: “Projected 2015 Sewage Treatment Demand” present analyses of the impacts of existing and future land use on the sewerage system level of service. [These tables are included as Appendix A to this “ORC” Response and explain the projection methodology.] Although 2006 sewage treatment volume (1.50 mgd) is only 50% of the treatment plant’s designed capacity (2.97 mgd), projected future development to 2015 will require an estimated treatment plant of 4.667 mgd. In order to ensure that future land use is effectively coordinated with the timely provision of public services including sewerage services, the City has begun the process of soliciting an engineering firm to develop a plan to implement necessary sewage treatment plant expansion, including design specifications. Preliminary assessments by the City estimate a need for a phased sewage treatment plant capacity of 6 mgd. The expansion program will be phased to accommodate projected development illustrated in Table 2B through 2015 to 2020. The engineering study shall recommend a capacity, design, and plant expansion schedule that is effectively coordinated and planned to meet land use projections, timing of service demand, and consistent with adopted level of service standards. The City shall ensure that no new development shall receive a final development order unless and until the development has met sewage treatment plant concurrency requirements and all development is served by the City sewerage system. The City shall continue to enforce user fees and connection fees as well as potable water and wastewater concurrency requirements in order to ensure available sources of funding for needed water and wastewater improvements.

The City’s five-year waste water capital improvement program is presented below:

<table>
<thead>
<tr>
<th>Waste Water Project</th>
<th>Using DPT</th>
<th>Funding Source</th>
<th>Total Cost</th>
<th>FY 06-07</th>
<th>FY 07-08</th>
<th>FY 08-09</th>
<th>FY 09-10</th>
<th>FY 10-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>WWTF Expansion 2.97mgd to 6 mgd</td>
<td>TTTP A/B/C</td>
<td>18,700,000</td>
<td>1,700,000</td>
<td>8,500,000</td>
<td>8,500,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20” force main from Reg’l PS to the WWTF</td>
<td>Line Maint. A/B</td>
<td>1,231,250</td>
<td>1,231,250</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upsize Dvlp. PS to N Regional PS, Ph 1</td>
<td>Line Maint. B</td>
<td>31,250</td>
<td>31,250</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upsize Powerline Rd 12” force main from S Hinson Av to the WWTF to 36”</td>
<td>Line Maint. A/B</td>
<td>926,250</td>
<td>926,250</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upsize Powerline Rd 16” force main between CR 544 &amp; S Hinson Av.</td>
<td>Line Maint. A/B</td>
<td>560,625</td>
<td>560,625</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upsize CR 544 force main from Bice Rd to Powerline Rd</td>
<td>Line Maint. A/B</td>
<td>297,000</td>
<td>297,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regional PS #4 at corner of Johnson Av &amp; JoAnne Rd</td>
<td>Line Maint. B</td>
<td>187,500</td>
<td>187,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upsize Johnson Av 12” force main from JoAnne Rd to</td>
<td>Line Maint. B</td>
<td>803,750</td>
<td>803,750</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>22,737,625</td>
<td>3,046,375</td>
<td>991,250</td>
<td>1,700,000</td>
<td>8,500,000</td>
<td>8,500,000</td>
<td></td>
</tr>
</tbody>
</table>

Funding Sources: A=Current Revenues; B=Impact Fees; C=Revenue Bonds

The City’s analysis of the combined funding program for the potable water and sewer systems is presented below:

<table>
<thead>
<tr>
<th>Years 1-3 Funding Requirements:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Funds Available from Impact Fees @ 10/1/06</td>
</tr>
<tr>
<td>Estimated Three Year Impact Fee Revenue</td>
</tr>
<tr>
<td>Estimated Two Year Operating Funding Available</td>
</tr>
</tbody>
</table>
2. **Policy.** Each City Department head shall submit to the City Manager, no later than July 1 or each year, a listing of necessary capital improvements that have been systematically identified along with a ranking by priority based on the criteria identified in Objective (a), Policy 1. Such list shall include an evaluation of the life expectancy remaining in the existing facility. [9J-5.016(3)(c)3.] [CR 9(c)(1) and (3)]; [CR 11(a)(2)]

3. **Policy.** A Capital Improvement Coordinating Committee shall be designated by the City Manager.

4. **Policy.** The Capital Improvement Coordinating Committee shall continue to establish priorities for the Capital Improvement Budget and shall apply for Federal, State, County or private funding where possible to pay for capital or operating programs.

**Managing Development To Provide Needed Capital Improvements.**

(e) **Objective.** The land development process shall be implemented by the City to ensure that costs of facility improvements generated as a result of prior development orders and proposed development do not exceed the City’s ability to fund such improvements. [9J-5.016(3)(b)5.] [SCP (18) Public Facilities (b)9]

1. **Policy.** The City shall not issue any development orders unless the level of service standards for all public facilities are:

   a. Available at the adopted level of service standards concurrently with the impacts of development;

   b. The development is phased so that public facilities and related services needed to operate the facilities are available concurrently with the impacts of development;

   c. Complied with according to the provisions of the Concurrency Management Systems Plan adopted by the City. [9J-5.016(3)(c)6.] [CR 9(a)(1) and (4)]; [CR 9(b)(1)] [SCP (18) Public Facilities (b)9]

2. **Policy.** The City shall annually review the commitments for facility improvements for approved Development Orders as part of its capital budgeting and capital improvements programming process.
**Budgetary Procedures.**

(g) **Objective.** The Capital Improvements Element shall be reviewed and updated annually to reflect existing and projected capital needs in concert with the adopted level of service standards for the purpose of assessing the cost of those needs against projected revenues and expenditures. [9J-5.016(3)(b)5.; [9J-5.016(5)] [CR 11(a)(3)]

1. **Policy.** The 5-year capital improvements plan shall be incorporated into the annual budget in order to establish funds for future capital facilities. [9J-5.016(3)(c)7.] [CR 11(a)(1)]

2. **Policy.** The City shall continue to collect impact fees for the purpose of off-setting the cost of public facility improvements. [9J-5.016(3)(c)2.]

3. **Policy.** The City shall ensure that debt service shall not exceed 15% of annually budgeted revenues. [9J-5.016(3)(c)2.]

4. **Policy.** The City shall reserve and designate Enterprise Fund surpluses for major capital expenditures. [9J-5.016(3)(c)2.]

5. **Policy.** The City shall implement an annual systematic research program on the availability of grants that may be available through local, State and Federal assistance programs to offset cost that would normally be utilized from the City’s general fund. [9J-5.016(3)(c)2.]

6. **Policy.** All new development which has a direct or indirect impact on the level of services established in the several elements of the City comprehensive Plan shall continue to be subject to impact fees which shall be spent to directly benefit those from whom they were collected. [9J-5.016(3)9.]

7. **Policy.** The City shall bi-annually evaluate current impact fee schedules and consider requiring additional impact fee classifications and fee schedules to pay for all new public facilities and services generated as a result of new development.

8. **Policy.** The City shall a computer based land development data management system consisting of a data base, mapping and related information programs for the purpose of monitoring and managing growth. [SCP (21) Governmental Efficiency (b)9]

9. **Policy.** The City shall implement its established capital budgeting process, and shall include a one-year capital budget and a five-year capital improvements program which shall be updated annually.

**Public Education.**

(h) **Objective.** The City of Haines City Comprehensive Plan, under the 1985 Growth Management Act, will address the issue of concurrency. This will require that all public facilities and services needed to support new development must be in place when the development occurs or must be provided concurrent with the development.

Consistent with the Interlocal Agreement for Public School Facilities, the uniform, district-wide level-of-service standards are established as a percent of permanent Florida Inventory of School Houses (FISH) capacity. The LOS standards are set as follows:
TIERED LEVEL OF SERVICE – SCHOOL YEAR 2007-2012

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>122%</td>
<td>122%</td>
<td>115%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Middle</td>
<td>113%</td>
<td>113%</td>
<td>110%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>High School</td>
<td>110%</td>
<td>110%</td>
<td>105%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

(a) Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.

(b) Other: K-8, 6th grade centers, 9th grade centers, 6-12 are at one hundred percent (100%) of permanent DOE FISH capacity.

(c) Special: Including alternative education or special programmatic facilities will be determined by the type and use of programs for each facility.

(d) Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited control over how many students the schools enroll. The School Board is unable to “rezone” students to a conversion charter to maximize utilization.

Backlogged schools, identified in Appendix (XI-Three) of the Public School Facilities Element, are operating below the level of service standard and will be addressed through a long-term and financially feasible concurrency management program prepared and administered by the School Board, and adopted here by reference.

1. Policy: The City of Haines City will coordinate proposed development or redevelopment with state and regional agencies to consider whether the proposed action will affect State agency, water management district, or school district facility plans.

2. Policy: The City of Haines City will adopt by reference the School District’s 5-year Work Program, as approved annually by the School Board that includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities and based on the adopted level of service standards for public schools. The 5-year schedule of improvements ensures the level of service standards for public schools are achieved and maintained within the 5-year period. Annual updates to the schedule shall ensure levels of service standards are achieved and maintained within each year of subsequent 5-year schedule of capital improvements. Annual updates by the School Board will be adopted by reference as the City annually updates its CIE and CIP.

3. Policy: The City of Haines City will continue to negotiate with private development in the provision of capital facilities to serve proposed development. The City’s Proportionate Fair-Share Program provides a method by which the impacts of development on educational facilities can be mitigated by the cooperative efforts of the public and private sectors and includes a methodology for assessing proportionate fair-share mitigation options.

4. School facility concurrency mitigation options shall be available to address the impacts of residential developments when applicable elementary, middle or high schools to which the development is assigned or districted by the PCSB are at maximum capacity and/or exceed adopted levels of service standards. The school concurrency mitigation options shall be incorporated into the City’s ordinance for concurrency management and shall be consistent
with those options identified within the Polk County Interlocal Agreement for Public School Facility Planning and Chapter §163.3180, F.S., but at a minimum include donation, construction or funding of school improvements sufficient to offset the demand created by the proposed development. School facility mitigation must be reflected in the PCSB’s adopted 5 Year Program of Work, or approved as an update to same. The City’s annual CIE update will include this Program of Work by reference.
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6. **NATURAL GROUNDWATER AQUIFER RECHARGE** ............................... 104
1. **NEEDED PUBLIC FACILITIES**

**GOAL.**

Needed public facilities shall be provided in a manner which protects investments in existing facility and promotes orderly, compact urban growth. [9J-5.011(2)(a)]

(a) **Objective:** The City shall continue to implement adopted procedures to ensure that at the time a building or development permit is issued, adequate facility capacity is available or will be available when needed to serve the development. [CR 9(a)(1)]

(1) **Policy.** The following level of service standards are hereby adopted and shall be used as a basis for determining the availability of facility capacity and the demand generated by a development:

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVEL OF SERVICE STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potable Water</td>
<td>Average Water Consumption Rate 132 gallons per capita per day</td>
</tr>
<tr>
<td>Sanitary Sewer</td>
<td>Average Sewage Generation Rate 100 gallons per capita per day</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>Average Solid Waste Generation Rate 6.2 lbs. Per day per capita</td>
</tr>
<tr>
<td></td>
<td>Collection Capacity</td>
</tr>
<tr>
<td></td>
<td>1 garbage truck per 850 residents</td>
</tr>
<tr>
<td>Drainage Facilities</td>
<td>Design Storm:</td>
</tr>
<tr>
<td></td>
<td>- 25-year frequency, 24-hour duration;</td>
</tr>
<tr>
<td></td>
<td>- Southwest Florida Water Management District Permit</td>
</tr>
<tr>
<td></td>
<td>- SCS Type 2, Florida Modified</td>
</tr>
<tr>
<td></td>
<td>- Treatment:</td>
</tr>
<tr>
<td></td>
<td>- Per Southwest Florida Water Management District and DOT design</td>
</tr>
<tr>
<td></td>
<td>- Collection Systems:</td>
</tr>
<tr>
<td></td>
<td>- 5.5 inches per hour without flooding</td>
</tr>
</tbody>
</table>

These LOS standards shall apply to all new development and redevelopment irrespective of any size or threshold provisions of the water management districts.

Stormwater discharge facilities must be designed so as to not degrade receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, FAC.
In order to ensure that these levels of service standards are maintained, methodologies for determining available capacity and demand shall incorporate peak demand coefficients for each facility and the type of development proposed. [9J-5.011(2)(c)(2)]

(2) **Policy.** All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities.

(3) **Policy.** The public Utilities Department, the Public Works Department, the Building Department, and the Community Development Department shall continue to jointly develop procedures to update facility demand and capacity information as development/building permits or orders are issued.

(4) **Policy.** The City Manager’s office shall prepare annual summaries of capacity and demand information for each facility and service area.

(5) **Policy.** The City shall bi-annually review fee structures and ordinances and shall institute or increase fees as required. [CR 9(c)]

(6) **Policy.** The City shall implement the adopted a formal Concurrency Management System review process.

(b) **Objective.** The City shall maintain a five-year schedule of capital improvement needs for public facilities, to be updated annually in conformance with the review process for the Capital Improvement Element of this plan. [9J-5.011(2)(b)] [CR 9(b)]

(1) **Policy.** The Capital Improvement Coordinating Committee, which will be designated by the City Manager, shall evaluate and rank capital improvement projects proposed for inclusion in the five-year schedule of capital improvement needs.

(2) **Policy.** Proposed capital improvement projects shall be evaluated and ranked according to the following priority level guidelines.

d. **Level One** - whether the project is needed to protect public health and safety, to fulfill the City’s legal commitment to provide facilities and services, or to preserve or achieve full use of existing facilities.

e. **Level Two** - whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement costs, provides service to developed areas lacking full service or promotes in-fill development.

f. **Level Three** - whether the project represents a logical extension of facilities and services consistent with the Future Land Use Plan, to areas within a designated service area, or is compatible with plans of the County, State or Water Management District. [9J-5.011(2)(c)(1)] [CR 9(b)(7)]

(3) **Policy.** The City shall develop a 5-year capital improvements program and it shall be updated annually.
2. **POTABLE WATER.**

**GOAL.**

The city shall provide safe drinking water to all users at an adequate quantity and of an adequate quality to meet existing and projected demands identified in this plan. [9J-5.011(2)(a)]

(a) **Objective.** The City shall provide adequate quality water in compliance with Environmental Protection Agency and Florida Department of Environmental Regulation requirements.

(1) **Policy.** The City shall comply with EPA requirements for lead in drinking water. The City shall continue to locate all lead-joint water lines and shall continue the replacement of lead joint pipes. All existing service connections constructed of lead have been located. All lead-joint pipes shall be replaced and/or abandoned.

(2) **Policy.** The City shall implement the adopted ordinance requiring maintenance of backlog prevention/cross-connection devices by the users of such devices.

(3) **Policy.** The City shall implement the 2007 adopted study establishing well field cone of influence areas.

(4) **Policy.** The City shall provide quality water in compliance with EPA and DEP requirements.

(5) **Policy.** By 2010, the City shall pass an ordinance requiring water conserving fixtures in all new construction.

(6) **Policy.** By 2010, the City shall implement a program providing water conserving devices to all existing customers for minimal or no charge.

(7) **Policy.** The City shall require all new landscaping to be varieties requiring reduced quantities of irrigation water.

(8) **Policy.** All new development and redevelopment in the City of Haines City shall utilize appropriate drought tolerant plants or acceptable substitutes for landscaping.

(9) **Policy.** The City shall require applicants for new subdivisions to construct dry or pressurized lines for projects located in areas deemed financially feasible for accommodating water reuse, and the City shall require that reuse water, when available, be used for landscaping throughout the year.

(10) **Policy.** The City shall require that all new development and redevelopment utilize appropriate water conserving devices for plumbing. In addition, the City shall utilize incentive programs such as, inverted rate structures, to encourage homeowners to conserve water.

(11) **Policy.** The City shall require rain sensors or soil moisture sensors to be installed on new irrigation systems to override automatic sprinkler operations when sufficient soil moisture is already present.
(b) **Objective.** The City shall maximize the use of existing potable water facilities to discourage urban sprawl.

(1) **Policy.** The City shall implement the 1999 Utility Service Area Agreement and enter into an interlocal agreement with the County, establishing a City service area.

(2) **Policy.** As land transitions from agricultural uses to urban use, the City shall inventory such areas periodically and work with the landowner and the Water Management District to ensure that the water that was originally permitted for agricultural uses by the District is converted to urban use in a timely manner.

(3) **Policy.** By 2012, the City shall explore the feasibility of utilizing the lower Floridian Aquifer as an alternative source of water, and shall utilize it if the Water Management District confirms that it is an appropriate alternative source of water for the City.

(4) **Policy.** As part of the facilities availability required by state statute when the City amends its comprehensive plan to modify future land uses, the City will analyze future water demand and the available sources to meet this demand. This analysis will include a projection of future water conservation savings and reuse offsets.

3. **SANITARY SEWER.**

**GOAL.**

The city shall provide adequate sanitary sewer service to all residents in compliance with federal, state, and local regulations. [9J-5.011(2)(b)(1)]

(a) **Objective.** The City shall comply with U.S. Environmental Protection Agency (EPA) requirements for pretreatment of industrial wastes.

(1) **Policy.** The City has fully implemented the industrial pretreatment program adopted by the City of Haines City and approved by the EPA. [SCP (8) Water Resources (b)(13)]

(2) **Policy.** The City shall comply with EPA regulations for the pretreatment of industrial waste.

4. **SOLID WASTE MANAGEMENT.**

**GOAL.**

The city shall comply with the Florida Solid Waste Management Act and provide and acceptable level of service to all residents. [9J-5.011(2)(a)] [SCP (13) Hazardous and Non-Hazardous Material and Waste (a)]

(a) **Objective.** By 2010, the City shall strive to reduce per capita volumes of all waste disposals by 30 percent. [SCP (13) Hazardous and Non-Hazardous Material and Waste (a)]
(1) **Policy.** The City shall implement an educational program advising residents of the provisions of the Solid Waste Management Act and the benefits of recycling. [CR 6(c)(1)]

(2) **Policy.** The City shall promote recycling of waste materials. [SCP(13) Hazardous and Non-Hazardous Materials and Waste (b)3]

(3) **Policy.** The City shall continue to coordinate the construction of a central collection center for recyclables with the existing recycling agencies in the County. [CR 6(c)(1)] [SCP(13) Hazardous and Non-Hazardous Materials and Waste (b)4]

(4) **Policy.** The City shall continue to bill for solid waste service on a true cost basis.

(5) **Policy.** The City shall continue to coordinate recycling efforts with the Polk County Board of County Commissioners.

(6) **Policy.** The City shall partner with Polk County to reduce per capita volumes of all waste disposals.

(b) **Objective.** The City shall continue to adopt ordinances requiring proper disposal in accordance with State law, of hazardous and bio-hazardous materials.

(1) **Policy.** The City shall implement an Amnesty Day program for the collection of small quantities of household hazardous wastes, independently or through interlocal agreements with other local governments. [CR6(a)(2)] [SCP(13) Hazardous and Non-Hazardous Materials and Waste (b)12]

(2) **Policy.** The City shall implement the applicable FDEP and Florida Department of Health and Rehabilitative Services (FDHRS) regulations by reference. [CR6(a)(3)] [SCP(13) Hazardous and Non-Hazardous Materials and Waste (b)6 and 13]

(3) **Policy.** The City shall identify the location, type, and quantity of hazardous materials and adopt provisions to implement a systematic removal and cleanup of hazardous wastes. [SCP(13) Hazardous and Non-Hazardous Materials and Waste (b)5 and 7]

(4) **Policy.** The City shall comply with DEP and HRS regulations and monitor the proper disposal of hazardous and bio-hazardous materials.

5. **DRAINAGE**

**GOAL.**

Provide adequate protection of existing stormwater management systems and receiving water bodies. [9J-5.011(2)(a)]
(a) **Objective.** The City shall continue to regulate stormwater discharges to prevent flooding of existing and proposed stormwater facilities. [9J-5.011(2)(b)(5)]

1. **Policy.** The City shall require FDOT drainage permits for all new construction draining to the FDOT drainage system.

2. **Policy.** The City shall require all new construction, except single family and duplex residences, to provide storage sufficient to ensure that post-development peak discharges during a 25-year/24-hour storm do not exceed pre-development peak discharge rates.

3. **Policy.** The City shall forbid any additional impervious construction in existing drainage problem areas until improvements are constructed.

4. **Policy.** The City shall implement adopted regulations that require all new development and redevelopment to protect the functions of natural drainage features through the use of berms, retention facilities, and restricting the amount of impervious surface that can be placed on a site.

5. **Policy.** The City shall, as part of the annual CIP update, conduct an evaluation of the existing drainage facilities to determine what, if any changes or expansions may be needed to meet the ten year planning time frame needs.

6. **Policy.** The City shall regulate stormwater discharges to prevent flooding of existing and proposed stormwater facilities.

(b) **Objective.** The City shall implement structural and non-structural measures to reduce pollutant loadings to the lakes within and adjacent to the City. [9J-5.011(2)(b)(5)]

1. **Policy.** The City shall continue to enforce present requirements for the treatment of the runoff from the first inch of rainfall for all new construction, except single-family and duplex residences in existing platted subdivisions.

2. **Policy.** The City has completed a master study of the existing stormwater system which shall continue to be reviewed annually and shall continue to include and evaluation of existing facilities and future needs.

3. **Policy.** The City shall evaluate active treatment and/or management practices to determine the most feasible means of reducing existing pollutant discharges to the lakes.

4. **Policy.** The City shall implement adopted development regulations requiring erosion and sediment control during construction.

5. **Policy.** The City shall reduce pollutant loadings to the lakes within and adjacent to the City through enforcement of its Land Development Regulations.

(c) **Objective.** The City shall, as a result of new development drainage needs, coordinate the extension and/or expansion of existing City drainage systems in concert with the requirements of the Concurrency Management System.
(1) **Policy.** The City shall coordinate the extension and/or expansion of the existing City drainage systems in concert with the requirements of the Concurrency Management System.

6. **NATURAL GROUNDWATER AQUIFER RECHARGE.**

**GOAL**

The city shall protect its existing ground-water supply. [9J-5.011(2)(a)]

(a) **Objective.** The City shall protect the existing recharge capabilities of the area by adopting regulations limiting impervious land cover for all new construction. [9J-5.011(2)(b)(5)] [CR 8(d)(2)]

(1) **Policy.** The City shall implement its adopted regulations that limit the amount of impervious cover for any new construction that can be placed on upland soils to not exceed 70%.

(2) **Policy.** The City shall protect the recharge capabilities of the area through enforcement of its Land Development Regulations.

(b) **Objective.** The City shall implement the revised adopted wellhead regulations in 2007 to protect the existing wells cones of influence.

(1) **Policy.** The City shall implement the revised Land Development Regulations adopted in 2007 that prohibit any future industrial or commercial development utilizing or storing chemicals listed by the U.S. Environmental Protection Agency as toxic or hazardous, within the wells’ cones of influence.

(2) **Policy.** The City shall implement new sanitary sewer construction standards adopted in 2007 to reduce the possibility for pollution within the cones of influence.

(3) **Policy.** The City shall bi-annually revise the Land Development Regulations, based on hydrological and soils information, to establish set back zones of protection for and establish those land uses that will be prohibited, limited or permitted within a will field cone of influence.

(4) **Policy.** The City adopted a wellhead protection ordinance in 1992 and modified it in 2007.
# RULE 9J-5 REQUIREMENTS

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2. Minimum Requirements For Concurrency ....................................... 106

## II. CONCURRENCY MANAGEMENT SYSTEM

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The City is required by Rule 9J-5.0055 of the Florida Administrative Code to prepare and adopt a concurrency management systems plan as part of the tools to implement the comprehensive plan. Section I contains the applicable requirements of this Rule and Section II contains the concurrency management system for the City.

I. RULE 9J-5 REQUIREMENTS.

1. Level of Service Standards.

   (a) For the purpose of the issuance of development orders and permits, the City must adopt level of service standards for public facilities and services located within the area for which the City has authority to issue development orders and permits. For the purposes of concurrency, public facilities and services include the following for which level of service standards must be adopted under Chapter 9J-5, FAC.:

   7. Mass Transit, Rule 9J-5.008(3)(c)1., if applicable.

   (b) The capital improvements element must set forth a financially feasible plan which demonstrates that the City can achieve and maintain the adopted level of service standards.

   (c) In analyzing and establishing its level of service standards for roads, the City must to the maximum extent feasible as determined by the city, adopt level of service standards for state roads that are compatible with the level of service standards established by the Florida Department of Transportation for such roads.

2. Minimum Requirements For Concurrency.

A concurrency management system shall be developed and adopted to ensure that public facilities and services needed to support development are available concurrent with the impacts of such developments.

   (a) At a minimum, for potable water, sewer, solid waste, and drainage provisions in a comprehensive plan that ensure that the following standards will be met will satisfy the concurrency requirement:

   1. The necessary facilities and services are in place at the time a development permit is issued; or
2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or

3. The necessary facilities are under construction at the time a permit is issued; or

4. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Rules 9J-5.005(2)(a)1.-3. of this Chapter. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S. The agreement must guarantee that the necessary facilities and services will be placed when the impacts of the development occur.

(b) For parks and recreation, the City may satisfy the concurrency requirement by complying with the standards in Rules 9J-5.0055(2)(a)1.-4. of this Chapter or by including in the comprehensive plan provisions that ensure that the following standards will be met:

1. At the time the development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services within one year of the issuance of the development permit; or

2. The necessary facilities and services are guaranteed in an enforceable development agreement which requires the commencement of the actual construction of the facilities or the provision of services within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.

(c) For roads designated in the adopted plan, the City may satisfy the concurrency requirement by complying with the standards in Rules 9J-5.0055(2)(a)1.-4. and (2)(b)1. and 2. of this Chapter. In addition, in areas in which the City has committed to provide the necessary public facilities and services in accordance with its five-year schedule of capital improvements, the City may satisfy the concurrency requirements for roads by the adoption and implementation of a concurrency management system based upon an adequate capital improvements program and schedule and adequate implementing regulations which, at a minimum, include the following provisions:

1. A capital improvements element and a five-year schedule of capital improvements which, in addition to meeting all of the other statutory and rule requirements, must be financially feasible. The capital improvements element and schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program.
2. A five-year schedule of capital improvements which must include both necessary facilities to maintain the adopted levels of service standards to serve the new development proposed to be permitted and the necessary facilities required to eliminate those portions of existing deficiencies which are a priority to be eliminated during the five-year period under the City’s schedule of capital improvements pursuant to Rule 9J-5.016(4)(a)1. of this Chapter.

3. A realistic, financially feasible funding system based on currently available revenue sources which must be adequate to fund the public facilities required to serve the development authorized by the development order and development permit and which public facilities are included in the five-year schedule of capital improvements.

4. A five-year schedule of capital improvements which must include the estimated date of commencement of actual construction and the estimated date of project completion.

5. A five-year schedule of capital improvements which must demonstrate that the actual construction of the road facilities and the provision of services are scheduled to commence in or before the third year of the five-year schedule of capital improvements.

6. A provision that a plan amendment would be required to eliminate, defer or delay construction of any road facility or service which is needed to maintain the adopted level of service standard and which is listed in the five-year schedule of improvements.

7. A requirement the City must adopt development regulations which, in conjunction with the capital improvements element, ensure that development orders and permits are issued in a manner that will assure that the necessary public facilities and services will be available to accommodate the impact of that development.

8. A provision that a monitoring system shall be adopted which enables the City to determine whether it is adhering to the adopted level of service standards and its schedule of capital improvements and that the City has a demonstrated capability of monitoring the availability of public facilities and services.

9. A clear designation within the adopted comprehensive plan of those areas within which facilities and services will be provided by the City with public funds in accordance with the five-year capital improvements schedule.

(d) In determining the availability of services or facilities, a developer may propose and the City may approve developments in stages or phases so that facilities and services needed for each phase will be available in accordance with the standards required by Rules 9J-5.0055(2)(a), (2)(b) and (2)(c) of this Chapter.
For the requirements of Rules 9J-5.0055(2)(a), (2)(b) and (2)(c) of this Chapter, the City has developed guidelines for interpreting and applying level of service standards to applications for development orders and permits and determining when the test for concurrency must be met. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, must include the densities and intensities of development.

II. CONCURRENCY MANAGEMENT SYSTEM.

1. Purpose.

The concurrency management system shall measure the impact of any proposed development or expansion to an existing development for which a development order is required, upon the established level of service for a roadway, sanitary sewer, solid waste, drainage, potable water and parks/recreation public facility or service. The most current available information and data regarding the above public facilities shall be utilized for concurrency evaluations. No final development order shall be utilized for concurrency evaluations. No final development order shall be approved unless adequate public facilities and services are available as determined by the concurrency management system.

2. Definitions.

The definitions of words and terms in the Concurrency Management System shall be the same as those which are set forth in Chapter 163, F.S. and Rule 9J-5, FAC., unless a word or term is defined differently in this Chapter.

(a) **Adequate Public Facilities** shall mean public facilities available to serve a development in a manner to meet the levels of service set forth in the Capital Improvements Element and this Chapter.

(b) **Capital Improvements Element or CIE** shall mean the Capital Improvements Element of the City.

(c) **Certificate of Concurrency** shall mean a certificate which constitutes proof that public facilities and services are or will be available, consistent with the adopted LOS set forth in the CIE and this Chapter and shall specify the public facilities and services which are to be constructed, timing or and responsibility for construction. Certification of Concurrency shall cause the reservation of capacity in the public facilities and services which are or will be available, until the Certification of Concurrency is utilized, amended or expires.

(d) **Comprehensive Plan** shall mean the Comprehensive Plan of the City, including the various Elements, as adopted and amended.

(e) **Concurrency** shall mean that the necessary public facilities and services to maintain the adopted LOS standards are available when the impacts of development occur as set forth in the CIE and this Chapter.
(f) **Development Agreement** shall mean an agreement entered into between the City and a developer, corporation or other legal entity in connection with the approval of a development order pursuant to the requirements of Chapter 163.3220-163.3243, F.S., or an agreement on a development order issued pursuant to Chapter 380, F.S.

(g) **Development Permit** shall mean any development order issued in conjunction with a building permit, zoning permit, subdivision approval (including preliminary and final approvals), rezoning, certification, special exception, variance, or any other official action of a local government having the effect of permitting the development of land.

(h) **Public Facilities and Services** shall mean capital facilities for water, sewer, drainage, solid waste, parks and recreation, and roads, for which level of service standards have been established in the Comprehensive Plan.

(i) **Reserved Capacity** shall mean the setting aside of an agreed upon quantity of a public facility or service to be used for a special project having been assigned a development order.

3. **Applicability.**

(a) **General.** The concurrency management system shall become effective May 1, 1991. Any application for a development order that is pending or submitted after May 1, 1991 shall be subject to the concurrency management system. A development order refers to any building permit, zoning approval, subdivision approval (including either preliminary or final plat approval), site plan approval, impact statement approval, special exception, variance or land use amendment. Once a development order for a particular development expires, so does concurrency certification.

(b) **Extraterritorial Services.** Adopted water and sewer levels of service shall be maintained in the unincorporated areas of the County where these facilities are provided by the City if a determination of concurrency or similar action is either required or requested from the County. The City may enter into an interlocal agreement with the County with respect to the administration or enforcement of concurrency requirements for potable water and/or sewer facilities, in accordance with Florida law.

(c) **Annexation.** If land is annexed into the City and, prior to annexation was subject to development orders approved by the County, then the last development order issued by the County shall continue to comply with the County concurrency requirements and any subsequent developments orders issued by the City. However, the developer, property owner or their agent(s) may request at the time of annexation that the property be subject to the provisions of the requirements contained in the City Concurrency Management System. For any land subject to this paragraph, any development orders which are issued by the City after five years of the date of annexation shall be subject to the provisions of the City Concurrency Management System.

(d) **Exemptions.** Development permits for construction of a single family dwelling unit on an individual lot or parcel in solitary ownership and additions to or the erection of
structures in which the addition or erection does not exceed 1,000 square feet and are utilized for non-residential purposes are deemed to be exempt from the concurrency rule. An Exemption Determination shall be issued to any land owner whose property is classified as being exempt from the concurrency provisions of this Chapter. However, the City shall continue to maintain capacity demand records for all such construction and combine such data with that required for monthly and annual updates.

(e) **Transferability.** An Exemption Determination, Certificate of Concurrency or reserved capacity may be transferred from one property owner to another, but not from one parcel of land to another.

4. **Effect.**

Receipt of a Certification of Concurrency shall constitute proof that public facilities are or will be available, consistent with adopted levels of service and conditions set forth in this Chapter, and shall specify the public facilities and services which are to be constructed, timing of construction and responsibility for construction. Certification of Concurrency shall reserve capacity in the public facilities which are available, until the Certificate of Concurrency is fulfilled, amended or expires.

5. **Amendments of Certification.**

An amendment to a Certificate of Concurrency shall be required in order to amend any development order for which such certification has been made, if the amendment would increase or decrease the demand for any public facility or service. The amendment of the Certification shall require evaluation and reservation of capacity only for any additional demand for public facilities and services which would be created by the amendment to the development order. Furthermore, the amendment to the Certification shall be approved if the amendment to the development order is exempt from concurrency requirements in accordance with he provisions or this Chapter.

6. **Availability of Public Facilities.**

Except as provided otherwise, no development order which is submitted after the effective date shall be approved unless public facilities are or will be able to serve a proposed development, such that the adopted levels of service are maintained, concurrent with the impacts of the proposed development. For public facilities and services to be determined to be available as such, the following conditions shall be met, given the proposed timing and phasing of the proposed development;

(a) For potable water, sewer, solid waste, and drainage, which are required improvements according to the Subdivision Regulations:

(1) The necessary facilities and services are in place at the time a development permit is issued; or

(2) A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
(3) The necessary facilities are under construction at the time a permit is issued; or

(4) The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of 6.(a),(1)-(3) of this Chapter. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S. The agreement shall guarantee that the necessary facilities and services will be in place when the impacts of the development occur.

(b) For parks and recreation, the concurrency requirement may be satisfied by complying with the standards set forth in Paragraphs 1.-4. immediately above or by complying with the following standards:

(1) At the time the development permit is issued, the necessary public facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required public facilities or the provision of services within one year of the issuance of the development permit; or

(2) The necessary public facilities and services are guaranteed in an enforceable development agreement which requires the commencement of the actual construction of the public facilities or the provision of services within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.

(c) For roads designated in the adopted Comprehensive Plan, the City may satisfy the concurrency requirement by complying with the standards set forth in 6.(a), (1)-(4) above.

7. Standards.

The Capital Improvements Element (CIE) of the City Comprehensive Plan serves as the baseline standard for the concurrency management system. The CIE establishes level of service standards for each public facility or service and proposes a schedule for funding applicable improvements to these facilities. Once the Comprehensive Plan is adopted, the City shall maintain the level of service standards established in the Capital Improvements Element and related Elements. The following level of service standards have been adopted by the City:

<table>
<thead>
<tr>
<th>ELEMENT/FACILITY</th>
<th>STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Potable Water.</td>
<td>Average water consumption rate:</td>
</tr>
<tr>
<td></td>
<td>132 gallons per capita per day</td>
</tr>
<tr>
<td>(2) Sanitary Sewer.</td>
<td>Average sewage generation rate:</td>
</tr>
<tr>
<td></td>
<td>100 gallons per capita per day</td>
</tr>
<tr>
<td>(3) Solid Waste.</td>
<td>Average solid waste generation rate:</td>
</tr>
<tr>
<td></td>
<td>6.2 lbs. Per capita per day</td>
</tr>
<tr>
<td></td>
<td>Collection capacity: 1 truck per 850 residents</td>
</tr>
<tr>
<td>(4) Drainage</td>
<td>Design storm:</td>
</tr>
</tbody>
</table>
These LOS standards shall apply to all new development and redevelopment irrespective of any size or threshold provisions of the water management districts.

(5) Traffic Circulation.*
   Fla. Interstate Highway System  LOS C @ peak hour
   Arterial                          LOS D @ peak hour
   Urban Collector-County            LOS D @ peak hour
   Urban Collector-City              LOS D @ peak hour
   Local Streets                     LOS D @ peak hour
   SR 17                             LOS E @ peak hour
   US 17-92, Hinson Ave. to SR 17    LOS E @ peak hour
   *See Traffic Circulation Map for specific street designations.

(6) Recreation.

   a. Neighborhood Park  1 per 5,000 people

   b. Space Standards When Unit Facility Is Provided (Area in Acres)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Park Adjoining School</th>
<th>Separate Park</th>
</tr>
</thead>
<tbody>
<tr>
<td>Play apparatus area-preschool</td>
<td>.25</td>
<td>.25</td>
</tr>
<tr>
<td>Play apparatus area- older children</td>
<td>.25</td>
<td>.25</td>
</tr>
<tr>
<td>Paved multi-purpose courts</td>
<td>.50</td>
<td>.50</td>
</tr>
<tr>
<td>Recreation center building</td>
<td>*</td>
<td>.25</td>
</tr>
<tr>
<td>Sports field</td>
<td>*</td>
<td>5.00</td>
</tr>
<tr>
<td>Senior citizens’ area</td>
<td>.50</td>
<td>.50</td>
</tr>
<tr>
<td>Quiet areas &amp; outdoor classroom (City beach park)</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>Open or “free play” area</td>
<td>.50</td>
<td>.50</td>
</tr>
<tr>
<td>Family picnic area</td>
<td>1.00</td>
<td>1.00</td>
</tr>
</tbody>
</table>

   c. STANDARDS FOR SPECIAL FACILITIES*
Baseball diamond 1 per 6,000 people
Softball diamond 1 per 3,000 people
Tennis court 1 per 2,000 people
Basketball court (outdoors) 1 per 1,000 people
Swimming pool - 25 meter 1 per 10,000 people
Neighborhood center 1 per 10,000 people
Field sports area .5 acre per 1,000 people
Shuffleboard court 1 per 1,000 people
Three wall court 1 per 10,000 people

*The improvements required by these standards shall be implemented when the population of the City reaches the absolute numerical threshold for each identified numerical recreation facility.

d. Standards for resource - based outdoor recreation activities

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>RESOURCE</th>
<th>FACILITY</th>
<th>STANDARD</th>
<th>MINIMUM SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swimming</td>
<td>Freshwater Beach</td>
<td>Beach</td>
<td>( \frac{1}{2} ) linear foot of beach per user per day</td>
<td>100 sq. ft. of beach per person</td>
</tr>
<tr>
<td>Fishing</td>
<td>Freshwater Lake</td>
<td>--</td>
<td>One within 50 miles of 20,000 population</td>
<td>3 acres of water area</td>
</tr>
<tr>
<td>Boating</td>
<td>Freshwater Lake</td>
<td>Boat Ramp</td>
<td>1 ramp for 40 boats per day (280 users per ramp per day)</td>
<td>Minimum 1 acre</td>
</tr>
<tr>
<td>Water Skiing</td>
<td>Freshwater Lake</td>
<td>--</td>
<td>40 acres of water per boat</td>
<td>40 acres of water per boat</td>
</tr>
<tr>
<td>Picnicking</td>
<td>Picnic Areas</td>
<td>Picnic tables and site</td>
<td>9 users per table per day</td>
<td>4 to 8 tables per acre</td>
</tr>
<tr>
<td>Bicycling</td>
<td>Bicycle Trails</td>
<td>Bicycle Trails</td>
<td>1 mile of trail for every 1,800 users per day</td>
<td>Minimum 5 feet wide</td>
</tr>
</tbody>
</table>

8. City Resources and Monitoring System.

A. City Resources. All departments and agencies that provide and maintain public facilities or services in the City shall be requested by the Administrative Official (or designee) to provide data and information that will be necessary to make concurrency determinations. Primary service providers are considered departments within the City that have a direct responsibility for maintaining a public facility or provide a public service. These departments will provide specific information on existing usage, system capacity, generation factors, and the status of planned facility expansions. The data and information provided by these departments will be the basis for determining how much capacity is available for new development while maintaining the
adopted level of service standards. Primary service providers are:

<table>
<thead>
<tr>
<th>PRIMARY SERVICE PROVIDER</th>
<th>PUBLIC FACILITY OR SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Utilities Department</td>
<td>potable water and sewer</td>
</tr>
<tr>
<td>City Public Works Department</td>
<td>drainage, solid waste and traffic circulation</td>
</tr>
<tr>
<td>City Parks and Recreation Department</td>
<td>recreation and open space</td>
</tr>
<tr>
<td>City Planning and Engineering Department</td>
<td>traffic circulation</td>
</tr>
</tbody>
</table>

Secondary service providers are those entities outside the City that have a role in providing or maintaining a public facility or service in the City. These entities shall be requested to provide the City with evaluations on how their operating conditions and future plans impact the City adopted level of service standards. The information gathered from these entities will be long range in nature and less specific than information gathered from the primary service providers. Secondary service providers include:

<table>
<thead>
<tr>
<th>SECONDARY SERVICE PROVIDER</th>
<th>FACILITY OR SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polk County Health Department</td>
<td>potable water, sanitary sewer</td>
</tr>
<tr>
<td>Southwest Florida Water Management District</td>
<td>drainage</td>
</tr>
<tr>
<td>Polk County</td>
<td>solid waste</td>
</tr>
<tr>
<td>Florida Department of Transportation</td>
<td>traffic circulation</td>
</tr>
<tr>
<td>Polk County School Board</td>
<td>recreation and open space</td>
</tr>
</tbody>
</table>

B. Monitoring System.

The City shall continue to maintain written or computerized records of all public facility and service capacities or volumes which are committed for developments as a result of development orders issued by the City. This process will require coordination between the service providers and the Administrative Official in order to establish and maintain an accurate accounting system that systematically tracts development approvals. At a minimum, the monitoring process must ensure that each service provider accounts for the impact and demand generated by all development orders issued by the City.

Accountability shall be established by reserving capacity from the total available capacity for all approved development orders. Once capacity is reserved for a specific development, it cannot be allocated to another development. Capacity reservations shall be renewed no later than June 30 on a yearly basis in order for facility improvements or services to be entered into or accounted for in the annual budgetary process. Upon the expiration of a development order with concurrency standing which is not constructed or deemed by the City to having been abandoned by an applicant, the capacity
allocated to that proposed development shall be deleted. Deleted capacity shall then be available for use, reservation, or allocation to other proposed developments on a first come, first serve basis. A priority “waiting list” shall be established for the purpose of allocating deleted capacity. Reserved capacity may be transferable from one property owner to another, but not from one lot or parcel of land to another. When determining how much capacity is available for new proposed developments, the City shall take into account all capacity that is reserved for approved development orders.

Development orders that remain valid through March 1, 1991 (as determined by the City) shall remain exempt from meeting concurrency requirements, but the development impacts will be added cumulatively to existing capacities and volumes for each affected public facility or service in order to establish total committed and available capacity. Development orders issued by governmental jurisdictions outside the City shall also be accounted for if the development order is issued within the service area of a City service provider.

C. **Annual System Adjustment.** At a minimum, the database component shall be updated as a part of the City’s annual schedule of capital improvements update. Necessary adjustments include: updating information generated by service providers; making changes (deletions or reservations) to available facility capacities; adding or deleting capital projects; using new or enhanced revenue sources; moving projects ahead of schedule; and delaying projects due to revenue shortfalls. The Administrative Official must ensure that all relevant information is updated on a regular basis by conducting a monthly inventory of development orders issued by the City and requiring primary service providers to maintain current records.

9. **Administration.**

A. **Administration.** Once a specific development application is accepted as complete, information on: (a) type of development proposed, (b) number of new or additional dwelling units or non-residential units, (c) densities or intensities of uses, (d) types of uses or units, and (e) specific boundaries of the proposed development must be documented and verified. This information shall be collected from the original development application submitted by the applicant. The Administrative Official will then calculate the projected public facility and service demands of the proposed development and identify the public facilities and/or services that will be affected.

If the demands generated by the proposed development, when deducted from the available capacity, fall below the minimum established level of service standard thresholds, the proposal will be found in compliance and capacity will be reserved for needed facilities or services. If a proposed development caused established thresholds to exceed the adopted LOS standards, the administrative Official shall prepare an impact statement and forward copies to all affected primary service providers. Primary service providers will review impact statements and determine how much capacity will be available to service the proposed development.

B. **City Staff Review Meetings.** Each service provider that received an impact statement shall determine if and when adequate public facilities and/or services will be available.
to serve the proposed development and present written findings during City Staff Review Meetings. If a service provider determines that adequate public facilities and/or services exist to serve the proposed development, the administrative Official shall render a finding of concurrence and capacity will be reserved for that particular facility and/or service for the proposed development. If a service provider determines that public facilities and/or services will not be available as a result of lowering the level of service standards below thresholds, the Administrative Official shall render a finding of non-concurrency.

Within fifteen days of the City Staff meeting and receipt of service provider reports, the administrative Official shall review the reports and application to determine whether the application complies with the provisions of this Chapter. If the application complies with the provisions of this Chapter, the Administrative Official shall issue a Certificate of Concurrency and capacity shall be reserved. The Certificate of Concurrency shall specify the public facilities which are to be constructed, timing of construction and responsibility for construction. The reservation shall be valid for a period of one year after issuance of a development order. An applicant may renew the reservation on an annual basis, with the renewal period to be no later than June 30 of each year. All capacity reservations granted between January and June of each year shall not be required to renew the reservation until the following June.

In case of a finding of non-currency the applicant shall be so notified, and then may pursue the mitigation process.

C. **Mitigation.** If levels of service standards fall below thresholds due to the demands generated by the proposed development, the applicant will be provided the following mitigation options:

1. phasing the development in accordance with planned facility improvements,

2. scaling back or reducing the development size in accordance with available public facilities and/or services, or

3. executing an enforceable development agreement which guarantees the construction of all necessary public facilities and/or services at the time the impacts of development occur.

If a mitigation solution is agreed upon by the City and applicant, the Administrative Official shall render a finding of compliance and capacity will be reserved. If an applicant refuses to mitigate in a manner acceptable to the City, the Administrative Official will render a finding of non-compliance and a final development order shall be withheld. An applicant may appeal the City’s finding and determination to the City Commission.

D. **Appeals.** The decision of the Administrative Official is final but may be appealed in writing to the City Commission by either the applicant or the City Staff by filing notice of the appeal within 30 calendar days of the rendering of the Administrative Official decision. The City Commission may affirm, modify, or uphold the decision.
of the Administrative Official or remand the matter to the Administrative Official for further review. The decision of the City Commission shall be based upon the concurrency requirement and accepted engineering and planning principles and shall be rendered within 45 days after the close of the City Commission hearing on the appeal.

E. **Liberal Construction, Severability and Penalties.** The provisions of this Chapter shall be liberally construed to effectively carry out its purpose in the interest of the public health, safety, welfare and convenience.

Should any section, paragraph, sentence, clause, part or provision of this Chapter be declared invalid or unenforceable by a court of competent jurisdiction, the same shall not affect the validity of this Chapter as a whole, or any part thereof other than the part declared to be invalid.

A violation of this Chapter shall be a misdemeanor punishable according to law; however, in addition to or in lieu of any criminal prosecution, the City shall have the power to sue in civil court to enforce the provisions of this Chapter.
CHAPTER 10
MONITORING AND EVALUATION
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CHAPTER 10  
MONITORING AND EVALUATION  
9J-5.005(7)

I. RULE 9J-5.005(7) REQUIREMENTS.

1. Monitoring And Evaluation Requirements.

   For the purpose of evaluating and appraising the implementation of the Comprehensive Plan, each Comprehensive Plan shall contain a section identifying five-year monitoring, updating and evaluation procedures to be followed in the preparation of the required five-year evaluation and appraisal reports. This section shall address:

   (a) Citizen participation in the process;

   (b) Updating appropriate baseline data and measurable objectives in the first five-year period of the plan, and for long-term period;

   (c) Accomplishments in the first five-year period, describing the degree to which the goals, objectives and policies have been successfully reached;

   (d) Obstacles or problems which resulted in underachievement of goals, objectives, or policies;

   (e) New or modified goals, objectives, or policies needed to correct discovered problems; and

   (f) A means of ensuring continuous monitoring and evaluation of the plan during the five-year period.

II. MONITORING AND EVALUATION SYSTEM.

1. Purpose.

   The City is required by Rule 9J-5.005(7) of the Florida Administrative Code to prepare and adopt a systematic monitoring and evaluation process for the purpose of evaluating and appraising the implementation of the Comprehensive Plan.

2. Monitoring.

   Monitoring the Comprehensive Plan will be the responsibility of the Administrative Official, who will utilize the City staff for data gathering and analysis. The findings and recommendations shall be presented to the Planning commission acting as the Local Planning Agency (LPA) for the City Commission. The extent and complexity of this on-going process requires that procedures be established to ensure a continuum of action throughout the planning horizon. Described below are the procedures the City shall follow to monitor plan implementation.

   (a) In order to effectively monitor implementation of the plan, the baseline data will need to be updated on a periodic basis. Depending on the data and its
application, the update may occur continuously if needed for concurrency management, annually, or at less frequent intervals. As the time following the date of plan adoption increases, it may be necessary to obtain new baseline data in addition to updating the data contained in the current technical support documents of the plan in order to adequately evaluate the effectiveness of the plan. The City Staff shall be responsible for updating and analyzing the baseline data and submitting the results and recommendations to the Administrative Official. This information shall then be presented to the LPA.

(b) Based upon the findings and recommendations of the Administrative Official, the LPA shall prepare and submit to the City Commission an annual progress report on implementation of the Comprehensive Plan.

(c) Every five years from the date of adoption of the Comprehensive Plan, the preparation and adoption of an evaluation and appraisal report (EAR) shall take the place of the annual report. Data gathered, analyzed and recommendations made as a result of the annual progress reports of the implementation of the Comprehensive Plan shall comprise the majority of the EAR. The EAR shall meet the requirements of Chapter 163.3191, Florida Statutes.

3. Evaluation And Appraisal.

(a) A minimum of 6 months before the Local planning Agency (LPA) is to submit the 5 year Evaluation and Appraisal Report (EAR) to the City Commission, public notice shall be given to the residents of the City, advising that draft copies of the report are available for public review. Any person or group desiring to be on a mailing list to receive a copy of the draft report shall be required to register with the City Clerk 30 days before the draft document is initially released.

(b) When the draft version of the EAR is completed, copies shall be distributed to those on the mailing list and made available at the office of the City Clerk for public review prior to hearings to be held by the LPA.

(c) Updated baseline data and any new data that may be required shall be used to determine the degree to which goals, objectives and policies have been achieved. The EAR shall describe the accomplishments of the previous 5 years. If goals, objectives and/or policies have not been achieved or there has been inadequate progress made toward their achievement, the LPA shall determine what precluded their success of fulfillment.

(d) The LPA shall present its findings and recommendations at one or more public hearings. The LPA shall receive citizen input and comments on the draft EAR and on what new or modified goals, objectives and/or policies are needed to correct any identified problems or deficiencies.

(e) After the public hearing(s), the LPA shall develop recommendations for updating the Comprehensive Plan, including changes to the goals, objectives and/or policies. These recommendations shall be based in part on the citizen
comment received at the public hearing(s) and through any other means developed to better implement the Comprehensive Plan. Any revised draft of the EAR shall be distributed to those on the mailing list and made available to the public for review at the office of the City Clerk.

(f) At the conclusion of the public hearing(s) and revisions as necessary, the LPA shall submit the EAR to the City Commission.

(g) The City Commission shall set a public hearing for review and adoption of the EAR. Upon adoption of the EAR the Commission shall amend the Comprehensive Plan based upon the recommendations contained in the EAR and as prescribed by Chapter 163.3191 of the Florida Statutes.
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CHAPTER 11
PUBLIC PARTICIPATION

I. CHAPTER 163.3181, F.S. REQUIREMENTS.

Chapter 163.3181, F.S., requires the City Commission and local planning agency to adopt procedures to provide for and encourage public participation in the comprehensive planning process. These procedures must include:

1. Provisions to notify real property owners of official actions that will regulate the use of their property.

2. Provisions to keep the general public informed throughout the planning process.

3. Provisions to assure that the public has opportunities to provide written comments.

4. Provisions to assure that required public hearings are held.

5. Provisions to assure the consideration of and response to public comments.

II. PUBLIC PARTICIPATION POLICIES.

To ensure that the public has adequate opportunities for input to the comprehensive planning process, the City hereby adopts the following policies.

1. A Citizens Committee will be appointed to assist in providing an accurate reflection of the needs and desires of the community in the comprehensive plan.

2. Workshops will be held to inform the general public about the comprehensive plan and/or individual plan elements.

3. The Local Planning Agency will hold a public hearing for the purpose of receiving comments from the general public prior to recommending the adoption of the comprehensive plan or any plan element or amendment to the plan.

4. The City Commission will hold a public hearing prior to the adoption of the comprehensive plan or any plan element.

5. As they are scheduled, workshops, public hearings, and meetings of the Citizens Committee will be advertised in a local newspaper of general circulation and by posting of notice at City Hall.

6. At all workshops and public hearings, the general public will be encouraged to submit written comments about the comprehensive plan and/or specific plan elements of the Chairman of the Local Planning Agency.

7. As they become available, summaries of comprehensive plan documents will be made available for public inspection at City Hall during normal operating hours.
III. GROUPS RESPONSIBLE FOR COMPREHENSIVE PLAN

Three groups share the responsibility for producing the City of Haines City Comprehensive Plan. Their respective roles can be summarized as follows.

1. Local Planning Agency (LPA).

   The Local Planning Agency for the City is the Planning and Zoning Commission. Its duties in regard to the comprehensive plan are:

   (a) To prepare the comprehensive plan and to recommend adoption of the comprehensive plan or any element thereof to the City Commission;

   (b) To conduct a public hearing prior to recommending to the City Commission the adoption or amendment of the comprehensive plan or any element of the plan;

   (c) To monitor and oversee the effectiveness and status of the comprehensive plan and make recommendations to the City Commission for any changes to the plan which may be required.

   (d) To evaluate and appraise the comprehensive plan and prepare reports as required by Chapter 169.9191, F.S.;

   (e) To review amendments to the land development regulations which implement the comprehensive plan and make recommendations to the City Commission as to the consistency of the proposal with the adopted comprehensive plan;

   (f) To perform any other functions, duties, and responsibilities assigned to it by the City Commission.

2. City Commission.

   As the local governing body, the City Commission the legislative responsibility for the adoption of the City’s comprehensive plan. The general duties and responsibilities of the City Commission as they relate to the comprehensive planning program are:

   (a) To adopt and amend the comprehensive plan;

   (b) To conduct public hearings prior to the adoption or amendment of the comprehensive plan or any element of the plan;

   (c) To appropriate funds for salaries, fees and expenses necessary to produce the comprehensive plan;

   (d) To approve and submit the approved Evaluation and Appraisal Report to the Florida Department of Community Affairs as required by Chapter 163.9191, F.S.;

   (e) To adopt land development regulations, land development codes, and amendments thereto that are consistent with the adopted comprehensive plan.
3. Citizens Committee

The duties of the Citizens Committee are:

(a) To advise the Local Planning Agency as to the views, opinions, ideas, and concerns of the citizens of the City in regard to the development of the comprehensive plan;

(b) To assist the Local Planning Agency in formulating appropriate goals, objectives, and policies for inclusion in the comprehensive plan in conformance with the state law.

IV. CITIZENS COMMITTEE PROCEDURES.

Although it is not a decision-making body, the recommendations of the Citizens Committee are vital in that they reflect the “sense of the community” concerning the issues addressed in the plan. The following general operation procedures for the Citizens Committee are hereby adopted:

1. Membership and Method of Establishment.

The Citizens Committee shall nominate and elect by majority vote one among them to serve as Chair. The Chair shall select one other member of the Committee to serve as a recording secretary to keep written and taped records of all Committee meetings.

2. Chairman and Recording Secretary.

The Citizens committee shall nominate and elect by majority vote one among them to serve as Chair. The Chair shall select one other member of the Committee to serve as a recording secretary to keep written and taped records of all Committee meetings.


The Citizens Committee may form standing committees of concerned citizens and/or experts to serve as technical advisors for particular elements of the comprehensive plan. The recommendations of any such subcommittees shall be made to the full Citizens Committee.

4. Meetings.

The Citizens Committee shall establish its own meeting dates and times. All meetings will be advertised and open to the public. The Committee shall establish minimum requirements for attendance by members and other operating procedures as necessary to discharge its responsibilities.
CHAPTER 12
SELECTED AREA PLANS

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CHAPTER 12
SELECTED AREA PLANS
30TH STREET/CR 544 SELECTED AREA PLAN
(Adopted by Ordinance No. 954, June 1, 2000)

I. BACKGROUND.

The area around 30th Street and County Road 544 has been developing with industrial activities, as indicated by the location of Alpine Engineering and Glico Foods. However, the construction of the Ytong and the PaverModule industrial facilities has spurred even greater interest in the concept of a “master plan” to promote industrial development opportunities in Haines City and the greater northeastern Polk County area.

In response to this interest, a Selected Area Plan (SAP) has been developed by the City of Haines City, with financial support from participating property owners. This plan will “set the stage” to provide for even more industrial development by ensuring the availability of property zoned land with the necessary infrastructure. Besides the primary focus of this plan as a tool for economic development, the plan also provides for supporting commercial uses, plus allows for the development of quality residential communities.

II. GOALS, OBJECTIVES AND POLICIES.

Goal.

Promote the quality development of light and medium intensity industrial activities, especially compatible rail dependent industrial activities in the 30th Street/CR544 area to provide economic opportunities in the Haines City/Northeast Polk County area. The planning and design of land uses along the SR 17 and CR 544 gateway corridors shall include the development of compatible commercial development together with industrial activities to promote smooth land use transition. Site plans shall require gateway setbacks with landscaping. Site plans shall also include frontage roads or an approved alternative plan of vehicle access and internal circulation with curb cut controls and cross easements, as needed. Alternative circulation systems shall demonstrate appropriate intersection design, curb cut separation, and accommodate best management practices and design standards for effective circulation of cargo vehicles and routine traffic, including joint use of access ways and cross easements as may be necessary to meet operational and volume demands. Urban design amenities shall be required as needed in order to protect scenic amenities of gateway corridor and the residential uses as well as other less intense land uses located west of SR 17 and north of CR 544. Where the perimeter of commercial and/or industrial development is adjacent to less intense land uses, landscaped buffers and building setbacks shall be required and shall meet regulatory specifications sufficient to protect and enhance gateway corridor appearance.

Objective (A) – Future Land Use Classifications.

The 30th Street/CR 544 SAP shall contain Land Use Classifications from the Haines City Comprehensive Plan.

Policy 1 – Designation and Mapping.

The 30th Street and County Road 544 Selected Area Plan is established as shown on the Land Use Map contained in Appendix. Land Use classifications designated on the 30th Street and County Road
544 SAP Land Use Map which is included as part of the Haines City Future Land Use Map.

a. Low Density Residential – up to 6 dwellings per acre – to be further restricted by zoning.
b. Community Activity Center – limited to .60 floor to area ratio and sixty (60%) percent impervious surface cover.
c. Business Park – limited to .80 floor to area ratio and eighty (80%) percent impervious cover.
d. Industrial – 1.0 percent floor to area ratio and eighty (80%) percent impervious cover.

Policy 2 – Special Land Use Classifications

Due to specific characteristics of this SAP, the following land use classifications are hereby created and/or modified exclusively for this SAP:

a. Residential/Office (R/O) – This Land Use Classification is created to address the unique compatibility issues caused by the location of existing residential development within the Country Land Subdivision and along Cumbie Road, plus the proximity of these residences to existing and proposed industrial development within the SAP. The intent of this classification is to promote the orderly and compatible transition of property within the Country Lane Subdivision from single-family residential to office uses as property within the SAP develops. Additionally, this classification is intended to provide a transition in uses near the residences along Cumbie Road. The density and intensity shall be limited to a floor area ratio of .40, and forty (40%) percent impervious surface cover.

Within this category, the following uses are permitted:

2. Professional and business offices, banks and financial institutions, data processing services, travel agencies, employment offices, restaurants and delis, florists, magazines and newspaper stores, office equipment and supply stores, stationary and card stores, barber shops, beauty parlors, blueprinting, photostating, and small duplicating establishments.

b. Business Park Modified (BPM) – The Business Park Land Use Classification shall be modified for properties along 30th Street and CR 544 near residential areas. Besides the requirement for Business Parks found in the Comprehensive Plan, the following design requirement shall apply in order to promote a more pleasing streetscape and to further assist in the transition from nonresidential uses to residential uses:

(Note: the Density and Intensity for this district is set in the main body of the Haines City Comprehensive Plan. This modified section adds additional restriction to the existing Business Park category.)

1. Setbacks of no less than 40 feet shall be maintained for all street frontages and adjoining residentially used properties.
2. The minimum setback area shall be landscaped in accordance with the buffering requirements contained in this SAP. Parking areas shall not be
allowed to intrude into these setback areas.

3. All buildings within the Modified Business Park shall be restricted to a two-story height limitation, designed to achieve an office-front appearance, and shall have front pedestrian entrances.

4. Truck bay facilities shall be permitted only at the rear of buildings away from public view and residential uses.

**Policy 3 – Prohibited Uses.**

The following land uses are prohibited within this SAP:

a. salvage yards  
b. storage of explosive materials  
c. sale of automobiles  
d. trucks  
e. recreational vehicles  
f. campers or other large machinery and equipment  
g. campgrounds  
h. flea markets  
i. sexually oriented business such as adult entertainment  
j. or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager.

**Policy 4 – Land Use and Design Criteria for the Commerce and Industrial Park Located Southeast of the SR 17/CR 544 Intersection**

Concurrently with the effective date of this Selected Area Plan Amendment, the City shall enact an amendment to its Land Development Regulations (LDR). Consistent with the adopted City’s adopted Growth Management Plan (i.e., Comprehensive Plan) and adopted 30th Street/CR544 Selected Area Plan, LDC amendment establishing the SR 17/CR 544 Selected Area Plan Overlay District shall include regulatory measures for managing the transition in the character of the 392+/– acres within the SAP located southeast of the SR 17/CR 544 intersection from a rural landscape characterized primarily by citrus farming to a planned commerce park and industrial park serviced by central water, sewerage, improved roads, and rail spurs. The SR 17/CR 544 Selected Area Plan Overlay District regulatory measures shall include criteria that protect the SR 17 and CR 544 gateway corridors. Regulatory measures shall require controlled access and egress along abutting segments of SR 17 and CR 544 and shall promote a smooth transition in land use by incorporating urban design principles that mandate the following:

a. **A “gateway setback”** from the SR 17 and CR 544 rights-of-way. Regulatory measures shall require planting of canopy trees and shrubbery within the arterial road setback to reinforce the SR 17 and CR 544 gateway concept and shall include minimum design specifications;

b. **Frontage roads parallel to the SR 17/CR 544 gateway corridors or other approved access and circulation system design conforming to best management practices for curb cut control, separation, and joint use, as may appropriate to meet circulation**
system needs on and off-site. Regulatory provisions shall require vehicular circulation system designs that employ cross easements as needed to ensure curb cut controls, appropriate separation of such cut cuts, and joint use of access facilities consistent with best management practices and principles. The intent shall be to adequately protect level of service along the gateway corridors and to enhance the overall transportation of people and goods within the SR 17/CR 544 SAP.

c. **Avoid Land Use Incompatibility** by prohibiting distribution activities or other un-enclosed operations, un-enclosed industrial towers, storage tanks, or similar accessory facilities in areas that may be viewed from SR 17 or CR 544 corridors. On sites adjacent to SR 17/CR 544, parking of trucks, heavy equipment, and trailers; cargo bay operations; other un-enclosed operations; and un-enclosed industrial towers, storage tanks, or similar accessory facilities shall be located only in the rear yard (i.e., yard opposite SR 17 or CR 544). However, on CR 544 such activity/structure also may occur within a side yard if the activity or structure is located 600 feet from the CR 544 R/W with required screening. Such activity/structure shall not be visible from the SR 17 or CR 544 rights-of-way.

d. **Side and Rear Buffer Yards.** The width and screening requirements for side or rear buffer yards shall be dependent on the respective type and intensity of land use proposed adjacent to the frontage roads. The regulatory measures shall include specifications for required depth as well as for screening and landscaping.

e. **Require streetscape amenities** such as monument signage with a landscaped base; regulated outdoor lighting that prevents spillover into gateway corridors or outside the Selected Area Plan boundaries; and foundation landscaping on building facades visible from SR 17/CR 544 rights-of-way.”

**Policy 5 - Future Land Use Designations for the SAP Area Located Southeast of the SR 17/CR 544 Intersection**

a. **Commerce Park Future Land Use Designation.** The Commerce Park located in the Select Area Plan southeast of the SR 17/CR544 intersection is intended to provide locations to accommodate commercial trades; warehousing and wholesale activities; and light and medium industrial and manufacturing activities. The light and medium industrial and manufacturing activities shall be required to: 1) submit site plan drawings illustrating structures, facilities, and operations including scale, mass, intensity, elevations and design that demonstrate compatibility with existing and planned land use on adjacent properties; 2) shall incorporate buffer yards, screening, landscape and design specifications compliant with Sec. 6.4.6; and 3) shall be setback to establish landscaped open area and to ensure compatibility with uses of varied types or intensity, buffered, and landscaped when located along a gateway corridor or adjacent to less intensive uses. All land uses must demonstrate compliance with all SAP policies, including but not limited to the land use and design standards within Policy 2 of the SAP as well as the provisions of the Land Development Code. No front or side yard facing SR 17 within areas designated “Commerce Park” shall include distribution activities with overhead doors, docks, or bays. All buildings within the “Commerce Park” shall be no greater than two-stories and shall not exceed 35 feet. The front facade and all facades within 40 feet of the front facade must be design to achieve an “office-front” appearance and have a decorative front pedestrian entryway. Cargo bays, overhead doors, and docks shall be permitted only at the rear of building away from public view. No parking shall be allowed to encroach into
a required landscaped setback or buffer. A .7 Floor Area Ratio (FAR) shall be required.

The following uses are prohibited in a Commerce Park: extraction or processing of raw materials; stockyards or slaughter of animals; scrap metal operations, junk yards, wrecking yards, or salvage yards; manufacture or storage of explosive materials; smelting of ores and metal fabrication; textile mills; leather or allied products manufacturing; pulp mills; petroleum manufacturing or refining and coal, or mineral products manufacturing; manufacture of acid, glue, fertilizer, lime or gypsum; fat rendering; sale of automobiles, trucks, recreational vehicles, campers or other large machinery and equipment; campgrounds, flea markets, sexually oriented business such as adult entertainment; outdoor structures used to perform heavy industrial activities such as heating, cooking, vaporizing, pasteurizing, distilling, or similar heavy industrial activities; or any form of residential use, excepting approved accommodation of a security guard, night watchman, or on-site manager.”

b. Industrial Park Future Land Use Designation. The “Industrial Park” designated area southeast of the SR 17 and CR 544 intersection is intended to accommodate light and medium industrial uses. No front yard facing CR 544 within this “Industrial Park” designated area shall include outdoor storage, unenclosed freestanding industrial structures; cargo loading, unloading, or distribution activities; and the facades of buildings visible from CR 544 shall not contain overhead doors, docks, or bays. Excepting activities expressly excluded, “Industrial Park” areas within the SAP can accommodate activities that are conducted within a completely enclosed building and do not include freestanding outdoor structures for heavy industrial activities, including heating, cooking, vaporizing, pasteurizing, distilling, or high intensity operations associated with heavy industrial land uses. Outside storage, cargo loading and unloading areas, or moderate size fully enclosed facilities to store, process, heat, convey, mould, extrude, or other specialized operations that have no harmful odor, smoke, noise, or other adverse impacts associated with larger scale industry may be accommodated so long as all of the above operations are located at least 600 feet from CR 544.

The following land uses are prohibited within the subject Select Area Plan “Industrial Park” designated area: extraction or processing of raw materials; stockyards or slaughter of animals; scrap metal operations, junk yards, wrecking yards, or salvage yards; manufacture or storage of explosive materials; smelting of ores and heavy metal fabrication; textile mills; leather or allied products manufacturing; pulp mills; petroleum manufacturing or refining and coal, or mineral products manufacturing; product manufacturing; manufacture of acid, glue, fertilizer, or lime; fat rendering; sale of automobiles, trucks, recreational vehicles, campers or other large machinery and equipment; outdoor structures used to perform heavy industrial activities such as heating, cooking, vaporizing, pasteurizing, distilling, or similar heavy industrial activities; flea markets, campgrounds; sexually oriented business such as adult entertainment; or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager.

Objective (B) – Utilities.

Development which occurs within the selected area shall proceed consistent with the Utilities Plan adopted as part of the SAP.
Policy 1 – Water Service.

Future development shall be consistent with the following guidelines:

a. Connection to City water facilities shall be required. All developments shall use water conservation equipment such as water closets with maximum capacity of 3.5 gallons and shower heads and/or faucets with maximum flow of no more than an average of 3 gallons of water per minute at 60 pounds of pressure per square inch, in accordance with the “Water Conservation Act” of 1983 (Ch. 553, 14(1) and (2), F.S.).

b. Water-main oversizing shall be provided consistent with the City Utilities Plan for the SAP.

c. Payment of line extensions shall be handled in the following manner:

1. The Developer shall pay for line extensions sufficient for the development’s need. If the line extension is designed to benefit undeveloped properties, then those benefited property owners shall reimburse the Developer as their property develops.

2. The City may pay the incremental cost for the required oversizing.

d. All proposed development within the selected area shall coordinate with the City’s Public Works and Utilities Department to ensure that water facilities are extended in accordance with the City’s objective and regulations.

Policy 2 – Sewer Service.

Future development shall be consistent with the following guidelines:

a. Connection to City sewer facilities shall be required.

b. Sewer main oversizing shall be provided consistent with the City’s Utilities Plan for the area.

c. Payment of line extensions shall be handled in the following manner:

1. The Developer shall pay for line extensions sufficient for the development’s need. If the line extension is designed to benefit undeveloped properties, then those benefited property owners shall reimburse the Developer as their property develops.

2. The City may pay the incremental cost for the required oversizing.

d. All proposed development within the selected area shall coordinate with the City’s Public Works and Utilities Department to ensure that sewer facilities are extended in accordance with the City’s objectives and regulations.

Objective (C).
Development which occurs within the selected area shall proceed consistent with the Transportation Plan adopted as part of the SAP.

**Policy 1 – Rights-of-Way/Pavement Widths.**

a. **Width** – The existing and new rights of way shall have the following widths:

<table>
<thead>
<tr>
<th>Road Type</th>
<th>Right-of-Way Width</th>
<th>Pavement Width*</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Road 17 (Arterial)</td>
<td>120 Feet</td>
<td>12 feet per lane</td>
</tr>
<tr>
<td>30th Street/CR 544 (Collectors)</td>
<td>80 Feet</td>
<td>24 (2-lane) or 48 feet (4-lane)</td>
</tr>
<tr>
<td>Proposed Roads (Collectors)</td>
<td>80 Feet</td>
<td>24 (2-lane) or 48 feet (4-lane)</td>
</tr>
<tr>
<td>Proposed Roads (Local Streets)</td>
<td>60 Feet</td>
<td>22 feet</td>
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* A 2-foot wide gutter with raised concrete curb shall be provided along the outer edges of the paved driving surface. Local roads may provide a Miami curb and gutter in lieu of this requirement.

b. **Dedications** – Right-of-way dedications from parcels shall either be obtained as part of an annexation agreement, or at the time of development approval for that parcel.

**Policy 2 – Road Improvements.**

a. **When Required** – Road improvements shall be required at the time of development approval for that parcel. Improvements may be done in phases.

b. **Responsibility for Improvements** – Roads which principally benefit site-specific development shall be the responsibility of the land owner or developer as relevant off-site transportation improvements.

c. **Compensation** – Compensation for those additional improvements and right-of-way not attributed to impacts of the project may be compensated through the funding mechanism established in the Capital Improvements Program for this SAP.

**Policy 3 – Design Requirements.**

In addition to the requirements contained in the City’s Land Development Regulations, transportation systems shall be designed as follows:

a. **Cross-Access Corridors** – The City shall require cross-access corridors between properties. Such designation may be made in connection with the approval of any subdivision or site plan with the affected area, or as part of an overall planning program.

b. **Design of Cross-Access Corridors** – Cross-Access corridors shall be designed to provide unified access and circulation among parcels in order to assist in local traffic movement. Each corridor should be designed to include the following elements:
1. Sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles.

2. Stub-outs and other design features which make it visually obvious that the abutting properties may be tied in to provided cross-access, shall be constructed at the time of development.

3. Linkage to other cross-access corridors in the area.

   c. Easements Required to be Dedicated – Where a cross-access corridor is designated by the City, no subdivision plat, site plan or other development shall be approved unless the property owner shall grant an easement, running with the land, allowing general cross-access to and from the other properties in the affected area. Such easement shall be recorded in the public records of Polk County and shall constitute a covenant running with the land.

   d. Coordinated or Joint Parking Design – Wherever a cross-access corridor has been designated, the business sites with the affected area shall be so designed as to provide for mutually coordinated or joint parking, access and circulation systems, and shall include stub-outs and other design features as necessary to make it visually obvious that the abutting properties may be tied in to create a unified system.

   e. Development Prior to Abutting Use – In the event that the building site is developed prior to an abutting property, it shall be designed to ensure that it is parking, access, and circulation may be easily tied in to create unified system at a later date.

   f. Existing Abutting Uses – In the event that the building site abuts an existing developed property, it shall be so designed as to tie into the abutting parking, access, and circulation to create a unified system unless the Technical Review Board determines that this would be impractical.

   g. Design – All road improvements shall comply with the City’s requirements contained in the Land Development Regulations. Where Polk County and City standards differ, the more restrictive standard shall apply.

**Policy 4 - Location of Transportation Systems.**

Proposed new roads shall be provided as shown in the Transportation Plan adopted as part of the SAP.

**Objective (D) – Environmental Protection.**

The Selected Area Plan shall require development to minimize impacts on environmental functions.

**Policy 1 – Wetlands/Floodplains.**

Because the selected area does not contain any wetlands or floodplains, no additional regulations are necessary. However, in the event the SAP is modified or expanded to include areas that contain wetlands/floodplains, then any development adjacent to or near those areas shall comply with the applicable requirements of the City, the Water Management District, the Department of
Environmental Protection and the Corp of Engineers. No wetlands may be destroyed or modified without compensating for their loss.

**Policy 2 – Soils/Aquifer – Recharge Areas.**

The selected area consists of Candler Fine Sand. This well-drained, rapidly permeable soil is considered to be in a high recharge area, as is most of the Ridge. Therefore, in order to protect the aquifer-recharge functions of this area, development shall be limited to an Impervious Surface Ratio (ISR) of .75.

**Policy 3 – Other Environmental Factors.**

The selected area does not contain other significant environmental characteristics, such as lakes, threatened or endangered species habitat, native ecological communities, or public water wells. The City not expand the SAP unless special provision are made for any new areas containing significant environmental characteristics.

**Policy 4 – Stormwater Management.**

All development within this area shall be required to comply with requirements found in the City’s Land Development Regulations, in addition to any applicable DEP or Water Management district requirements.

**Objective (E) – Signage Standards.**

In order to promote quality development, the signage requirements shall be more restrictive than the typical standards for Haines City. The SAP shall generally use visually pleasing, lower height, and similar signs to compliment the overall selected area site and building design.

**Policy 1 – When Required.**

Buffering shall be the responsibility of each use and shall be a physical barrier of such design so as to lessen visual and sound impacts.

**Policy 2 – Standards.**

a. This buffer shall be a 25-foot wide landscaped area and shall utilize walls, solid fence, berm, densely placed plant material, or any combination of these.

b. The buffer must be a minimum of 3 feet high, but not more than 6 feet high attained within one year of installation.

c. If non-living barriers are used, one shrub or vine shall be plated along the street side for each 15 linear feet of screen.

d. Developers of properties shall plant Live Oak trees along collector and arterial roadways at a ratio of one tree for every 30 linear feet of right-of-way frontage. The remainder of the landscaped strip shall be landscaped with grass, ground cover, or other appropriate landscaped treatment.
e. The buffer area is in addition to the street right-of-way.

f. Planting of trees within utility easements or locations that may effect existing overhead power lines shall be permitted upon the submittal of written documentation that all utility providers using the easement approve of the landscape plan. The documentation must be submitted with the landscape plan.

**Policy 3 – Where Required.**

Buffering shall be required in the SAP where listed below:

a. County Road 544  
b. 30th Street  
c. State Road 17  
d. Roe Road  
e. Between all non-residential and residential uses

**Policy 4 – Special Building Setbacks from Residential Uses.**

In order to minimize any potential adverse impacts, non-residential structures shall be set back a minimum of 40 feet from any existing residential property lines.

**Policy 5 – Submittal Requirements.**

Development within the SAP shall show compliance with these requirements as part of the City’s development-approval process.

**Objective (G) – Capital Improvements.**

The Selected Area Plan shall identify the necessary improvements to support the proposed development, methods of funding, and anticipated revenue sources.

**Policy 1 – Needed Improvements.**

Listed below are the anticipated improvements for the proposed development of the SAP:

a. Transportation:

   Roads

   30th Street Extension – New 2-lane collector road  
   2,640 ft. @ $42/ft. $110,880

   Robinson Dr. Extension – Improve 2-lane collector road  
   5,280 ft. @ $42/ft. $221,760

   Cumbie Road – New 2-lane collector road  
   2,640 ft. @ $42/ft. $110,880

   Power Line Road Extension – New 2-lane collector road
3,930 ft. @ $42/ft.  $165,060

Roe Road – Improve 2-lane collector road
5,280 ft. @ $42/ft.  $221,760

TOTAL  $830,340

Estimated City Cost (1/3 of total cost) = $276,780

Intersection Improvements

30th Street & CR 544 – Improve with 30th Street extension, add right-turn lanes
Cumbie Road & CR 544 – New intersection
Power Line Road & CR 544 – New intersection

b. Utilities:

Water

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<td>2,640</td>
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<td>$ 39,600</td>
</tr>
<tr>
<td>CHLORINE BOOSTER STATION III</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>$ 15,000</td>
</tr>
<tr>
<td>TOTAL (PHASE III)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$159,600</td>
</tr>
<tr>
<td>TOTAL (ALL PHASES)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$669,900</td>
</tr>
</tbody>
</table>

d. Schools – Additional coordination with the School Board will be necessary to measure and address the impacts caused by this Plan.
e. Parks/Recreation Facilities – Listed below are the following additional recreational facilities needed as a result of the 7200 person residing in this area:

   Parkland – 28.8 acres   Basketball Court – 1.44 courts
   Baseball field – 1.44 fields  Shuffleboard Court – 1.98 courts
   Softball field – 1.44 fields   Hardball/Racquetball Court – .72
   Football/Soccer field – 1.17   Boat Ramp – 1.44

f. Libraries – A total of 5,400 volumes, and 1,320 square feet of building space, will be needed to support the additional 7200 person expected to reside in this area.

Policy 2 – Funding Methods.

The SAP shall be funded through use of the following methods to ensure that the necessary improvements are completed.

   a. Roads. The City may participate with participating property owners through a paving assessment system. Adjacent property owners will provide right-of-way and an equal share of the road cost (usually 1/3) for each side of road. The City will contribute an equal share (usually 1/3) using the local option gas tax funds or ad valorem revenues. Additionally, the City will request that the County assist in the financing of road improvements by contributing a portion of the nearly $300,000 in County Road impact fees expected to be generated from this Plan. The City will also work with the Enterprise Florida, The Central Florida Development council, The East Polk County Committee of 100, and the Haines City Chamber of Commerce to aggressively obtain grants for new industrial development though the Enterprise Florida Economic Development Transportation Grant Program.

   b. Utilities. The City will continue the policy of requiring developers to pay for the costs of extending utilities. The city will pay for an oversizing as required by Utilities Plan adopted in conjunction with the SAP. Water and sewer impact fees will be used to pay for oversizing costs.

   c. Fire, Police, Schools, Parks/Recreation Facilities and Libraries. Because most of the land uses intended for the SAP are for industrial uses, additional impacts to these public services are expected to be minimal. Any additional increase in costs can be expected to be covered by the increase in ad valorem revenue obtained through annexation in this area.

Policy 3 – Anticipated Revenues.

Listed below is an estimate of anticipated revenues for the SAP.

ESTIMATE OF AD VALEOREM TAX REVENUES (AT BUILDOUT):

<table>
<thead>
<tr>
<th>USE</th>
<th>TAXABLE VALUE</th>
<th>HAINES CITY REVENUE</th>
<th>POLK COUNTY COMMISSION REVENUE</th>
<th>POLK COUNTY SCHOOL BOARD REVENUE</th>
<th>PEACE RIVER BASIN AND SOUTHWEST FLORIDA WATER MGMT. DIST.</th>
<th>TOTAL REVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(8,000 MILLS)</td>
<td>(7.977 MILLS)</td>
<td>(9.431 MILLS)</td>
<td></td>
<td>(26.025 MILLS)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE</td>
<td>UNIT</td>
<td>CITY WATER INSIDE CITY</td>
<td>CITY SEWER INSIDE CITY</td>
<td>COUNTY ROAD</td>
<td>COUNTY EMS</td>
<td>COUNTY CORRECTIONAL</td>
</tr>
<tr>
<td>-----------</td>
<td>------</td>
<td>------------------------</td>
<td>------------------------</td>
<td>-------------</td>
<td>------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>RESIDENTIAL</td>
<td>2790 DU</td>
<td>878,850</td>
<td>362,700</td>
<td>287,370</td>
<td>136,710</td>
<td>424,080</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>196,020</td>
<td>2,058</td>
<td>8,154</td>
<td>97,422</td>
<td>4,704</td>
<td>N/A</td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td>5,934,850</td>
<td>74,779</td>
<td>308,612</td>
<td>267,068</td>
<td>23,739</td>
<td>N/A</td>
</tr>
<tr>
<td>OFFICES</td>
<td>174,240</td>
<td>5,489</td>
<td>22,651</td>
<td>37,810</td>
<td>7,666</td>
<td>N/A</td>
</tr>
<tr>
<td>TOTAL</td>
<td>961,176</td>
<td>2,250,534</td>
<td>689,670</td>
<td>172,819</td>
<td>424,080</td>
<td>2,949,862</td>
</tr>
</tbody>
</table>

Objective (H) Intergovernmental Coordination.

In order to realize the full implementation of this SAP, the City will need to coordinate with other government agencies.

Policy 1 – Transportation.

Coordination with Polk County and DOT for access management, right-of-way dedications, and road improvements will be necessary on a project-by-project basis.

Policy 2 – Planning.

Adoption of a Joint Planning Agreement between the City and the County will be required in order to ensure that the necessary compatibility for quality development in this area. A Joint Planning Agreement will also define the roles and responsibilities of both the City and County in the development of this area. Finally, a Joint Planning Agreement will comply with State Statute requirements to ensure passage by DCA.

Policy 3 – Land Use Compatibility.

Due to the close proximity of the SAP with the City of Lake Hamilton, Haines City will request that this Plan be reviewed by Lake Hamilton to ensure consistency and land use compatibility.
NOTE: If there is a discrepancy between this map and the adopted city-wide Future Land Use Map, then the adopted city-wide Future Land Use Map shall apply.
NOTES

The 30th Street/CR 544 Selected Area Plan
City of Haines City Comprehensive Plan
June 17, 1999
Appendix 3 – Land Use/Revenues Analysis

MAXIMUM FLOOR AREA RATIOS (FAR)/DENSITIES (DWELLING UNITS (Du)/ACRE (AC):

CAC – Community Activity Center – .4
BP – Business Park - .75
IND – Industrial - .75
BP(M) – Business Park (Modified) - .75
R/O – Residential/Office - .3

EXPECTED AMOUNT OF DEVELOPMENT AT BUILDOUT:

CAC – 45 Acres * .10 FAR – 6.75 Acres * 43,560 sq ft/ac = 196,020 sq ft
BP – 165 Acres * .25 FAR = 41.25 Acres * 43,560 sq ft /ac = 1,796,850 sq ft
IND – 280 Acres * .25 FAR = 70 acres * 43,560 sq ft/ac = 3,049,000 sq ft
BPM – 100 Acres * .25 FAR = 25 Acres * 43,560 sq ft/ac = 1,089,000 sq ft
R/O – 50 Acres * .08 FAR = 4 Acres * 43,560 sq ft/ac = 174,240 sq ft
LDR – 465 Acres * 6 du/ac = 2,790 du * 2.58 Person per Household = 7200

Estimated Ad Valorem Taxable Values:

Residential:
2,790 du * 63,000/du = $176,400,000

Industrial:
Sample values:
Alpine – 1,022,870 / 19 ac = $53,835 / ac
Marley – 1,368,170 / 20 ac = $68,409 / ac
Glico – 783,410 / 7.6 ac = $103,080 / ac

Average $75,000 ac
BP, BPM, IND = 545 acres
545 * 75,000 = $40,875,000

Commercial:
Sample values:
Publix - $1,861,730 / 4 ac (Est.) = $465,432 / ac
Heart of Florida Center (less Wal-Mart) - $2,387,959 / 18 ac (Est.) $298,120 / ac
Winn Dixie - $2,057,350 / 7 ac = $293,307 / ac

Average = $352, 486 / ac
Weighted Average = $290,000 / ac
CAC – 45 @ $290,000 / ac = $13,050,000 – TOTAL
Appendix 3 – Facilities Analysis

Expected Amount of Development at Buildout:

CAC – 45 AC * .10 FAR = 6.75 ac 43,560 sf / ac 196,020 sf
BP – 185 AC * .25 FAR = 42.25 ac 43,560 sf / ac 2,104,650 sf
IND – 140 AC * .25 FAR – 35 ac * 43,560 sf / ac = 1,524,600 sf
BP(M) – 50 AC * .25 FAR – 12.5 ac * 43,560 sf / ac = 544,500 sf
R/O – 25 AC * .08 FAR – 2 ac * 43,560 sf / ac = 87,120 sf
LDR – 465 AC * 6 du ac = 2,790 du

Water Analysis:

CAC – 196,020 sf * .15 gpd / sf 29,403 gpd
BP – 2,104,650 sf * .25 gpd / sf 526,163 gpd
IND – 1,524,600 sf * .25 gpd / sf 381,163 gpd
BPM – 544,500 sf * .25 gpd / sf 136,125 gpd
R/O – 87,120 sf * .24 gpd / sf 20,909 gpd
LDR – 2,790 du (360 gpd / unit) 1,004,400 gpd
Total = 2,098,163 gpd

Sewer Analysis:

CAC – 196,020 sf * .10 gpd / sf 19,602 gpd
BP – 2,104,650 sf * .07 gpd / sf 147,325 gpd
IND – 1,524,600 sf * .07 gpd / sf 106,722 gpd
BPM – 544,500 sf * .07 gpd / sf 38,115 gpd
R/O – 87,120 sf * .14 gpd / sf 12,197 gpd
LDR – 2,790 du (270 gpd / unit) 753,300 gpd
Total = 1,077,261 gpd

TRANSPORTATION ANALYSIS:

CAC – 196,020 Sq ft * 6.56/1,000 sf ft (Commercial 100,000 – 199,999 ITE 820) = 1,286 Trips
1,286 Peak Hour Trip Rate * .75 (New Trips) = 965 Trips
964 New Trips * .5 (Enter/Exit Ratio) = 482 Trips

BP – 1,796,850 Sq ft * .98/1,000 sf ft (General Light Industrial ITE 110) = 1,797 Trips
1,797 Peak Hour Trip Rate * .92 (New Trips) = 1,653 New Trips
1,653 New Trips * .88 (Exit Ratio) = 1,455 Trips

IND – 1,524,600 Sq ft * .75/1,000 sf ft (Manufacturing ITE 140) = 1,143 Trips
1,143 Peak Hour Trip Rate * .92 (New Trips) = 1,052 New Trips
1,052 New Trips * .53 (Enter Ratio) = 558 Trips
BPM – 1,089,000 Sq ft * .98/1,000 sf ft (General Light Industrial ITE 110) = 1,067 Trips
1,067 Peak Hour Trip Rate * .92 (New Trips) = 982 New Trips
982 New Trips * .88 (Exit Ratio) = 864 Trips

R/O – 87,120 Sq ft * 3.4/1,000 sf ft (General Office ITE 710) = 296 Trips
296 Peak Hour Trip Rate * .92 (New Trips) = 272 New Trips
272 New Trips * .83 (Enter Ratio) = 226 Trips

LDR – 2,790 DU * 1.01 Trips/DU (Single-Family Residential ITE 210) = 2,818 Trips
2,818 Peak Hour Trip Rate * 1 (New Trips) = 2,818 New Trips
2,818 New Trips * .65 (Enter Ratio) = 1,832 Trips

SUMMARY:
CAC = 965 Trips
BP = 1,653 Trips
IND = 1,052 Trips
BPM = 982 Trips
R/O = 272 Trips
LDR – 1,832 Trips
TOTAL = 6,756

RESIDENTIAL IMPACTS:
LDR – 465 ac * 6 du/ac = 2,790 du * 2.58 Person per Household = 7,200 persons

Note: Information below is based on Haines City Impact Fee Study of July 1998.

POLICE - $507,240

Needs:
2.99 sworn officers per 1,000 persons = 22 officers for 7,200 persons
1.2 support personnel per 1,000 persons = 9 support personnel for 7,200 persons

Costs:
Personnel Equipment - $4,550 * 22 sworn officers = $100,100
Support Equipment - $1,940 * 9 support personnel = $17,460
Vehicles - $14,907 * 22 sworn officers = $327,954
Office rent - $3,271.50 * 22 sworn officers = $71,973
TOTAL COSTS = $517,487

Level of Service (LOS) = $70.45 per capita
$70.45 * 7,200 persons = $507,240

FIRE / RESCUE - $1,209,672

Needs:
1.1 persons per 1,000 persons = 6.5 personnel for 7,200 persons

Costs:
Equipment (protective clothing $1,700, breathing apparatus #.700 * 6.5 firefighters) $35,100
Capital Equipment – ($133,333 cost for a substation per firefighter * 6.5 firefighters) $866,665
Vehicles – ($14,000 per firefighter * 6.5 firefighters) $91,000

TOTAL COSTS = $992,765

Level of Service (LOS) = $168.01 per capita
$168.01 * 7,200 persons = $1,209,672

PARKS & RECREATION - $1,012,752

Needs:
Parks – 4 AC/1,000 persons * 7,200 persons = 28.8 acres
Baseball field – 1 field /5,000 persons * 7,200 persons = 1.44 field
Softball field – 1 field / 5,000 persons * 7,200 persons = 1.44 field
Football – Soccer field -1 / 5,000 persons * 7,200 persons = 1.44 field
Lighted tennis court – 1 court / 2,000 persons * 7,200 person = 3.6 courts
Basketball court – 1 5,000 persons * 7,200 person = 1.44 courts
Shuffleboard court – 1 / 3,000 persons * 7,200 persons = 1.98 courts
Handball / Racquetball court – 1 / 1,000 persons * 7,200 persons = .72 courts
Boat ramps – 1 / 5,000 persons * 7,200 person = 1.44 ramp

Costs:
Parks – 28.8 acres * $15,000 ac = $432,000
Baseball field – 1.44 * $200,000 field = $288,000
Softball field – 1.44 * $200,000 field = $288,000
Soccer field -1.44 field * $200,000 = $288,000
Lighted tennis court – 3.6 courts * $15,000 = $54,000
Basketball court – 1.44 * $5,000 court - $7,200
Shuffleboard court – 1.98 * $3,000 court = $5,940
Handball / Racquetball court – .72 court * $20,000 court = $14,400
Boat ramps – 1.44 * $5,000 ramp = $2,400
TOTAL = $1,379,980

Level of Service (LOS) – 140.66 * 7,200 persons = $1,012,752

LIBRARY - $617,256

Needs:
Volumes  2.25 volumes / person * 7,200 persons  16,200 volumes
SF of space  .55 feet / person * 7,200 persons  3,960 square feet

Costs”
16,200 volumes * $25 = $405,000
3,960 SF * $53.60 = $197,784
TOTAL = $602,784
Level of Service (LOS) - $85.73 * 7,200 persons = $617,256
US 27/NORTH RIDGE SELECTED AREA PLAN
(Adopted by Ordinance No. 06-1261 per Stipulated Settlement Agreement with DCA)

AMENDED US 27/NORTH RIDGE SELECTED AREA PLAN (SAP)

The US 27 North Ridge Selected Area Plan (SAP) shall read as follows:

The US 27/North Ridge Selected Area Plan (SAP) contains growth management goals, objectives, and policies for former unincorporated areas that were recently annexed into Haines City together with several commercial infill parcels adjacent to the newly annexed areas. These areas formerly were addressed in the Polk County North Ridge Selected Area Plan.

Although potable water mains and sewer trunk lines currently serve the annexed area, neither the County Comprehensive Plan or the County North Ridge SAP projected the delivery of water and sewer services to the subject area within ten years of the date of Plan adoption and therefore, designated the subject area as an “Urban Growth Area” as opposed to an “Urban Development Area.” The Polk County Transportation Planning Organization has scheduled a planned six-lane improvement to this segment of US 27 as well as the construction of two major north-south collector roads that will parallel US27 to the east and west and will be linked by Patterson Road, an east-west roadway located at the southern terminus of the proposed major collector. As stated in the Polk County North Ridge SAP: “the City of Haines City is expected to experience a high degree of development over the next twenty years. This urbanization will be caused by numerous external factors, most of which are occurring in adjacent Osceola and Orange Counties. This Selected Area Plan is a proactive response to these forces. It represents an initiative to shape this development into an organized and well-planned urban area.”

VISION: PLANNING PRINCIPLES AND LAND USE PLAN FOR THE US 27 CORRIDOR. The following planning principles describe the intent of the US 27/North Ridge SAP:

1. Manage Urban Growth Pattern. An efficient and highly desirable urban growth pattern requires a balance of residential and nonresidential uses, a range of housing opportunities, and short trips between housing, employment, and shopping.

2. Promote Connectivity. A more efficient US 27 urban corridor growth pattern shall be attained through the interconnection of urban nodes, tourist activities, and medical and commercial centers.

3. Reinforce Economic Sustainability. Haines City serves as a major economic, cultural, social, educational, and civic center for northeast Polk County. Planned development of hospital and related office/institutional sub-centers as well as other commercial and industrial employment generators must reinforce economic sustainability and be responsive to needs of residents and the business community. US 27 corridor development should:
   a. Encourage business and commercial development that are complimentary but not competing to the Haines City downtown;
   b. Encourage economic growth and new job creation;
   c. Encourage high quality development and higher tax ratable along the US 27 corridor;
   d. Provide balance of land uses with functional relationships to one another; and
   e. Improve the overall land values of the area.
4. **Advance Development of the Regional Medical and Professional Office Center.** The Mid-Florida Regional Hospital will serve as a catalyst for development of a broad mix of medical services and hospital related enterprise. Improvements to the I-4/US 27 interchange and the widening of the US 27 corridor will enhance access to this target area and promote further development of this regional hospital and related professional office/institutional service center which extends south from Holly Hills Tank Road/FL Development Rd. to SR 547 (excepting 20 acres of CACX land included in the “Mixed Use Activity Center”). The subject Professional office/Institutional contains 340± acres of incorporated land designated for “PIC” as denoted in the following table:

| CONTIGUOUS LAND FOR REGIONAL MEDICAL AND PROFESSIONAL OFFICE/INSTITUTIONAL CENTER |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| **Sites West of US 27**     | **Incorporated**            | **Unincorporated**           | **Sites East of US 27**     | **Incorporated Area**       |
|                            | Future Land Use | Estimated Acreage | Future Land Use | Estimated Acreage | County | Proposed City | Future Land Use | Estimated Acreage | County | Proposed City | Future Land Use | Estimated Acreage |
| Holly Hill Tank Rd. S to Holly Hill Barn Rd | PIX | PIC-NR | 15± | LCCX | 10± | FL Development Rd. S to Holly Hill Fruit Rd | PIX | PIC-NR | 30± |
| Holly Hill Barn Rd to Massey Rd. | PIX | PIC-NR | 60± | n/a | n/a | Holly Hill Fruit Rd S to Holly Hill Rd. | PIX | PIC-NR | 30± |
| Massey Rd. to N Boundary of La Casa Del Sol | PIX | PIC-NR | 60± | n/a | n/a | Holly Hill Rd. Extending S 1,320' | PIX | PIC-NR | 30± |
| La Casa Del Sol             | n/a | n/a | n/a | LFX | 48± | 1,327' S of Holly Hill Rd. S 1,320' N of Forest Lake Dr. | PIX | PIC-NR | 25± |
| S of La Casa Del Sol to Mini Dump Rd. | PIX | PIC-NR | 10± | n/a | n/a | 1,327' N of Forest Lake Dr. S to Forest Lake Dr. | PIX | PIC-NR | 20± |
| Mini Dump Rd. to Holly Hill Cutoff Rd. | PIX | LDR-NR | 60± | n/a | n/a | Forest Lake Dr. S to North Blvd. | PIX | PIC-NR | 20± |
| Holly Hill Cutoff Rd. to SR 547 (excepting 20 acres of CACX land included in the “Mixed Use Activity Center”) | PIX | PIC-NR | 20± | LDR-NR | 100± | North Blvd. S, SR 547 | PIX | PIC-NR | 30± |
| **Total Est. Acres W of this US 27 Segment by Future Land Use:** | | | | | | | | | | | | |
| Total Est. Acres: | 342± | 310± |
| **Total Est. Acres E of this US 27 Segment:** | | | | | | | | | | | | |
| Total Est. Acres: | 172± | 0 |
## CONTIGUOUS LAND FOR REGIONAL MEDICAL AND PROFESSIONAL OFFICE/INSTITUTIONAL CENTER

<table>
<thead>
<tr>
<th>Sites West of US 27</th>
<th>Future Land Use</th>
<th>Est. Acres</th>
<th>Existing Land Use and Recommended Actions for Consistency with Plan Objectives</th>
<th>Recommended Revisions to Unincorporated Area Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>County</td>
<td>Proposed City</td>
<td></td>
<td>Future Land Use</td>
</tr>
<tr>
<td>Holly Hill Tank Rd. S to Holly Hill Barn Rd</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>15±</td>
<td>Undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center.</td>
</tr>
<tr>
<td>Holly Hill Barn Rd to Massee Rd.</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>60±</td>
<td>Hospital &amp; undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center.</td>
</tr>
<tr>
<td>Massee Rd. to N Boundary of La Casa Del Sol</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>60±</td>
<td>Undeveloped (proposed mixed use DRI) Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center.</td>
</tr>
<tr>
<td>Lake St Charles/La Casa Del Sol</td>
<td></td>
<td></td>
<td></td>
<td>No incorporated area</td>
</tr>
<tr>
<td>S of La Casa Del Sol to Mini Dump Rd. undeveloped. E of Lake St. Charles</td>
<td></td>
<td></td>
<td></td>
<td>No incorporated area</td>
</tr>
<tr>
<td>Mini Dump Rd. to Holly Hill Cutoff Rd.</td>
<td>RL-3X</td>
<td>LDR-NR</td>
<td>50±</td>
<td>Lake St. Charles 194 units</td>
</tr>
<tr>
<td>Holly Hill Cutoff Rd. to SR 547 (excluding 20 acres of CACX land included in the “Mixed Use Activity Center”)</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>20±</td>
<td>Undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center.</td>
</tr>
<tr>
<td></td>
<td>PIX</td>
<td>PIC-NR</td>
<td>165±</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RL-4X</td>
<td>LDR-NR</td>
<td>110±</td>
<td>Vacant 10 acres Windsor Est. 75 units Lake Heather Hills 251 units</td>
</tr>
<tr>
<td></td>
<td>RL-3X</td>
<td>PIC-NR</td>
<td>17±</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LDR-NR</td>
<td>50±</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Est. Acres W of this US 27 Segment by Future Land Use: 342± Acres

Total Unincorporated Acres: 172± Acres
<table>
<thead>
<tr>
<th>Sites East of US 27</th>
<th>Future Land Use</th>
<th>Estimated Acreage</th>
<th>Incorporated Area</th>
<th>Unincorporated Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>Proposed City</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RL Development Rd. S to Holly Hill Fruit Rd</td>
<td>RL-4X</td>
<td>LDR-NR</td>
<td>10</td>
<td>Rural lots. Anticipated to be developed as low density residential consistent with Plan.</td>
</tr>
<tr>
<td></td>
<td>PIX</td>
<td>PIC-NR</td>
<td>30±</td>
<td>Undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center with moderate scale commercial to serve the needs of employees, patrons, and the local residential community to the east. City should develop design guidelines that foster a “traditional neighborhood development” (TND) with the “new urbanism” concept.</td>
</tr>
<tr>
<td>Holly Hill Fruit Rd S to Holly Hill Rd.</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>30±</td>
<td>Undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center with moderate scale commercial to serve the needs of employees, patrons, and the local residential community to the east. City should develop design guidelines that foster a “traditional neighborhood development” (TND) with the “new urbanism” concept.</td>
</tr>
<tr>
<td>Holly Hill Rd. Extending S 1,320’</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>30±</td>
<td>Undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center with moderate scale commercial to serve the needs of employees, patrons, and the local residential community to the east. City should develop design guidelines that foster a “traditional neighborhood development” (TND) with the “new urbanism” concept.</td>
</tr>
<tr>
<td>1,320’ S of Holly Hill Rd. S to 1,320’ N of Forest Lake Dr.</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>25±</td>
<td>Undeveloped. Recommend amendment to PIC and development as part of a mixed use professional office/institutional center.</td>
</tr>
<tr>
<td>1,320’ N of Forest Lake Dr. S to Forest Lake Dr.</td>
<td>RL-3X</td>
<td>PIC-NR</td>
<td>10±</td>
<td>Undeveloped. Anticipated to develop with compatible land uses that reinforce the regional medical and professional office/institutional center with moderate scale commercial to serve the needs of employees, patrons, and the local residential community to the east. City should develop design guidelines that foster a “traditional neighborhood development” (TND) with the “new urbanism” concept.</td>
</tr>
<tr>
<td>Forest Lake Dr. S to North Blvd.</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>20±</td>
<td>Undeveloped. Recommend mixed use development that reinforces the regional medical and professional office/institutional center with moderate scale commercial to serve the needs of employees, patrons, and the local residential community to the east. City should develop design guidelines that foster a “traditional neighborhood development” (TND) with the “new urbanism” concept.</td>
</tr>
<tr>
<td>North Blvd. S 1,320’ N of SR 547</td>
<td>RL-3X</td>
<td>PIC-NR</td>
<td>60±</td>
<td>Medical Office Complex</td>
</tr>
<tr>
<td></td>
<td>PIX</td>
<td>PIC-NR</td>
<td>20±</td>
<td>Undeveloped. Recommend development that reinforces the regional medical and professional office/institutional center with moderate scale commercial to serve the needs of employees, patrons, and the local residential community to the east. City should develop design guidelines that foster a “traditional neighborhood development” (TND) with the “new urbanism” concept.</td>
</tr>
<tr>
<td>Total Est. Acres E of this US 27 Segment by Future Land Use:</td>
<td>PIX</td>
<td>PIC-NR</td>
<td>175±</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RMX</td>
<td>PIC-NR</td>
<td>5±</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RL-4X</td>
<td>LDR-NR</td>
<td>30±</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RL-3X</td>
<td>PIC-NR</td>
<td>100±</td>
<td></td>
</tr>
</tbody>
</table>

2. Foster Development of a Major Employment Center NE and NW of the US 27/Patterson Road Intersection. The Haines City Vision workshops assigned a high priority to the establishment of a mixed use major employment centers. The subject area contains over 446± acres of land designated for commercial and business park uses as denoted in the following table:
## CONTIGUOUS LAND FOR A MIXED USE EMPLOYMENT CENTER

<table>
<thead>
<tr>
<th>Sites West of US 27</th>
<th>Incorporated Areas</th>
<th>Unincorporated Areas</th>
<th>Sites East of US 27</th>
<th>Incorporated Area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Future Land Use</strong></td>
<td><strong>Proposed City</strong></td>
<td><strong>Est. Acres</strong></td>
<td><strong>Future Land Use</strong></td>
<td><strong>Proposed City</strong></td>
</tr>
<tr>
<td>South Border of Preservation Site N to Patterson Road</td>
<td>PRESVX CONS-NR</td>
<td>12±</td>
<td>PRESVX CONS-NR</td>
<td>20±</td>
</tr>
<tr>
<td></td>
<td>NACX NAC-NR</td>
<td>5±</td>
<td>RMX MDR-NR</td>
<td>42±</td>
</tr>
<tr>
<td></td>
<td>BPC-1X CAC-NR</td>
<td>6±</td>
<td>BPC-1X CAC-NR</td>
<td>14±</td>
</tr>
<tr>
<td>Patterson Rd. N to Ranch Rd.</td>
<td>INDX CAC-NR</td>
<td>2±</td>
<td>RL-3X LDR-NR</td>
<td>10±</td>
</tr>
<tr>
<td></td>
<td>INDX IND-NR</td>
<td>2±</td>
<td>ECX CAC-NR</td>
<td>11±</td>
</tr>
<tr>
<td></td>
<td>CACX CAC-NR</td>
<td>1±</td>
<td>TCCX CAC-NR</td>
<td>15±</td>
</tr>
<tr>
<td>Ranch Rd. N to SR 547</td>
<td>RL-3X LDR-NR</td>
<td>1±</td>
<td>RL-4X LDR-NR</td>
<td>20±</td>
</tr>
<tr>
<td></td>
<td>CACX CAC-NR</td>
<td>1±</td>
<td>All Unincorporated</td>
<td></td>
</tr>
<tr>
<td>SR 547 N to 1,320' S of North Blvd.</td>
<td>CACX CAC-NR</td>
<td>2±</td>
<td>CACX CAC-NR</td>
<td>10±</td>
</tr>
</tbody>
</table>

### Total Est. Acres W of this US 27 Segment by Future Land Use:
- PRESVX CONS-NR: 12±
- NACX NAC-NR: 5±
- BPC-1X CAC-NR: 6±
- INDX CAC-NR: 2±
- INDX IND-NR: 2±
- CACX CAC-NR: 1±
- RL-3X LDR-NR: 1±
- CACX CAC-NR: 1±
- RL-4X CAC-NR: 2±

### Total Est. Acres E of this US 27 Segment by Future Land Use:
- PRESVX CONS-NR: 12±
- RMX MDR-NR: 42±
- BPC-1X CAC-NR: 6±
- INDX CAC-NR: 2±
- INDX IND-NR: 2±
- CACX CAC-NR: 1±
- RL-3X LDR-NR: 1±
- RL-4X CAC-NR: 2±

### Total Est. Acres W of US 27: 530± Acres

### Total Est. Acres E of US 27: 436± Acres

No Recommended Revisions to Area Outside of City Limits per Annexation Agreement.
## CONTIGUOUS LAND FOR AND MIXED USE EMPLOYMENT CENTER

<table>
<thead>
<tr>
<th>Sites West of US 27</th>
<th>Future Land Use</th>
<th>Est. Acres</th>
<th>Existing Land Use and Recommended Actions for Consistency with Plan Objectives</th>
<th>Recommended Revisions to Unincorporated Area Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Border of Preservation Site N to Patterson Road</td>
<td>PRES/VX</td>
<td>126±</td>
<td>Wetland area shall be preserved and remain in a City “Conservation” designation</td>
<td>PRES/VX</td>
</tr>
<tr>
<td></td>
<td>NACX</td>
<td>30±</td>
<td>City anticipates commercial development consistent with NAC policy.</td>
<td></td>
</tr>
<tr>
<td>Patterson Rd. N to Ranch Rd.</td>
<td>BPC-1X</td>
<td>60±</td>
<td>Undeveloped. Shopping center proposed. Commerce Park with high tax ratable and only light distribution is most consistent with Plan objectives.</td>
<td>BPC-1X</td>
</tr>
<tr>
<td></td>
<td>INDX</td>
<td>25±</td>
<td>Fertilizer plant and vacant land. If land use change is possible, higher tax ratable R &amp; D or commercial is most consistent with Plan objectives.</td>
<td>INDX</td>
</tr>
<tr>
<td></td>
<td>INDX</td>
<td>20±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ranch Rd. N to SR 547</td>
<td>CACX</td>
<td>10±</td>
<td>Undeveloped. Mixed use community activity center with high ratable commercial exposed to US 27 is most consistent with Plan objectives.</td>
<td>CACX</td>
</tr>
<tr>
<td></td>
<td>RL-4X</td>
<td>10±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SR 547 N to 1,320' S of North Blvd (Holly Hill Cutoff Rd.)</td>
<td>CACX</td>
<td>20±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Est. Acres W of this US 27 Segment by Future Land Use:</td>
<td>PRES/VX</td>
<td>126±</td>
<td></td>
<td>PRES/VX</td>
</tr>
<tr>
<td></td>
<td>NACX</td>
<td>30±</td>
<td></td>
<td>NACX</td>
</tr>
<tr>
<td></td>
<td>BPC-1X</td>
<td>60±</td>
<td></td>
<td>BPC-1X</td>
</tr>
<tr>
<td></td>
<td>INDX</td>
<td>25±</td>
<td></td>
<td>INDX</td>
</tr>
<tr>
<td></td>
<td>INDX</td>
<td>20±</td>
<td></td>
<td>INDX</td>
</tr>
<tr>
<td></td>
<td>CACX</td>
<td>30±</td>
<td></td>
<td>CACX</td>
</tr>
<tr>
<td></td>
<td>RL-4X</td>
<td>10±</td>
<td></td>
<td>RL-4X</td>
</tr>
</tbody>
</table>
## CONTIGUOUS LAND FOR A MIXED USE EMPLOYMENT CENTER

### Sites East of US 27

<table>
<thead>
<tr>
<th>County</th>
<th>Proposed City</th>
<th>Future Land Use</th>
<th>Est. Acres</th>
<th>Existing Land Use and Recommended Actions for Consistency with Plan Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>S of Tower Lake N to Patterson Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRESVX</td>
<td>CONSV-NR</td>
<td>10±</td>
<td>Wetland area shall e preserved and remain in a City “Conservation” designation</td>
<td></td>
</tr>
<tr>
<td>RL-3X</td>
<td>LDR-NR</td>
<td>5±</td>
<td>Property remains vacant or in marginal use.</td>
<td></td>
</tr>
<tr>
<td>NACX</td>
<td>NAC-NR</td>
<td>35±</td>
<td>City anticipates commercial development consistent with NAC</td>
<td></td>
</tr>
<tr>
<td>RMX</td>
<td>MDR-NR</td>
<td>42±</td>
<td>West View Ridge Mobile Homes</td>
<td></td>
</tr>
<tr>
<td>ECX</td>
<td>CAC-NR</td>
<td>2±</td>
<td>Small office Park consistent with Plan objectives.</td>
<td></td>
</tr>
<tr>
<td>Patterson Rd. N to South Blvd.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ECX</td>
<td>CAC-NR</td>
<td>114±</td>
<td>Undeveloped. Should annex and attract development of community college and dormitories and/or employment opportunities meeting Plan objectives.</td>
<td></td>
</tr>
<tr>
<td>TCXX</td>
<td>CAC-NR</td>
<td>15±</td>
<td>Office park consistent with Plan objectives. The City CC land development regulations allow existing uses but also permitted incompatible uses such as truck stops. Therefore, the use regulations must be streamlined to remain consistent with the North Ridge Plan and accommodate approved development on the respective US 27 sites.</td>
<td></td>
</tr>
<tr>
<td>RL-4X</td>
<td>LDR-NR</td>
<td>65±</td>
<td>Highlands Square 65± acres. 70± acres proposed high school site consistent with Plan objectives. Additional 40± acres undeveloped RL-4X could be amended to CAC as part of a planned community activity center and application of the “traditional neighborhood development” (TND) or “new urbanism” concept plan.</td>
<td></td>
</tr>
<tr>
<td>TCXX</td>
<td>CAC-NR</td>
<td>18±</td>
<td>Gas mart, offices, retail consistent with Plan objectives.</td>
<td></td>
</tr>
<tr>
<td>South Blvd. N to SR 547</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRESVX</td>
<td>CONSV-NR</td>
<td>10±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RL-3X</td>
<td>LDR-NR</td>
<td>5±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NACX</td>
<td>NAC-NR</td>
<td>35±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RMX</td>
<td>MDR-NR</td>
<td>42±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ECX</td>
<td>CAC-NR</td>
<td>116±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCXX</td>
<td>CAC-NR</td>
<td>33±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Est. Acres E of this US 27 Segment by Future Land Use:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RL-4X</td>
<td>LDR-NR</td>
<td>85±</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHOOL</td>
<td>70±</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OUTSIDE CL PER ANNEXATION AGREEMENT WITH COUNTY AND CITY OF DAVENPORT.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Total Incorporated Acres E of US 27: 436± ACRES
6. **Comprehensive Plan North Ridge Future Land Use Conversion Table.** Below is a Table denoting the equivalent City Comprehensive Plan Future Land Use designations for the County Comprehensive Plan Future Land Use designations:

<table>
<thead>
<tr>
<th>COMPREHENSIVE PLAN NORTH RIDGE FUTURE LAND USE CONVERSION TABLE</th>
<th>HAINES CITY FUTURE COMPREHENSIVE PLAN LAND USE DESIGNATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>POLK COUNTY FUTURE LAND USE</td>
<td>LDR-NR</td>
</tr>
<tr>
<td>RESIDENTIAL LOW DENSITY (RLX)</td>
<td>X</td>
</tr>
<tr>
<td>RESIDENTIAL MEDIUM DENSITY (RMX)</td>
<td></td>
</tr>
<tr>
<td>PROFESSIONAL/INSTITUTIONAL (PIX)</td>
<td></td>
</tr>
<tr>
<td>NEIGHBORHOOD ACTIVITY CENTER (NACX)</td>
<td></td>
</tr>
<tr>
<td>COMMUNITY ACTIVITY CENTER (CACX)</td>
<td></td>
</tr>
<tr>
<td>TOURIST COMMERCIAL CENTER (TCC)</td>
<td></td>
</tr>
<tr>
<td>BUSINESS PARK CENTER (BPC-1X)</td>
<td></td>
</tr>
<tr>
<td>EMPLOYMENT CENTER (ECX)</td>
<td></td>
</tr>
<tr>
<td>COMMERCIAL ENCLAVE (CEX)</td>
<td></td>
</tr>
<tr>
<td>INDUSTRIAL (INDX)</td>
<td></td>
</tr>
<tr>
<td>PRESERVATION (PRESVX)</td>
<td></td>
</tr>
</tbody>
</table>
7. **Accommodate Mixed Use Community and Neighborhood Activity Centers.** Neighborhood and community activity centers are needed to help serve not only the visitors but also the permanent residents in the area. The 50± acre Community Activity Center (CACX) located NW and SW of the US 27/SR 547 intersection contains 30 unincorporated acres that should be annexed to provide for a well planned and coordinated mixed use community activity center with high ratable commercial activities on sites with frontage and high visibility to US 27. A 30± acre Neighborhood Activity Center (NAC) is designated West of Tower Lake on the west side of US 27.

8. **Protect Environmentally Sensitive Features.** Environmentally sensitive development enhances the quality of life. Provisions for Green Swamp protection, aquifer protection, landscaping as well as tree protection and replacement are important components to this plan. Conservation easements may be required to ensure protection of wetlands and endangered or threatened habitats within the Green Swamp. The developer shall design and locate proposed improvements to minimize the removal of native vegetative communities. However, it is not the intent of this provision to preclude the reasonable use of a lot or parcel of land consistent with the Comprehensive Plan and Land Development Code. Where disturbance of a wetland or wetlands is unavoidable, mitigation shall be completed in accordance with the guidelines of the appropriate regulatory agencies. However, whenever possible, the receiving zones shall be located within the Haines City corporate limits. Receiving zones will be identified to assist these agencies in providing options for off-site mitigation in order to protect, enhance, or restore local environmentally sensitive systems. Building setbacks shall be as determined by the water management district having jurisdiction. Wider setbacks may be required by the City depending on the intensity of the development proposed adjacent to the area. [Source: PC Comp Plan Appendix 2.131-U-1 & V-2"North Ridge Selected Area Plan," & PC Comprehensive Plan]

9. **Transportation Improvements.** Transportation efficiency is a Plan objective. This plan recognizes US 27 as the primary transportation corridor and the need for alternative North/South and East/West facilities to support urban growth. The Polk County Transportation Planning Organization has scheduled six lanes for the US 27 corridor and the construction of two major north-south collector roads that will parallel US27 to the east and west and will be linked by Patterson Road, an east-west roadway located at the southern terminus of the proposed major collectors. Mixed use developments that can provide a diverse mix of residential and non-residential uses are preferred within the SAP.

10. **Promote Pedestrian and Bikeway Infrastructure.** Promote interconnectivity by requiring pedestrian and bikeway facilities that provide safe routes linking residents to park and recreation areas, schools, and commercial facilities and by providing such facilities along collector and arterial roads. All development shall provide for integration of pedestrian access ways, internal circulation improvements, and interconnection of pedestrian/bikeway connections, street system, frontage roads, and cross-easements.

11. **Access Management and Internal Circulation.** All types of Activity Centers shall have frontage on, or direct access to an arterial roadway, or a frontage road or service drive which directly serves an arterial roadway. Access to parcels shall include a safe and well designed internal road system, frontage roads, cross-access easements, acceleration and deceleration lanes and/or shared ingress/egress access easements that accommodate the projected trip generating characteristics of the site. Curb cuts shall be managed consistent with applicable law and the use of cross easements and shared ingress/egress facilities shall be required wherever practical. Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

12. **Buffering, Landscaping, Screening and Aesthetics.** All development shall include buffering meeting development standards set forth in the land development regulations and the landscaping, screening, and buffering design shall effectively mitigate potential adverse impacts from outdoor lighting, noise, odors, and other potential nuisance factors that may otherwise adversely impact adjacent land uses. Lighting shall be appropriately shielded from adjacent parcels, especially residential properties and roadways. Similarly, parking lots, loading areas, dumpsters, utilities and air conditioning units, and signage, shall be designed to include appropriate landscaping, screening, shielding, and/or buffering and all development and redevelopment shall have underground utilities.
13. **Activities to Occur within Enclosed Buildings/Outdoor Storage.** All land uses and related operations shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be effectively screened from off site view.

14. **Promote Pedestrian Oriented Environments, Mass Transit, and Vertically Mixed Use Development.** Vertically mixed use development on sites designated NAC-NR, CAC-NR, and PIC-NR shall create pedestrian environments and foster mass transit by incorporating neo-traditional urban design principles, including associated architectural themes, design techniques, and amenities. Where mass transit stops are planned, all new development and redevelopment on sites of five acres or more shall be designed to accommodate a mass transit stop on-site that provides safe and convenient access and egress for transit vehicles and appropriate shelter for mass transit patrons. [Source: PC Comp Plan FLUE, Policy 2.125-H (2). Section “B” above requires compliance with this Co. CP Policy].

**GOAL 1.00. BALANCED APPROACH TO FUTURE LAND USE ALONG US 27 CORRIDOR:** Develop an environmentally sensitive plan which encourages a high quality living environment through an efficient urban-growth pattern based on a balance of employment activities, residential and nonresidential uses, a range of housing opportunities, and short vehicle trips between housing, employment, and shopping in harmony with the special factors of the Green Swamp.

**Objective 1.1.0. Development Consistent with Selected Area Plan:** Development within the North Ridge Selected Area Plan (SAP) shall occur in accordance with the policies stated within this Plan and shall comply with the Haines City Comprehensive Plan and Land Development Regulations. Where there is a conflict in policy or standards, the more stringent standard shall apply unless the City determines that such requirement as it applies to a particular site is impractical, unreasonable, and the constraint is not caused by the applicant’s actions. Only multi-family residential development shall be allowed and is encouraged within the CAC-NR, NAC-NR, and PIC-NR Future Land Use Map designations. Such development must be part of a vertically mixed use development and shall require a site of twenty (20) acres or more and must be duly approved as planned unit development that incorporates the best management principles and practices of “traditional neighborhood design” or “new urbanism.”

**Policy 1.1.1. Designation and Mapping:** The US 27/North Ridge Selected Area Plan is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the Future Land Use Map Series and the North Ridge Selected Area Plan Map which is included as part of the Map Series. The following land use designations are hereby adopted and shall require compliance with special SAP development policies contained herein to ensure consistency with Plan objectives. [Source: PC Comp Plan Appendix 2.131-Q1 “North Ridge Selected Area Plan,” Policy 2.131-Q2 and Q4.]

1. Community Activity Center (CAC-NR)
2. Neighborhood Activity Center (NAC-NR)
3. Professional Institutional (PIC-NR)
4. Business Park Center (BPC-NR)
5. Low Density Residential (LDR-NR)
6. Medium Density Residential (MDR-NR)
7. Conservation (CONSV-NR)

**Policy 1.1.2. Intensities and Conditional Use Criteria:** In the CAC-NR, NAC-NR, PIC-NR Future Land Use designations, non-residential use base intensity, expressed as a floor area ratio, may be exceeded if duly approved as a conditional use. The City shall apply the following criteria to determine whether a conditional use is suitable for the site and is appropriately designed to avoid potential land use incompatibility, including potential adverse impacts. The design criteria shall be applied to achieve smooth transition in land use, including density, intensity, appearance, size, height, mass, and design amenities. A conditional uses shall be permitted only on specific sites where the proposed use can be adequately accommodated without generating adverse impacts on land uses within the immediate vicinity.
The site must have sufficient land area to accommodate the proposed use, including its scale, mass, density and/or intensity, as well as requisite project amenities, and infrastructure. Land use compatibility also shall be measured by the application of best management principles and practices of site design, including such attributes as screening and buffering, lot layout and orientation of structures; architectural feature such as façade elevations, façade landscaping, fenestration, building articulation, pedestrian access and circulation; internal vehicular circulation together with access and egress to the site, and off-street parking. The site plans shall apply mitigative measures such as additional landscaping, buffering, and setbacks deemed necessary by the City to avoid land use incompatibility as well as adverse environmental and nuisance impacts. A proposed conditional use shall only be approved if a site plan demonstrates compliance with all applicable land development regulations, especially the criteria established in section 6.5.14 of the Land Development Code. If adequate site planning including buffers and setbacks cannot effectively mitigate potential adverse impacts, the City can require that the site plan be significantly modified, including a reduction in the square footage of the use, height, mass or other site plan features. If such site plan revision cannot mitigate potential impacts, the City has the power to deny approval of the conditional use.

**Policy 1.1.3. SAP Supplemental Policies for Specific SAP Land Use Designations:** In addition to the City’s Comprehensive Plan, the following supplemental policies shall be applied to achieve the goals and objectives of the US 27/North Ridge SAP. The Land Development Code provides implementing regulatory policies that are also applicable. [Source: PC Comp Plan Appendix 2.131-Q4 “North Ridge Selected Area Plan,” Policy 2.131-Q4 and PC Comprehensive Plan, Policy 2.110.]

**Policy 1.1.3-A. Neighborhood Activity Center (NAC-NR):** The following supplemental policies are applicable to development on lands designated NAC-NR: [Source: PC Comp Plan Appendix 2.131-Q1 “North Ridge Selected Area Plan,” Policy 2.131-Q4B & PC Comprehensive Plan, Policy 2.110-D4].

1. **Residential Use Restricted.** Residential is not permitted as a primary use, but shall be permitted on a site of twenty acres or more when duly approved as a traditional neighborhood planned unit development, including special design criteria requiring that the residential development be part of a vertically mixed use structure. The residential units shall be located above ground floor commercial development and shall have a density no greater than 10 units per acre and the height of a mixed use building shall be limited to one story of ground level commercial and two stories of residential use—a height cap of 3 stories for mixed-use buildings. [Source: PC Comp Plan Appendix 2.131-Q1 “North Ridge Selected Area Plan,” Policy 2.131-Q3 (C5)--Restated].

2. **Office Use Restricted.** Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.

3. **Floor Area Ratio.** The maximum FAR shall be 0.35. Higher FARs, not to exceed 0.70, will be allowed duly approved as a conditional use pursuant to criteria in Policy 1.1.2.

4. **Impervious Surface Ratio.** The ISR shall be limited to 0.7 in all cases.

**Policy 1.1.3-B. Community Activity Center (CAC-NR):** The following supplemental policies are applicable to development on lands designated CAC. [Source: PC Comp Plan Appendix 2.131-Q4C “North Ridge Selected Area Plan,” & PC Comprehensive Plan, Policy 2.110-E4].

1. **Residential Use Restricted.** Residential is not permitted as a primary use, but shall be permitted on a site with twenty acres or more duly approved as a traditional neighborhood planned unit development, including special design criteria requiring that the residential development be part of a vertically mixed use structure. The residential units shall be located above ground floor commercial development and the density shall comply with medium density residential threshold and the height
of a mixed use building shall be limited to one story of ground level commercial and two stories of residential use—a height cap of 3 stories for mixed-use buildings. [Source: PC Comp Plan Appendix 2.131-Q1 & Policy 2.131-Q-3 (C-2) “North Ridge Selected Area Plan,”]. [See FLUE, page B-7 special residential” allows 15-25 du/ac. but the SAP is more restrictive, see page HH-6.]

2. **Floor Area Ratio.** The maximum FAR shall be 0.30. Higher FARs, not to exceed 1.0, will be allowed when duly approved as a conditional use pursuant to criteria in Policy 1.1.2. [See FLUE, page B-30, § “g” special residential” allows FAR up to 1.0 and 25 du/ac.]

3. **Impervious Surface Ratio (ISR).** The ISR shall be limited to 0.7 in all cases.

**Policy 1.1.3-C. Business Park Centers (BPC-NR):** The following supplemental policies are applicable to development on lands designated BPC. [Source: PC Comp Plan Appendix 2.131-Q4-G “North Ridge Selected Area Plan,” & PC Comprehensive Plan, Policy 2.113-B-4 & PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-B(4)].

1. **Land Use Prohibitions.** With the exception of the general construction activities, facilities engaged in industrial activities, as defined in the Federal Environmental Protection Agency’s (EPA) National Pollution Discharge and Elimination System (NPDES) for Stormwater Associated with Industrial Activity (Chapter 40, CFR Part 122) shall not be permitted. In addition, the following activities are prohibited. [Source: PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-B (4).]
   a. Petroleum pipelines;
   b. Wholesale chemical operations;
   c. Petroleum related industries and fuel dealers (with the exception of gas stations which may be permitted);
   d. Dry cleaning plants; and
   e. Chemical research operations.

2. **Storm Water Management and Pollution Control.** General construction activities may be permitted. However, prior to the City issuing a development permit, the City will require all such activities, regardless of threshold exemptions, to provide evidence that the criteria within the following permit requirements have been met: EPA's NPDES, State and regional water management district stormwater criteria for preventing erosion and sediment from being discharged offsite (Rule 17-25.025(7), FAC), as well as the Pollution Source Control on Construction Sites requirements specified in Stormwater BMP 2.04 of the Florida Development Manual (DEP, 1988, Chapter 6 as hereafter may be amended). [Source: PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-B (4)].

3. **Commercial Land Use Restrictions.** Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.

4. **Residential Land Uses Prohibited.** Residential development shall be prohibited.

5. **Floor Area Ratio.** The maximum FAR shall be 0.75. Higher FARs, not to exceed 1.25 will be allowed when duly approved as a conditional use pursuant to criteria in Policy 1.1.2.

6. **Impervious Surface Ratio.** The ISR shall be limited to 0.7 in all cases.

**Policy 1.1.3-D. Professional Institutional Center (PIC-NR):** The Professional Institutional Center
1. **Characteristics.** The PIC-NR is intended to accommodate the employment and functional needs of the medical community as well as associated uses and retail and commercial uses to serve the employees within the PIC-NR. The PIC-NR will generally contain medical offices and support facilities including uses to support the employee population. General characteristics of land designated PIC-NR shall be as follows:
   a. **Approximate Size:** 10 acres or more
   b. **Gross Leasable Area (GLA):** More than 3,000 square feet
   c. **Minimum Population Support:** More than 2,500 people
   d. **Market-Area Radius:** More than 2 miles
   e. **Typical Tenants:** Services to persons needing professional and medical services such as administrative, clerical, or professional duty offices, doctors offices, hospitals, pharmacies, medical supply retail stores, assisted living facilities, nursing homes, and small scale retail stores and services for the clients and employees of the land use category. Hotels and motels are also permitted to serve the users of the districts.

2. **Residential Use Restricted.** Residential is not permitted as a primary use, but shall be permitted on a site with twenty acres or more duly approved as a traditional neighborhood planned unit development, including special design criteria requiring that the residential development be part of a vertically mixed use structure. The residential units shall be located above ground floor commercial development and the density shall comply with the maximum residential density threshold of fifteen (15) and the height of a mixed use building shall be limited to one story of ground level commercial and two stories of residential use—a height cap of 3 stories for mixed-use buildings. [Source: PC Comp Plan Appendix 2.131-Q1 & Policy 2.131-Q-4 (K-e) “North Ridge Selected Area Plan.” See FLUE, page B-7 special residential” allows 15-25 du/ac. but the SAP is more restrictive, see page HII-6.]

3. **Floor Area Ratio.** The maximum floor area ratio (FAR) shall be 0.70. Higher FARs, not to exceed 1.25, will be allowed when duly approved as a conditional use pursuant to criteria in Policy 1.1.2.

4. **Impervious Surface Ratio.** The maximum ISR shall be 0.7 in all cases. [See PC Comp Plan Appendix 2.131-Q4-K(C) (f) “North Ridge Selected Area Plan.” The less restrictive ISR in CARMP is 0.70]

5. **Limited Retail Commercial Use.** Retail and commercial uses may only be developed as part of a bona fide vertically mixed use structure. The residential units shall be located above ground floor office and/or commercial development and the density shall comply with medium density residential thresholds and the height of a mixed use building shall be limited to one story of ground level commercial and two stories of residential use—a height cap of 3 stories for mixed-use buildings. [See PC Comp Plan Appendix 2.131-Q4-K(C) (g) “North Ridge Selected Area Plan” for more intense alternative.]

**Policy 1.1.3-E. Conservation (CONSV-NR).** Areas designated on the Future Land Use Map as Conservation within the US 27/North Ridge SAP are major wetland areas of ten (10) or more acres on which development does not currently exist. Areas designated CONSV-NR shall include large wetlands with conservation easements that ensure their long-term protection or acquired or dedicated for use as publicly accessible open-space areas. When applications for Comprehensive Plan Future Land Use Map (FLUM) Amendments are filed with the City, the City shall require that any wetlands of ten (10) or more acres be designated “Conservation” on the amended FLUM. All privately owned wetlands shall be
protected and conserved through City site plan regulations which shall require that sites having potential wetlands be identified on site plans by field biologists or other professionals with demonstrated experience in wetland delineation. Such delineations shall be verified by the appropriate agency having jurisdiction. The City shall require the filing of a conservation easement on such delineated wetlands as part of the site plan review process unless the wetland is exempted by such agency. The City land development regulations shall require upland buffers along the perimeter of wetlands that are adequate to preserve the physical and biological functions of the wetlands. Wetlands have the following characteristics: areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial. Prevalent wetland vegetation generally consists of facultative or obligate hydrophytic macrophytes that typically adapt to wetland soils. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. (Subsection 373.019(17), F.S.) The landward extent of wetlands is delineated pursuant to sections 62-340.100 through 62-340.550, F.A.C., as ratified by section 373.4211, F.S., (subsection 40C-4.021(30), F.A.C.). Development shall not be permitted except for the following: [Source: PC Comp Plan Appendix 2.131-Q4-M “North Ridge Selected Area Plan,” & PC Comprehensive Plan, Policy 2.1183-A4 (b-c, e).

1. Characteristics. Conservation Areas are generally characterized by property publicly or privately purchased for long-term protective purposes; and are generally comprised of 1) environmentally sensitive and/or unique vegetative or animal habitats; or 2) publicly-accessible property intended for low impact open space purposes.

2. Development Restrictions. Development and uses permitted within a future or existing Conservation Area (CONSV-NR) shall be restricted to: 1) Environmentally non-damaging access points and trails; and 2) Conservation and resource-based, non-motorized recreational uses which include:
   a. Non-motorized boating which does not require a paved boat ramp for access.
   b. Hiking, bicycling, nature observation, and fishing/hunting in approved locations.
   c. Overnight primitive tent camping where permitted.

3. Floor Area Ratio. Building floor area ratio (FAR) in CONSV-NR areas shall be ≤ to 0.01 FAR.

4. Impervious Surface Ratio. Impervious surfaces shall be limited to structures required for the care and maintenance of the Conservation Areas or public safety;

Policy 1.1.3-F. Low Density Residential (LDR-NR) and Medium Density Residential (MDR-NR): The following Table 1.1.3(3) denotes standards for density as well as size and dimension standards for low and medium density residential development. The R-1A and R-3 zoning district standards shall implement this designation.
### TABLE 1.1.3(F): LAND USE SIZE AND DIMENSION STANDARDS FOR LDR(NR) AND MDR(NR) DISTRICT

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>LDR-NR FLUM Designation R-1A Zoning Single Family Residential</td>
<td>Area: 10,000 sq. ft. Width: 85’ on or abutting a public street or R/W Depth: 115’</td>
<td>30%</td>
<td>40%</td>
<td>Front: 25’ Side: 12’ Interior, 25’ Adjacent to street Rear: 15’</td>
<td>35’, except boat houses on water frontage 12’ above normal water level</td>
<td>1,600 sq. ft.</td>
</tr>
<tr>
<td>MDR-NR FLUM Designation R-3 Zoning Multiple Family Residential</td>
<td>Single Family Detached</td>
<td>Area: 7,500 sq. ft. Width: 75’ on or abutting a public street or R/W</td>
<td>40%</td>
<td>55%</td>
<td>Front: 20’ Side: 8’ Interior, 20’ Adjacent to street Rear: 10’</td>
<td>35’</td>
</tr>
<tr>
<td></td>
<td>Single Family Semi-detached and Attached</td>
<td>Area: 7,500 sq. ft. Width: 75’ on or abutting a public street or R/W</td>
<td>Single-family detached and attached: 50% Other Permitted Buildings: 40%</td>
<td>55%</td>
<td>Front: 20’ Side: 8’ Interior, 20’ Adjacent to street Rear: 10’</td>
<td>35’</td>
</tr>
</tbody>
</table>
Policy 1.1.4. Non Residential and Mixed Use Density and Intensity by District: The following table establishes the maximum base FAR permitted by right within each Activity Center within the US 27/North Ridge SAP. Higher FARs may be approved as a conditional use up the maximum cap established in the table. [Source: PC Comp Plan Appendix 2.131-Q-4 & Policy 2-131-Q-7 “North Ridge Selected Area Plan”]

<table>
<thead>
<tr>
<th>DENSITY (units/acre)</th>
<th>FLOOR AREA RATIO (FAR) Only Applies to Non-residential Floor Area</th>
<th>IMPERVIOUS SURFACE RATIO (ISR)</th>
<th>RESIDENTIAL USE ONLY PERMITTED AS A \nPLANNED UNIT DEVELOPMENT USE WITHIN A VERTICALLY MIXED USE STRUCTURE (TND)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Basic Non Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Development Over 0.35 Far Must Be Duly Approved as a Conditional Use⁴</td>
<td>Vertically Mixed Use (TND) Development Only Permitted on Sites 20 Acres or More and Must Be Duly Approved as a Planned Unit Development²,³</td>
<td>Non-Green Swamp</td>
</tr>
<tr>
<td></td>
<td>15 u/a</td>
<td>0.35</td>
<td>1.25</td>
</tr>
</tbody>
</table>

1. Densities and intensities Green Swamp Upland Transition Area located east of the Core Area of Critical State Concern (GSACSC). The Green Swamp Core Area is defined in Policy 1.2.1.
2. Vertically mixed use development shall be allowed and encouraged within the PIC-NR Future Land Use Map designation on sites of twenty (20) acres or more and such development shall be duly approved as planned unit development which must incorporate the best management principles and practices of “traditional neighborhood design” or “new urbanism.” Buildings within a vertically mixed use development (TND) shall be allowed to a maximum of three stories with up to two stories of residential above the non-residential use. FAR applies to non-residential use only.
3. Commercial development within vertically mixed use traditional neighborhood development shall not exceed an ISR of 60% unless a less restrictive provision applies within the district. [PC Comp Plan Appendix 2.132 “Critical Area RMP,” Policy 2.132-B-6]
4. FARs, above the basic FAR will be allowed when duly approved as a conditional use pursuant to criteria in Policy 1.1.2.

Policy 1.1.5. Multi-Modal Collector Road System: The Multi-Modal Collector Road System is intended to establish safe vehicular, bicycle, and pedestrian circulation (including sidewalks) in the area to promote alternative modes of transportation within the North Ridge SAP. The Multi-Modal Collector Road System is included as part of the proposed transportation network within this SAP and shall be developed pursuant to the following: [Source: PC Comp Plan Appendix 2.131-Q-6-B, “North Ridge Selected Area Plan”]

1. Designated County Collector Road System. The Multi-Modal Collector Road System is designated on the Polk County Future Land Use Map and shall be incorporated by reference into the City Comprehensive Plan. A minimum of 40 feet from the centerline of the road shall be designated as right-of-way to ensure a continuous corridor along the designated collector within the SAP.

2. Implementation Methods. The City shall coordinate with the Transportation Planning Organization and others as appropriate in planning for the Multi-Modal Collector Road System. Development along the Multi-Modal Collector Road System shall be required to provide a vegetative buffer in accordance with the Land Development Code for this SAP. The City shall implement its impact fee program to accomplish scheduled road improvements that are not funded by the County or the federal government. The City shall assist the County Multi-Modal Collector Road System by coordinating the following improvement strategies during the site plan review process as shall be required in the land development regulations:

a. Required Sidewalks Sidewalks shall be required along both sides of the Multi-Modal Collector Road System as designated on the SAP FLUM and shall be required along the
entire length and on both sides of US 27 as part of the multi-modal transportation system in the North Ridge SAP.

b. **Intergovernmental Coordination.** The City through its site plan review functions shall coordinate with County to assist implementation of the system where incorporated properties are proposed for development within a projected collector right-of-way.

3. **Regulatory Initiatives.** The land development code shall include criteria for access management for development within the US 27/North Ridge SAP. The criteria shall address access management, land use and design measures to increase internal trip capture rates, require connections between developments, and assist implementation of the multi-modal transportation system by coordinating with the County. The site plan review process shall ensure that site plans include appropriate curb cut controls, cross access and joint use of driveways consistent with applicable standards of the State and/or County, dedication of requisite easements, coordinated site planning for on- and off-site traffic improvements, accommodation of needed mass transit facilities, and pedestrian and bikeway improvements. [Source: PC Comp Plan Appendix 2.131-W 1-9, “North Ridge Selected Area Plan”]

**Policy 1.1.6. Visual Quality: Landscaping, Screening, Buffers and Signage**

Development within the North Ridge corridor shall conform to special buffering and landscape criteria to reduce potential incompatibility between land uses, negative visual impacts of development, and to help ensure reforestation. The land development code shall include criteria for avoiding incompatible uses by applying buffering, tree planting, and tree replacement techniques; street frontage and parking lot landscaping, inclusion of xeriscaping requirements, and controlled signage. [Source: PC Comp Plan Appendix 2.131—S (1-5), “North Ridge Selected Area Plan”]

**Policy 1.1.7. Wetland Protection**

The City’s site plan review process shall require that the applicant’s for development approval prepare a site plan that directs development to upland areas and avoids adverse impacts to wetlands so that wetlands and natural functions of wetlands shall be protected and conserved. Where such impacts are unavoidable, the applicant shall comply with State laws and administrative rules promulgating uniform mitigation procedures. All development proposals which impact wetlands shall include a wetlands assessment as an integral part of the site plan review process, unless such assessment is exempted by state law or administrative rules. The City shall require that the site plan applicant forward all such applications to the Southwest Florida Water Management District (SWFWMD) for a review. The applicant shall be required to provide the City with all documentation of wetland assessment by the applicants’ consultants as well as documents forwarded by the SWFWMD to the applicant. The applicant shall demonstrate compliance with all wetland protection rules and procedures of the SWFWMD, including consideration of the types, values, functions, sizes, conditions, and locations of wetlands. Where unavoidable impacts to wetlands are identified, the applicant shall be required to comply with the State uniform mitigation procedures which require that the developer undertake state approved mitigation measures to compensate for any loss of wetland functions. Should the applicant be unable to comply with such compensatory mitigation measures a development order shall be denied.

**Objective 1.2.0. Green Swamp Preservation**

Development activities and intensities within the "Green-Swamp Protection Area" shall not alter the natural function of its wetlands and aquifer-recharge areas and shall conform to the following requirements:

**Policy 1.2.1. Green Swamp East Boundary**

The Green Swamp east boundary is generally extended to the US 27 west right-of-way. The specific east...
boundary of the core area of the Green Swamp shall be the 125-foot mean sea level elevation. The
ridge area lying between the west right-of-way line of US 27 west to the 125-foot mean sea level
elevation shall be the Green Swamp transition area. Field analysis shall identify the 125-foot mean
sea level elevation. The owner/applicant for development shall be responsible for funding such
analysis.

**Policy 1.2.2. Special Green Swamp Floodplain Protection Standards:** The following supplemental
provisions shall apply in the Green Swamp Area of Critical Concern (ACSC). [Source: PC Comp Plan

1. **Development Restrictions.** Development shall locate on the non-floodplain portions of a
development site and density may be transferred from undeveloped floodplain areas to contiguous
non-floodplain areas, under the same ownership, within the same platted subdivision, provided:
   a. Residential densities shall be transferred from the-100-year floodplain to the area outside the
   100-year floodplain based on a density of 1 dwelling unit per 10 acres (1 du/10 ac); and
   b. Transfers do not result in lot sizes, or area per dwelling unit, less than 65% of the size per City
   land development regulations (the minimum lot/area size shall be exclusive of the floodplain
   area).

2. **Sites Totally Enveloped by Floodplain.** If, within a parcel, there is no land located outside the
   100-year floodplain, then the highest density allowed would be 1 dwelling unit per 20 acres (1
   du/20 ac). No parcel shall be created after December 1, 1993, which consists entirely of 100-year
   floodplains, unless accompanied by a deed restriction which prohibits any future development on
   the parcel.

3. **Required Codification in LDR-NR.** The development criteria listed in Policy 1.2.2 (1) (a-b) &
   (2), above, shall be included in the City’s Land Development Regulations.

4. **Floodplain Assessment.** A detailed flood insurance study shall be performed for all subdivision
   proposals and other proposed development having five (5) acres or more in the 100-year floodplain.
The construction of a single-family dwelling on a parcel containing five (5) or more acres which is
not part of a subdivision or which is part of a subdivision in existence on the effective date of this
plan is exempt from this requirement. Phases of a larger development, if the larger development
meet the five (5) acre criterion, are not exempt from this requirement. If existing subdivisions are
proposed for replatting, the replatted portion shall be required to comply with this requirement if
the replatted portion meets the five (5) acre criterion. Subdivisions which contain 10 lots or less
shall be exempt from these requirements. The study shall be performed in accordance with the
Flood Insurance Study Guidelines and Specifications for Flood Contractors (FEMA Publication
37).

**Policy 1.2.3. Green Swamp Wetland-Protection:** In order to prevent soil erosion and protect water
quality by providing natural filtration of surface water runoff, a natural undisturbed vegetative buffer shall
be required around all surface water bodies and wetlands, in accordance with the Land Development
Regulations. The following supplemental criteria shall be applied in the Green Swamp to protect wetlands
as determined by appropriate regulatory agencies having jurisdiction: [Source: PC Comp Plan Appendix 2.132

1. **Development Restrictions.** Development in wetlands is prohibited with the following exceptions:
   a. If all beneficial use of land is precluded due to wetland restrictions, then only 1 dwelling unit
can be developed on the property. No parcel shall be created after December 1, 1992, which
consists entirely of wetlands, unless accompanied by a deed restriction which prohibits any future development on the parcel.

b. Where impacts to wetlands cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement. Where impacts to wetlands are unavoidable and when properly mitigated, as determined by agencies having jurisdiction, after the issuance of a development order, the following shall be allowed:

i. Access to the site;
ii. Internal traffic circulation, where other alternatives do not exist, and for purposes of public safety;
iii. Utility transmission and collection lines;
iv. Pre-treated storm-water management;
v. Mining that meets state and federal regulations; and
vi. For the purpose of preventing all beneficial use of the property from being precluded, as provided by Policy 1.2.3 2 (1.a).

2. **Commercial and industrial development Restrictions.** Commercial and industrial development shall locate on the non-wetland portion of the development site.

3. **Permit Issuance and Intergovernmental Coordination.** Where impacts to wetlands cannot be avoided, all permits for an agency with jurisdiction shall be approved prior to the City issuing a final development order. “intent to issue a final development order” may be issued in writing prior to the issuance of said order if pre-approval is required by an agency with jurisdiction.

4. **Transfer of Density.** Development regulations shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the following:

a. Residential densities shall be transferred from wetland areas to non-wetland areas at a density of one dwelling unit per 20 acres (1 du/20 ac). Wetlands shall be shown as conservation areas on the plat and it shall be noted that the wetlands shall be retained in their natural and unaltered state and a conservation easement shall be noted on the plan.

b. All such transfers of density shall:
   i. Be to contiguous property under the same ownership or control;
   ii. Only be permitted within a subdivision platted and developed in accordance to the City's Land Development Regulations;
   iii. Not result in lot sizes per dwelling unit less than 14,500 sq. ft.
   iv. Be noted on the face of the final plat as a restrictive covenant enforceable by the City Commission.

c. Wetlands shall be maintained in their natural and unaltered state. However, controlled burns, selective thinning, and ecosystem restoration and maintenance are permissible activities within the wetlands, provided they are performed in accordance with current Silviculture Best Management Practices published by the Division of Forestry. Any isolated wetlands of less than one acre shall be exempt from these requirements.

d. Require that all permits for an agency with jurisdiction (i.e. U.S. Corp of Engineers, Water Management District, and Department of Environmental Protection) be approved prior to with the City issuing a final development order.

**Policy 1.2.4. Green Swamp Protection of Listed Species:** The following supplemental criteria shall be
applied in the Green Swamp to protect listed species, including fauna and flora identified by the US Fish and Wildlife Service (USFWS) and/or the Florida Game and Freshwater Fish Commission (FGFWFC) as being endangered, threatened, and/or species of special concern): [Source: PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-E-3 thru 5]

1. **Compliance with Green Swamp Habitat Management Plan.** The City shall require that any residential development consisting of more than 10 lots, or any non-residential development in excess of five (5) acres, shall be required to identify listed species and habitat for listed species on the site. If it is determined that listed species are located on the site, a habitat management plan must be prepared using guidelines and protocols of the FGFWFC and/or USFWS. The City must receive a letter from FGFWFC stating that the proposed Management Plan meets and/or exceeds the standards placed on Management Plans by the FGFWFC. Development shall be compliant with Green Swamp Habitat Management Plan prepared by Polk County in concert with FGFWFC and USFWS.

2. **Green Swamp Habitat Defined.** Habitat, for the purpose of this Management Plan, shall be defined as habitat for endangered, threatened, and/or species of special concern. The specific boundaries of habitat areas shall be determined by site-specific field inspections conducted to delineate the boundaries. It shall be the responsibility of the owner and/or developer to submit documentation, exhibits, and studies for the purpose of establishing such boundaries to the satisfaction of regulating agencies with appropriate jurisdiction.

3. **Green Swamp Habitat Protection Requirements.** Development on properties identified as containing “habitat” shall be required to locate on the non-habitat portions of a development site unless such requirement would result in a net loss of density. Residential densities shall be transferred from habitat areas to contiguous non-habitat areas within the same subdivision, subject to the following:

   a. Residential densities shall be transferred from the habitat areas to non-habitat areas based on the underlying residential land-use density where development does not occur within the habitat area of the project.

   b. Residential densities shall be transferred from habitat areas to non-habitat areas at the underlying density and shall be clustered to the greatest extent possible to protect habitat. Any transfer of density to facilitate clustering shall not result in lot sizes, or areas per dwelling unit less than 65% of that required by the City's Land Development Regulations (the minimum lot/area size shall be exclusive of the wetland area), with lots utilizing septic tanks no less than 40,000 sq ft. Portions of lots may be platted into habitat areas and shall not be construed as having disturbed the habitat area for this density-transfer provision so long as that portion of the lot does not include any fill, construction, improvements, or other development, and a restriction is placed upon the plat to prohibit such future actions within habitat areas.

   c. All such transfers of density shall:

      i. Be to contiguous property under the same ownership or control;

      ii. Only be permitted within a subdivision platted and developed in accordance to the City's Land Development Regulations;

      iii. Be noted on the face of the final plat as a restrictive covenant enforceable by the City Commission.

   d. Land uses shall be regulated, and development shall be clustered and designed, to ensure that the smallest possible area of habitat be utilized to allow no net loss of density.
e. Commercial and industrial development shall locate on the non-habitat portion of a site.
f. The City shall notify the Florida Game and Freshwater Fish Commission and/or the US Fish and Wildlife Service of proposed development which is known to affect habitat areas.

Policy 1.2.5. Green Swamp Stormwater Management: The following supplemental criteria shall be applied in the Green Swamp to protect water quality and manage stormwater. Stormwater management systems shall meet the following requirements: [Source: PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-E-6]

1. **Level of Service.** A. post-development peak rate of discharge shall not exceed the pre-development peak rate of discharge for the 25 year/24 hour storm event. Systems shall be designed to retain and infiltrate the total run-off generated by a 25 year frequency, 24 hour duration storm event. This volume shall be recovered within 14 days.

2. **No Net Reduction in Flood Storage.** A stormwater management system may not cause a net reduction in flood storage within the 100-year floodplain.

3. **Maintenance.** Stormwater management facilities shall be designed to accommodate maintenance equipment access and shall facilitate regular operational maintenance such as under drain replacement, unblocking filters, sediment removal, mowing and vegetation control. Monitoring and operational maintenance requirements include:
   a. Periodic inspections of the system (with a written inspection report to the appropriate water management district) to ensure that the system is functioning as designed and permitted.
   b. Inspection reports will be submitted 1 year after construction and every year thereafter to the relevant water management district.
   c. A registered professional engineer must sign and seal the report certifying the stormwater management system is operational as designed.
   d. The City shall require that the following activities shall occur on a regular basis:
      i. Removal of trash and debris,
      ii. Inspection of inlets and outlets,
      iii. Removal of accumulated sediments and decaying organic matter from pond bottom and sediment sumps,
      iv. Stabilization and restoration of eroded areas,
      v. Mowing and removal of grass clipping, and
      vi. Aeration, tilling, or replacement of topsoil as needed to restore percolation capacity. If the topsoil is tilled or replaced, vegetation must be established on the disturbed surface.

4. **Pollution Abatement.** Pollution abatement requirements shall be the first 1 inch (or 2.5 inches times the impervious area) of runoff for the developed site, or as per the regulations of the Water Management District with this volume being recovered within 72 hours.

5. **Discharge of Runoff.** The City's Land Development Code shall require that runoff be discharged from impervious surfaces by retention areas, detention devices, filtering and cleansing devices, and/or selected DEP Best Management Practices for projects including substantial paved areas. These regulations shall make provisions for the removal of oil, grease, and sediment from discharges.

6. **Responsible Maintenance Entity to Be Listed on Plat.** Prior to platting, the developer shall ensure that a designated responsible entity, approved by the City for the maintenance of the stormwater management system has been established and is listed on the plat.
7. **Permit Issuance.** Prior to issuing a construction permit, the City shall require evidence that all required federal, state, and water management district stormwater permits have been obtained.

8. **Recharge Standard.** Projects or portions of projects in Most Effective Recharge Areas must retain three inches of runoff from directly connected impervious areas within the project. Applicants may instead demonstrate that the post-development recharge will be equal to or greater than the pre-development recharge. Most Effective Recharge Areas are those areas with soils classified by the Soil Conservation Service as Type "A" Hydrologic Soil Group. Directly connected impervious areas are those impervious areas which are connected to the surface water management system by a drainage improvement such as a ditch, storm sewer, paved channel, or other man-made conveyance. Stormwater that is retained must be infiltrated into the soil or evaporated such that the storage volume is recovered within 14 days following a storm event.

**Policy 1.2.6. Green Swamp Irrigation/Landscaping:** The City’s land development regulations shall include regulations encouraging xeriscaping, use of reclaimed water in irrigation, preservation of trees and native vegetation, and use of soil moisture sensors in large irrigation systems. [Source: PC/Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-E-14]

**Policy 1.2.7. Protect Green Swamp Aquifer Recharge:** All Green Swamp development, as defined in Section 380.04, FS, shall be reviewed for consistency with the following criteria: [Source: PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-E(19)].

1. **Quantity, Quality and Flow of Water.** Protect or improve the normal quantity, quality and flow of ground water and surface water necessary for the protection of resources of state and regional concern.

2. **Water Availability.** Protect or improve the water available for aquifer recharge.

3. **Improve Recharge Functions.** Protect or improve the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

4. **Water Supply.** Protect or improve the normal supply of ground and surface water.

5. **Salt Water Intrusion.** Prevent further salt-water intrusion into the Floridan Aquifer.

6. **Water Quality.** Protect or improve existing ground and surface-water quality.

7. **Wetland Water Retention.** Protect or improve the water-retention capabilities of wetlands.

8. **Wetland Filtering Capabilities.** Protect or improve the biological-filtering capabilities of wetlands.

9. **Natural Flow Regime.** Protect or improve the natural flow regime of drainage basins.

10. **Storm Water Management.** Protect or improve the design capacity of flood-detention areas and the water management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

**Policy 1.2.8. Green Swamp ACSC Impact Statement:** All applications for development as defined in Section 380.04, F.S., (except individual single-family residential units and accessory uses) in the Green Swamp Area of Critical State Concern (ACSC) must submit a written impact statement that demonstrates...
consistency with the provisions of Policies 1.2.2 through 1.2.7 and provision of the Green Swamp ACSC regulatory measures within the Land Development Regulations. Non-residential developments, and residential developments of 50 lots or more, shall also include certification (with supporting data) by a registered Professional Engineer that the requirements of the Green Swamp Overlay District are met. [Source: PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-B (S) and E-19].

Policy 1.2.9. Exemptions to the ACSC Residential Building Densities: Residential building density exemptions relate to density only and all other requirements of the Comprehensive Plan shall apply. However, adjustment of the development criteria of the Green Swamp ACSC may be granted for lots exempted pursuant to this section if the application of development criteria would result in the inability to develop lots with a single-family residence. Any adjustment shall be applied on a case-by-case basis only to the particular lot which could not otherwise be developed with a typical single-family residence, and then only to the minimum extent necessary to provide a reasonable beneficial use of the lot.

Objective 1.3.0. Greenway Corridor: The Greenway Corridor within the US 27/North Ridge SAP shall be defined as a linear, meandering preservation/conservation and wildlife corridor bordering the eastern boundary of the Green Swamp wetland. This area will serve as a buffer with no development permitted within this area. The Greenway Corridor shall serve as a linear buffer area over which a conservation easement shall be dedicated. Each segment of the Greenway Corridor shall be designed to ultimately achieve unbroken interconnectivity among all segment of the Greenway Corridor. Each segment of the Greenway Corridor shall remain undisturbed except for the accommodation of pedestrian/bicycle traffic, underground utilities, and limited access. This corridor shall extend a minimum of 50 feet on each side of the jurisdictional wetland boundary. [Source: PC Comp Plan Appendix 2.131-Q1 “North Ridge Selected Area Plan,” Policy 2.131-Q6 (D) & PC Comp Plan Appendix 2.132 “Critical Area Resource Management Plan,” Policy 2.132-B (10)].

Policy 1.3.1. Implementing the Greenway Corridor: The Greenway Corridor shall be created as follows:
1. Along the east boundary of the core area of the Green Swamp (i.e., the 125-foot mean sea level elevation) as verified by the Water Management District or other agency having jurisdiction, all development bordering the jurisdictional wetlands of the Green Swamp shall designate 50 feet east of the jurisdictional wetland boundary as a conservation easement for the Greenway Corridor.
2. Developments located along the Greenway Corridor shall be required to locate other passive recreation amenities and stormwater retention areas adjacent to the corridor in order to enhance its passive recreation features. All retention areas shall be designed in a manner that minimizes disturbance to the land.

Objective 1.4.0: Impact Fees, User Fees, and Concurrency Management to Fund Infrastructure. The City shall continue to enforce City impact fees and user fees, and concurrency management requirements as below stated and also collect County Impact Fees for County maintained roads.

Policy 1.4.1: Roadway Improvements. The City Ordinance 04-1125 establishes a City impact fee to ensure that new development pays a fair share of the anticipated costs of needed roadway improvements. In addition, the City shall enforce roadway concurrency regulatory measures to ensure that no development receives a development order without complying with such concurrency regulatory measures. The City shall also continue to collect County impact fees for County maintained roadways.

Policy 1.4.2: Water and Wastewater Systems Improvements. The City shall continue to enforce user fees and connection fees as well as potable water and wastewater concurrency requirements in order to ensure available sources of funding for needed water and wastewater improvements. The enforcement of concurrency level of service standards shall ensure that no new development receives a development order without complying with such concurrency regulatory measures.
Policy 1.4.3: Recreation, Fire, Police, and Library Systems Improvements. The City Ordinance 04-1124 establishes City impact fees to ensure that new development pays a fair share of the anticipated costs of needed recreation, fire, police, and library systems improvements. In addition, the City shall enforce recreation concurrency regulatory measures to ensure that no development receives a development order without complying with such concurrency regulatory measures.
# CHAPTER 13
## PUBLIC SCHOOLS FACILITIES ELEMENT
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CHAPTER 13
PUBLIC SCHOOL FACILITIES

I. INTRODUCTION.

Planning for school facilities is one of the responsibilities of the local School Board. It was historically done in an isolated manner separate from the local government planning process. In order to facilitate better planning for the optimal distribution of schools, school planning should be coordinated within the context of the local government comprehensive planning process.

In 2005, the Florida Legislature amended Florida Statute §163.3180, which ordered the implementation of public school concurrency. The new legislation requires that each local government adopt a Public School Facilities Element (PSFE) as part of its Comprehensive Plan and amend its Capital Improvement Element and Intergovernmental Coordination Element. The PSFE must address school level of service; school utilization; school proximity and compatibility with residential development; availability of public infrastructure; co-location opportunities; and financial feasibility. The intent of the legislation is to encourage counties, municipalities, and school boards throughout the state to work together to achieve concurrency.

The City of Haines City, in cooperation with the Polk County School Board, Polk County Board of County Commissioners, and the other 14 non-exempt cities in the Polk County School District coordinated the adoption of the Public School Facilities Element (PSFE) and associated amendments to the Intergovernmental Coordination and Capital Improvements Elements to ensure all local government comprehensive plan elements within the County are consistent with each other.

The following section presents a summarization of the district-wide data and analysis, found in the Support Document XI-One of the Technical Support Document, which evaluates the existing and future condition of school facilities and includes the School Board’s 5 year capital program for school facility improvements. The subsequent section discusses issues and opportunities related to the provision of public school facilities and the final section presents the goal, objective, and policy statements.

II. SUMMARY OF FINDINGS.

Essential to the preparation of the Public Schools Facilities Element was an inventory and analysis of existing school facilities. The Polk County School Board maintains an extensive inventory and analysis of school district’s existing school facilities up to date through periodic revisions of the inventory. The primary purpose of this extensive inventory of school facilities was to analyze how well the existing facilities meet present needs and how well it can be expected to meet future needs. This analysis examines the historic and current utilization of school facilities and level of service, projected student enrollment, funding for capital improvements, and 15 year capital outlay costs.

The following is a summary of the Polk County Public Schools Facilities Element Data and
a. Existing Conditions.

Polk County has experienced unprecedented growth in recent years. According to population estimates from the Bureau of Economic and Business Research at the University of Florida (BEFR), Polk County has grown by 12 percent between 2001 and 2006. The growth rate of the County was actually greater than the state whose growth rate was 11 percent during the same period of time. This growth trend is anticipated to continue into the foreseeable future.

As a result of the growth occurring throughout Polk County, the School Board is challenged with providing sufficient classrooms to provide a quality education to ever increasing numbers of students. From the 2001-2002 school year to the 2006-2007 school year school enrollment in Polk County increased 12 percent, a rate of growth commensurate with total population growth during the same period of time. At the beginning of the 2006-07 school year, Polk County had 62 elementary schools, 15 middle schools, 14 high schools, 9 charter schools and 14 special education schools serving a total of 92,258 students.

District level analysis of the three different school levels (elementary, middle, and high) reveals that there is currently not sufficient capacity at the elementary level. According to Department of Education’s standards for capacity on a district-wide basis, as of March 2007 Polk County high schools and middle schools are operating at 96 percent and 92 percent of their respective total permanent capacity (excluding portables/relocatables). At the same time the Polk County elementary schools have reported to be operating at 105% of permanent capacity per the Florida Inventory of School Housing or FISH methodology for measuring capacity.

At the sub-district level, that level at which concurrency is determined, backlogged facilities currently exist at all three local school levels: elementary, middle school and high school. A backlogged facility is a school with a student population that exceeds the maximum allowed under the adopted level of service standards. Currently, there are 24 backlogged elementary schools, 8 backlogged middle schools and 4 backlogged high schools district-wide. Within the City of Haines City Planning Area there are a total of 5 backlogged schools: 2 elementary (Alta Vista and Eastside), 1 middle (Boone) and 2 high schools (Haines City and Ridge Community). There are also 2 schools of choice (Jenkins Academy of Technology and Bethune Academy) within the Haines City planning area.

b. Future Conditions.

According to the Polk County School Board (PCSB), student enrollment based on 2006 levels is projected to increase 24.9% by 2015. This increase represents an additional 18,415 students to be served by Polk’s school system. The 5-Year Program of Work is the School Board’s financially feasible capital facilities plan that
schedules new construction and expansion projects to serve near term needs. To address the projected growth in the short term there are 4 new elementary schools to be opened in the 2007-08 school year and one high school. One of the elementary schools, Horizons, will be constructed in the North Ridge Area. Three elementary schools currently are scheduled to open during the 2008-09 school year along with various classroom additions at existing schools. In the remaining two years of the 5-Year Program of Work there are planned 3 elementary schools, 2 middle schools, and one high school. In addition the 9th grade center concept is in the process of being implemented by adding capacity of approximately 800 student stations to most local high schools including Haines City High School and possibly Ridge Community. The School Board’s 15-Year Capital Outlay Plan addresses long range facilities objectives based on anticipated funding from FY 2003 to FY 2018. This plan currently projects a budget of $878,818,500 for capital costs. The School Board is required to implement long term improvement plans to make all identified backlogged facilities meet level of service standards within 10 years. In addition to the School Board’s capital facilities improvements, school concurrency mitigation measures are expected to help meet needs for additional capacity created by future residential development.

c. Capacity, Utilization and Level of Service.

According to the PCSB Educational Plant Survey, a school site should be adequate to address existing needs based on school programs and enrollment and to allow economical future expansion and development. The choice of sites for new schools is of critical concern in the overall development of a school facilities program. New sites should be located to minimize transportation and infrastructure costs and should be sized so that they provide adequate space for school building, stormwater retention, off street parking, queuing for parent and bus loading and unloading, and playground areas.

In the proposed Cityview Selected Area Plan, the City will coordinate with the district School Board of Polk County to encourage the business community and other private organizations to coordinate with the County and the District School Board of Polk County to jointly fund and design community-based services and facilities (i.e. recreational facilities) in conjunction with existing and proposed school sites. Further, the City shall require where feasible the location of new elementary and middle schools, unless otherwise required, internal or adjacent to residential neighborhoods. As to high schools, the City will coordinate with the District School Board of Polk County to identify locations on the periphery of residential neighborhoods where access to collector roads or higher is available.

The Educational Plant Survey presents minimum space requirements based on program needs, pursuant to the Florida Administrative Code. The minimum space requirements include student capacity, student stations, gross square footage of buildings, and facilities utilization. Student capacity is the maximum number of students a school facility is designed to accommodate. A student station is the area
necessary for a student to engage in learning activities and varies with particular types of activities. It is, simply put, a measure of the use of space in schools.

According to State criteria, student capacity in elementary schools can be equated to the number of student stations, since elementary school students are assigned to one classroom throughout the day. In secondary schools, however, students move from classroom to classroom depending on their subjects. Scheduling then becomes a factor in calculating capacity as well as the number of students and student stations. Therefore, 90% of total permanent student stations in middle schools and 95% in high schools are said to be available for purposes of determining permanent capacity at the post-elementary level.

To guide its facilities planning efforts, the School Board has adopted the following minimum space requirements which are within or higher than those recommended by the State:

**TABLE XI-1**

**POLK COUNTY STANDARDS**

**SCHOOL CAPACITY, BY SCHOOL LEVEL**

<table>
<thead>
<tr>
<th>SCHOOL LEVEL</th>
<th>TYPE OF USE</th>
<th>SPACE REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary Schools</td>
<td>Student Capacity</td>
<td>850 (State: 600 – 800)</td>
</tr>
<tr>
<td>(Grades Pre-K – 5)</td>
<td>Student Stations</td>
<td>850 (State: 600 – 800)</td>
</tr>
<tr>
<td></td>
<td>Gross sq. ft.</td>
<td>123,006</td>
</tr>
<tr>
<td></td>
<td>Utilization</td>
<td>100%</td>
</tr>
<tr>
<td>Middle Schools</td>
<td>Student Capacity</td>
<td>1,080 (State: 900 – 1,080)</td>
</tr>
<tr>
<td>(Grades 6 – 8)</td>
<td>Student Stations</td>
<td>1,200 (State: 1,000 – 1,200)</td>
</tr>
<tr>
<td></td>
<td>Gross sq. ft.</td>
<td>188,356</td>
</tr>
<tr>
<td></td>
<td>Utilization</td>
<td>90%</td>
</tr>
<tr>
<td>High Schools</td>
<td>Student Capacity</td>
<td>1,805 (State: 1,620 – 1,800)</td>
</tr>
<tr>
<td>(Grades 9 – 12)</td>
<td>Student Stations</td>
<td>1,900 (State: 1,800 – 2,000)</td>
</tr>
<tr>
<td></td>
<td>Gross sq. ft.</td>
<td>303,419</td>
</tr>
<tr>
<td></td>
<td>Utilization</td>
<td>95%</td>
</tr>
</tbody>
</table>

The Polk County School District reports capacity to the Department of Education using the standards of the Florida Inventory of School Houses (FISH). FISH capacity is reported in a variety of ways including: permanent satisfactory student stations, satisfactory student stations assigned to relocatables (portables) and total capacity from permanent facilities and from portables.

For the purposes of implementing school concurrency, the Polk County School Board directed District staff to use permanent capacity as the principle method for measuring the capacity of schools. Program capacity is based on the actual use of a school’s space, taking into account special needs students and special programs that may or may not be counted as capacity (for example ESOL or English for Speakers of Other Languages class or computer labs). In some instances,
specialized programs may be recognized as legitimate classroom uses and therefore may add capacity to FISH. In other instances, program capacity may reduce FISH capacity. If these factors are not considered when discussing capacity, the result may be a mistaken impression that classrooms are being under or over utilized. Thus while the analysis of school capacity and its impact on adopted LOS standards is ideally determined based on permanent capacity, program capacity would be a more conservative indicator of a school’s ability to house students.

Where the Department of Education’s FISH capacity is determined by formulas applied to each school’s design, program capacity is a District-determined measure based upon the actual use of the school. However, program capacity measurement is a more accurate method of determining the true capacity of a school. Major capacity issues are constitutional class size limits, student educational needs, and staff scheduling. District staff analyzed the capacity of each school. For all schools, only the capacity of permanent facilities was considered. Finally, the capacity of schools was adjusted based on the planned addition of permanent and relocatable spaces over the five or ten year period corresponding to the long term concurrency program. Please see PSFE tables 6-17 in the supporting data and analysis found in the Technical Support Document.

III. ISSUES AND OPPORTUNITIES.

There are several issues which must be considered in assuring the overall availability of public school facilities. Among the key issues to be considered are:

1. The implementation of a district-wide school concurrency management system requires extensive intergovernmental coordination between the School Board, County, and the other 14 non-exempt cities within the district;

2. School concurrency mitigation will play an essential role in the ability to accommodate future residential development;

3. The provision of services and necessary infrastructure must be taken into consideration when planning and siting new school facilities;

4. The siting of new schools presents opportunities for the co-location and shared use of facilities that can meet the needs of different local agencies and benefit the community in an efficient manner.

Giving consideration to each of these issues will help to ensure the maximum and efficient use of the School District’s public school facilities.

a. Intergovernmental Coordination.
Though the primary mission of any school district is education, the delivery of this service is tied to the planning profession through the need for and sharing of the analysis of population projections, school site selections, transportation and other infrastructure needs. Coordinating the planning for schools with City planning activity is important to ensure that not only are sufficient school facilities available, but that they function well within a given community. While the City of Haines City has collaborated and coordinated with the Polk County School Board, new challenges and opportunities will present themselves as limited resources are allocated to address the demand for schools in Polk County’s rapidly growing urban areas.

To plan for the efficient distribution of school facilities based on the student populations disbursed throughout the County and its 17 municipal governments, nine planning areas were identified within the School District as shown in Illustration XI-1. The boundaries depicted represent aggregations of Census tracts and are intended to link population and housing projections with school enrollment. The City of Haines City Planning Area is within areas 4, 5, 7 and 8.

ILLUSTRATION XI-1
SCHOOL DISTRICT AND PLANNING SUB-AREAS
The implementation of a district-wide school concurrency management system requires an unprecedented level of intergovernmental coordination between the School Board, County, and the 15 non-exempt cities within the district. Per Florida Statute, the level of service standard through which concurrency is determined must be applied uniformly throughout the School District at a sub-district level within five years of the adoption of the Public School Facilities Element. The School Board, County and participating cities have agreed to apply concurrency at a sub-district level upon adoption of the Public School Facilities Element (PSFE). The PSFE will identify concurrency services areas (CSAs) that coincide with the school attendance zones. School attendance zones are geographic areas surrounding a school and are used to assign students living within them to a specific school. The school concurrency service areas often cross jurisdictional limits.

While local governments retain the authority to make land use decisions, the School Board will determine if schools have adequate capacity for proposed...
residential projects that must meet school standards in order to be eligible to proceed to final development approval. At the time of residential development plan review the City will need to coordinate with the School Board to ensure adequate school capacity exists at the elementary, middle, and high school levels. Challenges are likely to present themselves when two neighboring local governments have separate residential projects that are competing for the same student space in a given concurrency service area. Conversely, where there are multiple development proposals that will impact a school facility the opportunity exists for collaborative mitigation of the impact in a cost feasible manner. As some areas grow faster than others rezoning of attendance zones may become an issue requiring coordination between the City, the School Board and other local governments. The Planners Working Group consisting of staff from Polk County, the Polk County School Board, Cities and the Central Florida Regional Planning Council was established pursuant to the Interlocal Agreement for Public School Facilities Planning to meet regularly in order to coordinate school facility planning issues including school concurrency.

b. School Concurrency Mitigation Options.

The concept of “concurrency” in Florida is associated with the provision of adequate facilities that will be available at the same time as, or concurrent with, new development. Its earliest application occurred in the context of Developments of Regional Impact (DRI’s) and through the use of regulatory concurrency established by the Growth Management Act of 1985. The City of Haines City also adopted a proportionate share program for transportation facilities in 2006. The concept of concurrency and mitigation for facility impacts will now be applied to schools to address the school capacity demand created by residential development.

School concurrency and mitigation must be financially feasible to proceed with development. Where residential growth outstrips the School Board’s ability to construct sufficient school facilities for new students, school facility mitigation agreements will begin to play a greater role in the City’s concurrency review process.

School facility concurrency mitigation allows for the donation, construction, or funding of school facilities sufficient to offset the demand created by the proposed development. A proposed developer contribution must result in a capacity enhancement included in the School Board’s 5-Year Program of Work, which will result in sufficient school capacity to accommodate the new development. In the event that a current 5-Year Program of Work does not include improvements, the developer(s) may petition the school district and affected local governments to include necessary school facilities within an update to the 5-Year Program of Work. Notably, mitigation for school concurrency may assist in advancing school facility capacity projects identified in the fourth and fifth year of the program of work. School concurrency mitigation will entail a three way agreement between
the School Board, the developer, and the relevant local government(s).

c. School Facilities Siting and the Provision of Services and Infrastructure to New Facilities.

The City has actively participated as a member of the Polk County School Site Selection Committee for the purpose of siting future schools in the Haines City Planning Area. A site selection process was established in the Interlocal Agreement for School Facilities Planning outlining criteria for the selection of a school site. All applicable cities in the Polk County School District have the opportunity to submit a candidate site for selection when the need for new school sites occurs. The City’s Community Development Department will have the opportunity to consider potential sites and the need for future sites as part of its land use and development review process. When a land contribution for a school site is considered for concurrency, and mitigation is involved in a new residential development proposal, the City may assist developers in identifying the appropriate school sites and potential co-located uses.

The provision of services and infrastructure such as water, sewer, sidewalks and roads to new facilities where they do not already exist must be considered during the school site selection and planning process. The expense of providing these services and infrastructure can be an obstacle to siting new facilities. When possible the City will encourage the School Board to locate school facilities near urban residential areas where public infrastructure and services exist through its participation on the School Siting Committee. At the same time, the City’s planning of utility line extensions, new roads or road improvements, and sidewalks should take into consideration the proximity and relation to existing and planned school facilities.

d. Co-Location & Shared Use Facilities.

An important issue in planning public facilities is cooperation with other entities responsible for the provision and planning of similar facilities. The City of Haines City should continue to work closely with the School Board to maximize opportunities for co-location and shared use. Opportunities may exist to co-locate schools with compatible community public facilities. For example, opportunities for co-location and shared use should be considered for libraries, parks, recreation facilities, community centers, stadiums, health centers, and various cultural, social, civic or institutional uses. Schools can likewise benefit from adjacent parks, health centers or other civic uses. In addition, where applicable, opportunities for co-location and shared use of school and governmental facilities for health care and social services should also be considered. Co-location and joint use of the School Board and local government facilities of community based programs with school facilities can benefit the quality of life of a community, while also providing a cost effective way to make available public services. Successful neighborhoods often include schools, parks and other civic uses within
their boundaries bringing parents and other residents together in common activities or for a common purpose.

Identifying opportunities for co-location and shared use of school and civic facilities will require cooperation between the City and School Board when annually updating the School Board’s Five Year Program of Work and the City’s comprehensive plan schedule of capital improvements. Such cooperation will also require planning and designing new, or renovating existing schools and community facilities. Typically agreements between the City and School Board must address legal liability, operating and maintenance costs, scheduling of use, and facility supervision for each instance of co-location and shared use.

IV. GOALS, OBJECTIVES AND POLICIES.

The following goal, objective, and policy statements have been developed for the use of local policy makers in guiding and directing the decision making process as it relates to public school facilities issues. For purposes of definition, the goal is a generalized statement of a desired end state toward which objectives and policies are directed. The objectives provide the attainable and measurable ends toward which specific efforts are directed. The policy statements are the specific recommended actions that the City of Haines City will follow in order to achieve the stated goal.

The goal, objective, and policy statements in the Public School Facilities Element of the Haines City Comprehensive Plan are consistent with the requirements of Chapter 163, Florida Statutes and the other elements of this plan and with the goals and policies of the Central Florida Comprehensive Regional Policy Plan.

GOAL 1: Coordinate with the Polk County School Board ("School Board") and other jurisdictions to ensure quality educational facilities and superior educational opportunities which in turn encourages economic growth for individuals, families and communities in Haines City and Polk County.

Objective 1: Upon adoption of the revised Interlocal Agreement, the City of Haines City shall implement the approved Interlocal Agreement for Public School Facility Planning (hereafter referred to as the Interlocal Agreement) as amended to maximize opportunities to share information.

Policy: The City of Haines City shall meet at least annually with the School Board and other jurisdictions to review issues related to the Public School Facilities Element and the Interlocal Agreement and to determine the need to revise these documents.
Policy. The Planners Working Group as established in the Interlocal Agreement shall meet at least twice a year to set direction, plan for the annual meeting, formulate recommendations and discuss issues related to this element and the Interlocal Agreement as well as ancillary infrastructure improvements needed to support schools and ensure safe access to school facilities.

Policy. The City of Haines City shall coordinate with the School Board and other jurisdictions to base plans on consistent projections, including population projections that are developed in coordination with the School Board, and student enrollment projections district-wide and by planning areas which are agreed upon by the Planners Working Group. The School Board’s student enrollment projections shall consider the impacts of development trends and data required to be reported in accordance with the Interlocal Agreement.

Policy. The City of Haines City shall at least annually report on growth and development trends within its jurisdiction to the School Board. The City shall provide the information as specified in the Interlocal Agreement. The School Board will use the information to distribute student enrollment by concurrency service area to make the most efficient use of public school facilities.

Policy. Support School Board efforts to identify long-range school site needs and select sites based on the criteria established in this element and the Interlocal Agreement.

Policy. The City of Haines City shall seek and consider School Board comments on relevant comprehensive plan amendments and other land use decisions which may impact schools, as provided for in Florida Statute.

Policy. The City of Haines City shall review their annually updated copy of the Polk County School Board’s Five Year Program of Work and other reports from the School Board including a general educational facilities report with information outlined in the Interlocal Agreement.

Policy. The City of Haines City shall recognize a representative selected by the School Board to serve as an ex-officio member of the Planning Commission.

Objective 2. Encourage partnerships that will ensure adequate educational facilities which in turn will encourage economic growth and provide for a trained and stable labor force, resulting in a higher quality of life.

Policy. Support and encourage community and business partnerships for educational support services, to include, but not be limited to, magnet programs, work training, and job placement in order to improve productivity, earning potential, standard of living, and retention of labor force.
Policy. Consider the economic impact of school locations on neighborhoods such as, but not limited to the following factors: infrastructure, property and housing values, as well as surrounding land uses.

Policy. Encourage public/private partnerships between schools, business community, and other employers through mentoring programs, and Adopt-A-School programs with employees.

Objective 3. The City shall establish new and review existing coordination mechanisms relating to school facility planning that evaluate and address the comprehensive plan’s effects on adjacent local governments, the school board, and other units of local government providing services but not having regulatory authority over use of land and the State.

Policy. Upon the adoption of the revised Interlocal Agreement, the City shall cooperate with the School Board and other local jurisdictions to implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes, which includes procedures for:
(a) Coordination and Sharing of Information
(b) Planning Processes
(c) School Siting Procedures
(d) Site Design and Development Plan Review
(e) School Concurrency Implementation
(f) Implementation and Amendments
(g) Resolution of Disputes

Policy 1. The coordination of school siting shall be conducted in accordance with the Interlocal Agreement taking into consideration the needs identified in the current School Board Five Year Program of Work and the annual general education facilities report.

Policy. In order to coordinate the effective and efficient provision and siting of public educational facilities with associated infrastructure and services within the Polk County School District, the City, the School Board and all local governments within Polk County shall meet jointly to develop mechanisms for coordination. Such efforts may include:
(a) Coordinated submittal and review of the annual capital improvement program of the City, the annual educational facilities report and Five Year Program of Work of the School Board.
(b) Coordinated review and assessment of the associated costs and expenditures of siting and developing schools with needed public infrastructure.
(c) Coordinated review of residential planned developments or mixed use planned developments involving residential development.
(d) Use of a unified data base including population (forecasts of student population), land use and facilities.

(e) Assistance from Polk Leisure Services (with representatives from each of the entities) to review coordinated siting of schools with parks for multi-functional use. Directives resulting from the joint meeting shall be incorporated into the Comprehensive Plan, Land Development Regulations, if applicable, or other appropriate mechanisms as deemed necessary.

GOAL 2: The City will implement public school facilities concurrency uniformly with other local jurisdictions in order to ensure the availability of public school facilities consistent with an adopted level of service providing adequate school capacity and eliminating overcrowded conditions in existing and future schools.

Objective 1. Establish a minimum level of service for schools and consider school capacity within development impact reviews, e.g. for Planned Developments, re-zoning requests, site plans, DRIs, or where there are specific development plans proposed.

Policy. The City shall establish development plan review procedures with an effective date of December 1, 2008 for all residential and mixed use development proposals in order to implement school concurrency.

Policy. The following shall serve as the long term target for permanent student station (PSS) capacity at Polk County Schools based upon State Requirements for Educational Facilities (SREF):

<table>
<thead>
<tr>
<th>School Type</th>
<th>Target Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary schools</td>
<td>100% of PSS</td>
</tr>
<tr>
<td>Middle Schools</td>
<td>90% of PSS</td>
</tr>
<tr>
<td>High Schools</td>
<td>95% of PSS</td>
</tr>
</tbody>
</table>

An annual Utilization Analysis will be conducted by the Polk County School Board Facilities Division to determine the operation and efficiency of each school as compared to the Department of Education’s standards determined by the Florida Inventory of School Houses (FISH).
Policy. The City shall collaborate with the School Board to identify methods to achieve targeted utilization that include:
(a) Improvements to existing school facilities (shared facilities, redistricting, expansion or remodeling, etc.)
(b) Retrofitting of existing structures
(c) New school construction
(d) Encouraging multi-story school facilities in an urban environment
(e) Exploring re-use of former non-residential centers as potential urban school sites.

Objective 2. Through its review of proposed development, the City shall ensure that the capacity of schools is sufficient to support students at the adopted level of service (LOS) standards within the period covered by the Five Year Program of Work. These standards shall be consistent with the Interlocal Agreement.

Policy. The City shall apply the LOS standards set forth herein consistently with all local jurisdictions and the School Board on a district-wide basis within the adopted concurrency service areas for each school type.

Policy. Consistent with the Interlocal Agreement, the uniform, district-wide level-of service standards are established as a percent of permanent Florida Inventory of School Houses (FISH) capacity. Permanent capacity cannot be increased by adding relocatables. The LOS standards are set as follows:

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
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<tbody>
<tr>
<td>Elementary</td>
<td>122%</td>
<td>122%</td>
<td>115%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Middle</td>
<td>113%</td>
<td>113%</td>
<td>110%</td>
<td>100%</td>
<td>100%</td>
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<tr>
<td>High School</td>
<td>110%</td>
<td>110%</td>
<td>105%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

(a) Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.
(b) Other: K-8, 6th grade centers, 9th grade centers, 6-12 are at one hundred percent (100%) of permanent DOE FISH capacity
(c) Special Facilities: Including alternative education or special programmatic facilities are designed to serve the specific population on a countywide basis or for temporary need and are not zoned to any specific area. Therefore, they are not available or used for concurrency determinations.
(d) Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited control over how many students the schools enroll.

Policy. The City shall identify those schools operating below their respective
LOS standard as of the adoption of the Public School Facilities Element. These facilities shall be termed “backlogged schools.”

Policy. The City shall coordinate with the School Board to achieve an acceptable LOS at backlogged schools as part of a financially feasible concurrency management program. The student population shall not exceed the core dining capacity at any time. To maintain and improve the LOS, no more than a 10% increase in student population will be allowed at these schools until such time that these schools achieve an acceptable LOS and are no longer considered backlogged.

Objective 3. The City, in coordination with other jurisdictions and the School Board, shall establish School Concurrency Service Areas within which a determination is made of whether adequate school capacity is available based on the adopted level of service standards.

Policy. The School Concurrency Service Areas (CSAs) for the Polk County School District, as agreed in the Interlocal Agreement, shall be school attendance zones (excluding attendance “spot zones”). When a proposed adjustment to the established school attendance zones is to be considered by the School Board, the City shall coordinate with the School Board and strive to provide technical and public input prior to an official public hearing. The school attendance CSAs are hereby adopted by reference and included in the Public Schools Facility Element data and analysis (found in the Technical Support Document).

Policy. Concurrency service areas shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards, taking into account minimizing transportation costs, limiting maximum student travel times, the effect of desegregation plans, achieving socioeconomic and diversity objectives as required by the Florida Department of Education, and recognizing the capacity commitments resulting from the local governments’ development approvals for the CSA and for contiguous CSAs.

Policy. Concurrency service areas shall be designed so that the adopted level of service will be able to be achieved and maintained within the bounds of the School Board’s requirement for a financially feasible five year capital facilities plan.

Objective 4. In coordination with the School Board, the City will establish a process for implementation of school concurrency which includes capacity determinations and availability standards. The City shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

Policy. Final subdivision and site plan approvals for residential development shall
be conditioned upon the availability of adequate school capacity as per the adopted level of service standards (LOS) of this element and as required by Section 163.3180(13) F.S.

Policy. School concurrency shall apply only to residential development or a phase of residential development that generates students requiring a final development approval including subdivision plat approval, site plan, or its functional equivalent, proposed or established after the effective date of this element.

Policy. The City shall prepare a report on the development projects not subject to school concurrency at the time of the adoption of the Public School Facilities Element.

Policy. The City, in consultation with Polk County School Board staff, will develop and adopt land development regulations which establish application procedures and processes for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement.

Policy. The City may provide a non-binding schools concurrency decision earlier in the approval process, such as at the time of preliminary plan approvals, if requested by the applicant. The School Board must approve the concurrency determination, allocations of capacity, and proportionate share mitigation commitments, as provided herein.

Policy. School concurrency decisions should support and not be in conflict with the local goals and objectives of the comprehensive plan regarding growth management, as articulated in the other elements of the local comprehensive plan.

Policy. The City will issue a concurrency determination based on the School Board’s concurrency review findings and recommendations consistent with the Interlocal Agreement. The School Board’s findings and recommendations shall address whether adequate capacity exists for elementary, middle, and high schools, based on the level of service standards, or if adequate capacity does not exist, whether appropriate mitigation can be accepted, and if so, acceptable options for mitigation consistent with the policies set forth herein.

Policy. The City shall only issue a concurrency approval for a preliminary subdivision plat or site plan for residential development where:

(a) The School Board’s findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site plan for each level of school;

(b) Adequate school facilities are available in the relevant CSA or adjacent CSA where the impacts of development can be shifted to that area; or

(c) The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by
the actual development of the property subject to the final plat or site plan.

Policy. In the event that there is not sufficient capacity in the affected concurrency service area based on the adopted level of service standard to address the impacts of a proposed development, and the availability standard for school concurrency cannot be met, one of the following shall apply:

(a) The project shall provide capacity enhancement(s) sufficient to meet its impact through school board approved mitigation; or,

(b) The project shall be delayed to a date when the level of service can be ensured through capital enhancement(s) or planned capacity increases; or,

(c) A condition of approval of the subdivision or site plan shall be that the project’s impact shall be phased and each phase shall be delayed to a time when capacity enhancement and level of service can be ensured; or,

(d) The project shall not be approved.

Policy. If the impact of the project will not occur until years 2 or 3 of the School Board’s financially feasible Five Year Program of Work, then any relevant programmed improvements in those years shall be considered available capacity for the project and factored into the level of service analysis. If the impact of the project will not be felt until years 4 or 5 of the Five Year Program of Work, then any relevant programmed improvements shall not be considered available capacity for the project unless funding of the improvement is ensured through School Board funding to accelerate the project, through proportionate share mitigation, or some other means.

Objective 5. The City shall allow for mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School Board’s financially feasible Five Year Program of Work.

Policy. Mitigation shall be allowed where the adopted level of service standards cannot be met. Mitigation options shall include options listed below for which the School District assumes operational responsibility through incorporation in the adopted School Board’s financially feasible Five Year Program of Work and which will maintain adopted level of service standards.

(a) The donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities created by the proposed development; and,

(b) The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.

Policy. Mitigation shall not be required if the needed capacity for the development is available in one or more contiguous concurrency service areas and the impacts of the development can be shifted to that concurrency service area and where such is consistent with the other provisions of this Element.
Policy. Mitigation shall be directed to permanent capacity improvement projects on the School Board's financially feasible Five Year Program of Work that will satisfy the demand created by that development approval consistent with the adopted level of service standards, and shall be assured by a legally binding development agreement between the School Board, the City, and the applicant executed prior to the issuance of the subdivision plat or the site plan as required by the local government. If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in its Five Year Program of Work in a timely manner. However, if a new development triggers the need for additional capacity which can only be met by a new school and such new school would not otherwise be needed for more than five years, the mitigation agreement shall not trigger concurrency nor a change to the Five Year Program of Work Plan until the time at which conditions for the agreement are acceptable to the School Board. The development agreement shall include the landowner’s commitment to continuing renewal of the development agreement upon its expiration. Relocatable classrooms will not be accepted as mitigation.

Policy. The amount of mitigation required for each school level shall be determined by multiplying the number of new student stations required to serve the new development by the average costs per student station applicable to the Polk County School District. The average cost per student station shall include school facility development costs and land costs.

Policy. As provided in the Interlocal Agreement, the student generation rates used to determine the impact of a particular development application on public schools, shall be reviewed and updated as apparent and necessary in accordance with professionally accepted methodologies at a minimum of five (5) years.

Objective 6. The City, in coordination with the School Board and other jurisdictions, shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools.

Policy. The City, in coordination with other jurisdictions, shall ensure that future development pays a proportionate share of the costs of the capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

Policy. The City hereby incorporates by reference the School Board’s financially feasible Five Year Program of Work

Policy. Where feasible, the City shall work with developers and others to investigate the feasibility of new or alternative funding sources for additional public schools.
GOAL 3: Partner with the School Board and other jurisdictions to promote schools as focal points of existing and future neighborhoods through siting for new schools, redevelopment of existing school facilities, and co-location and shared use of facilities and services.

Objective 7. The City, in collaboration with the School Board and other jurisdictions, shall provide for the location and expansion of existing schools in a coordinated manner ensuring the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and compatible and consistent with the Comprehensive Plan.

Policy. The City will provide the School Board with potential sites for consideration when notified by the School Board of the need for new school facilities in accordance with the Interlocal Agreement.

Policy. The City will coordinate with the School Board to ensure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan and will consider each site as it relates to environmental, health, safety and welfare concerns, effects on adjacent property and other guidelines as outlined in the Interlocal Agreement.

Policy. The City shall coordinate with the School Board and other jurisdictions on the planning and siting of new schools facilities to ensure appropriate timing of necessary services and infrastructure and that such sites are compatible and consistent with the Comprehensive Plan.

Policy. The City will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools. Schools are an allowable land use in all future land use districts, except Industrial, Commerce Park, Industrial Park, Business Park, Business Park Modified and Conservation. The City shall clearly identify in the Future Land Use Element and Land Development Regulations the land use and zoning districts in which schools are allowable uses.

Policy. The siting of new schools within the Green Swamp Area of Critical State Concern (ACSC), by definition an environmentally sensitive area for all of Central Florida, shall be prohibited within the City, except within the North Ridge Selected Area Plan.

Policy. The City will collaborate with the School Board and other jurisdictions to jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school, and will enter into a written agreement, if necessary, as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements.
Policy. The City shall protect schools from the intrusion of incompatible land uses by providing the School Board representatives the opportunity to participate in the review process for all proposed developments adjacent and in proximity to schools.

Policy. The City shall automatically process amendments to the Future Land Use Map upon the approval of a new school site, where necessary.

Policy. The City shall participate in the School Site Selection process following the terms and limitations established in the Interlocal Agreement.

Policy. The City shall collaborate with the School Board and other jurisdictions to ensure the provision of supporting infrastructure as required by the Interlocal Agreement and applicable Florida Statutes.

Policy. The City shall establish an effective process for reserving, with conceptual School Board staff approval, school sites which could include:

(a) Consideration of school siting during the completion of area wide studies,
(b) Developer contribution towards the provision of school facilities.

Objective 8. Enhance community and neighborhood design through effective school educational facility design, school siting standards, compatibility with surrounding land uses, schools as focal points for community planning, and making schools a central component, geographically or otherwise, to neighborhood-level planning.

Policy. Work with the School Board to identify new school sites that would be in locations to provide logical focal points for community activities and serve as the cornerstone for innovative urban design standards.

Policy. Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.

Policy. Support and encourage the location of new elementary and middle schools internal to residential neighborhoods and/or near other civic land uses, within the limits of School Board mandated desegregation.

Policy. Coordinate with the School Board to identify locations for new high schools based upon need and availability of viable properties within the search area identified by the School Board.

Policy. Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance to residential neighborhoods.

Policy. In cooperation with the School Board, and where necessary, develop and
adopt design standards for school bus stops and turnarounds in new developments.

Policy. Support the School Board in its efforts to locate appropriate school services, such as administrative offices, night classes and adult education on-site or in alternative locations, such as but not limited to commercial plazas, shopping malls, and community centers.

Policy. The City shall coordinate closely with School Board staff on preliminary design plans for new schools, generally seeking to maximize land via multi-story facilities, incorporating design elements which are community-friendly such as allowing for a shared media and/or meeting center and/or play fields on campus, respecting environmental features of a site, respecting the need to provide noise or visual buffers from adjacent owners, providing connectivity for pedestrians at multi-school properties, and providing pedestrian, bicycle and other connectivity to the surrounding residential community.

Policy. Reduce capital expenditures for the City and the School Board via cost-effective design criteria and shared facilities.

Objective 9. Plan for the expansion and/or rehabilitation of existing school facilities to maintain and improve neighborhoods and communities.

Policy. Where existing schools are proposed to be expanded, substantially renovated or new schools are proposed to be built, the City shall request that school board staff, local school-based faculty, and advisory councils coordinate with County staff and relevant neighborhood groups/leaders, and residents to integrate school facilities and activities with neighborhood planning and community development activities.

Policy. Coordinate with the School Board, Florida Department of Transportation (FDOT), the Transportation Planning Organization (TPO), and other jurisdictions to ensure that both existing educational facilities and proposed public school sites are accessible from, and integrated into, a planned system of sidewalks, trails, and bikeways and observe adopted local access management principles. Seek or assist the School Board in pursuing grant funding to enhance access and intermodal connectivity to and between schools, their co-located facilities, neighborhoods, and proximate community facilities such as parks.

Objective 10. Upon adoption, the City will implement provisions of the Interlocal Agreement by coordinating the location of educational facilities and the co-location of other public facilities.

Policy. The City will review future school and ancillary facility plans and identify opportunities for future co-location or joint use projects. The School Board will be notified of potential projects in a timely manner.
Policy. Encourage the location of parks, recreation and community or civic facilities in new and existing communities in conjunction with school sites. Seek out other co-location and joint use opportunities as outlined in the Interlocal Agreement that will benefit existing neighborhoods or redevelopment efforts.

Policy. Where financially feasible, the City will provide funding within its Capital Improvements Element to allow for identified and potential co-location projects.

Objective 11. Strengthen existing neighborhoods and enhance community and neighborhood design through the co-location and joint use of educational facilities.

Policy. The City, in cooperation with the School Board and other jurisdictions, shall whenever possible coordinate the co-location and shared use of school facilities, parks, community facilities, and other facilities compatible with schools.

Policy. The City and other jurisdictions in cooperation with the School Board shall jointly plan jurisdictional co-location or joint use projects which overlap boundaries within areas defined for civic purposes. Civic uses near or adjacent to schools shall be a preferred land use in regard to land use decision making.

Policy. Continue to exercise joint use agreements between the School Board, the City, and other relevant agencies regarding shared use of facilities, including schools, community centers, libraries, parks, and other compatible facilities. Agreements shall include shared costs where feasible.

Policy. Support and encourage community-based programs for children's athletics, performing arts, and after-school enrichment in conjunction with school facilities. This may include exploring and supporting economically feasible multi-modal transportation system options that will enhance such opportunities.

Policy. Each year upon adoption of the School Board’s Five Year Program of Work, and as coordinated by Polk County and the School Board, the City may participate in meetings of relevant agencies to discuss planning and budgeting for possible co-located facilities. This coordination may include staff from the affected local government’s planning, parks and recreation, library, law enforcement, civic groups, and other agencies as necessary. The coordination will focus upon financially feasible co-location opportunities which may exist prior to commencement of school construction.

Policy. Encourage the business community, developers, and other private organizations to coordinate with the City and the School Board to jointly fund and design community-based services and facilities in conjunction with existing and proposed school sites.
GOAL 4: Maintain and enhance intergovernmental coordination and joint planning efforts with the school board and other jurisdictions to ensure public infrastructure and other necessary services are available in a multi-jurisdictional environment for public school facilities.

Objective 12. Integrate land use and school facility planning in Haines City through a series of planning, coordination and implementation activities which ensure capital facilities and infrastructure necessary for school facilities are available to public schools.

Policy. Through development review processes, consider the possible need for expansion of existing school facilities or the provision of new facilities with land use planning.

Policy. Develop a process for an annual joint review of the capital plans for the school board and the local government.

Policy. Plan and locate new school facilities in areas where student population growth is expected due to new development approvals and/or agreed-upon area specific population projections.

Policy. The City shall work with the County in conjunction with the School District and the municipalities within the County, to identify issues relating to public school emergency preparedness, such as:
   (a) The determination of evacuation zones, evacuation routes, and shelter locations.
   (b) The design and use of public schools as emergency shelters.
   (c) The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.

Objective 13. Support School Board programs to effectively and efficiently manage existing capital and operational funds and resources.

Policy. The City shall cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

Policy. Support School Board efforts to ensure sufficient capacity and operational resources for current and future school enrollment by partnering in the identification of capital needs, operational needs, and available funding sources for various campuses and school programs.

Policy. Support the School Board and encourage the State Legislature to allow flexibility in state, local and private sector participation in capital and operational funding of public school facilities.
Policy. Give priority in scheduling County programs and capital improvements which are consistent with and which meet the capital needs identified in the school facility planning program(s).

Policy. Coordinate with the School Board to ensure the appropriate methodology (i.e. student generation rates) is utilized to evaluate the impact of different types of residential units on student populations, school facilities, and fiscal impacts to schools.

Policy. Consider joint funding for expanding appropriate school facilities to function as community service centers.

Policy. Encourage the private sector to identify and implement creative solutions in developing adequate school facilities in residential developments. Creative solutions may include combining mitigation needs of several developments, creating or enhancing co-location opportunities, and/or conversion of structures to a school setting as long as they meet State Requirements for Educational Standards (SREF).

Policy. The City in consultation with the School Board on a case-by-case basis shall consider incentives such as, but not limited to, density bonus points, tax credits, waiver of fees or other innovative means to encourage developers to contribute to the provision of school facilities by:
(a) donating school site(s),
(b) reserving or selling sites at pre-development prices,
(c) constructing new facilities or renovating existing facilities, and
(d) providing access to public transit.

Policy. Support School Board efforts to allow the private sector to construct school facilities and/or lease land or facilities to the School Board.

Policy. The City shall identify infrastructure projects within the City’s Capital Improvement Program which will permanently or temporarily impact an existing campus due to proximity or serviceability to a campus.

**GOAL 5: Monitoring, evaluation, and implementation**

Objective 14. The City shall implement the objectives and policies of the Public School Facilities Element in coordination with the School Board and other local governments.

Policy. The City Manager, or designee, shall be responsible for implementing the educational facilities objectives and policies included in the Comprehensive Plan.

Policy. The City shall adopt development regulations as necessary to implement the objectives and policies of the Public School Facilities Element.
Policy. The City shall maintain intergovernmental agreements with other local
governments in order to attain common objectives within the Public School
Facilities Element.

Policy. The City shall establish contact with other governmental agencies and
private organizations, as needed, to carry out Public School Facilities Element
objectives and policies.

Policy. The City shall revise permitting or permit-related procedures, as
necessary, to carry out the objectives and policies of the Public School Facilities
Element.

Policy. The City shall develop and implement programs or methodology, and
conduct any studies required by the Public School Facilities Element.

Policy. The City shall determine from the School Board the inventories required
by the Public School Facilities Element.

Policy. The City shall continue to enforce existing regulations where specified
within the Public School Facilities Element.

Policy. Any conflicts related to issues covered by the Public School Facilities
Element and Interlocal Agreement shall be resolved in accordance with
governmental conflict resolution procedures specified in Florida Statute.
APPENDIX I – ONE

(A) SUGGESTED DEVELOPMENT REVIEW & NOTIFICATION TIMELINE:
LAND USE AMENDMENT

(B) SUGGESTED DEVELOPMENT REVIEW & NOTIFICATION TIMELINE:
ZONING AMENDMENT
APPENDIX XI-ONE(A)

SUGGESTED DEVELOPMENT REVIEW & NOTIFICATION TIMELINE
LAND USE AMENDMENT

Proposed Land Use Amendment request received by the City

City contacts the School Board for data and comments regarding the Proposed Land Use Amendment prior to publishing notice for Public Hearing

Planning Commission Hearing scheduled and notice sent or published 15 days prior to Public Hearing (Notice refers to local notification procedures and notifying the School Board in writing or email)

City Commission Hearing scheduled and notice sent or published 15 days prior to Public Hearing (Notice refers to local notification procedures and notifying the Polk County School Board in writing or email)

Proposed Land Use Amendment submitted to the State for review and notification to the Polk County School Board in writing.

City receives comments from the State

City Commission Hearing scheduled and notice sent or published 5 days prior to Public Hearing (Notice refers to local notification procedures and notification to the Polk County School Board in writing or email)
APPENDIX XI-ONE(B)

SUGGESTED DEVELOPMENT REVIEW & NOTIFICATION TIMELINE
ZONING AMENDMENT

Zoning Change request received by the City

City Staff Contacts the School Board Staff for data and comments regarding Zoning Change prior to publishing notice for public hearing

Planning Commission Hearing Scheduled and notice sent or published 7 to 15 days prior to hearing (Notice refers to local notification procedures and notifying the School Board in writing or email)

City Commission Hearing scheduled and notice sent or published 7 to 15 days prior to Hearing (Notice refers to local notification procedures and notifying the School Board in writing or email)
School Concurrency Information Request Process
APPENDIX XI-TWO

School Concurrency Information Request Process

1. School Board
Receive Project Information from County and Non-Exempt Cities. Submitted to the Superintendent (or other designee) at the School Board. Information should include the parcel ID number in the order of section, township and range, site location map, number and type of residential units and if any are proposed to be deed restricted for active adult.

2. Planning Office
Information submitted to Senior Coordinator, Demographic & Statistical Planning and a determination is made of the schools the development would be currently zoned to attend.

3. Facilities Planning Specialist (or other designee)
adds information regarding recent approvals for development made by the County, City or Cities within the area that are impacting the same schools. The combined information is then submitted to the Senior Coordinator of Statistical and Demographic Planning or their designee.

4. Senior Coordinator of Statistical and Demographic Planning
(or other designee) receives the combined information from the Facilities Planning Specialist and provides additional information on estimated student impact, facility plans that may be applicable to the project and whether the school(s) can accommodate the estimated population of the development. A determination is made as to concurrency and this information is submitted back to the County or City Planning Department.

County and Non-Exempt Cities
Receive a project request including, land use change, re-zoning or other application that increases residential density. County or City receives concurrency response from the School Board.

Additional information is added to the information from Senior Coordinator, Demographic & Statistical Planning to include capacity and enrollment of schools impacted by the proposed development sent to Facilities Planning Specialist.
APPENDIX XI - THREE

CITY OF HAINES CITY PLANNING AREA
BACKLOGGED SCHOOL FACILITIES

BY SCHOOL FACILITY PLANNING AREA
APPENDIX XI-THREE

CITY OF HAINES CITY PLANNING AREA BACKLOGGED SCHOOL FACILITIES
BY SCHOOL FACILITY PLANNING AREA

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<td>Planning Area 8 – Alta Vista Elementary</td>
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<td>Planning Area 7 – Ridge Community High School</td>
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<td>Planning Area 8 – Haines City High School</td>
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APPENDIX XI – FOUR

SCHOOL ELEMENT GLOSSARY
V. SCHOOL ELEMENT GLOSSARY

ACT – Means Section 163.01 and Part II of Chapter 163, Florida Statutes as amended from time to time.

ADJACENT SCHOOL SERVICE AREAS – School Service Areas which have a contiguous (coterminous) boundary.

AFFECTED LOCAL GOVERNMENT – (a) in the case of a proposed School Facility or school site, any party hereto who has land development jurisdiction over the proposed Facility or site, or provides water or wastewater utility service to the service area encompassing the Facility or site,
(b) in the case of Residential Development, any party hereto who has land development jurisdiction over the property upon which the Residential Development is proposed, and
(c) in the case of any proposed modification of a School Service Area, any party hereto who has land development jurisdiction over all or a portion of the School Service Area or an adjacent School Service Area.

AVAILABLE SCHOOL CAPACITY – A circumstance in which there is sufficient school capacity based on adopted LOS standards to accommodate the demand created by a proposed development.

BACKLOGGED FACILITIES – Schools operating with a student population that exceeds the maximum allowed under the adopted level of service standard at the time of the adoption of the Public School Facilities Element. An acceptable level of service will be achieved at these schools as part of a long term (10 years) and financially feasible concurrency management program.

CAPACITY – Defined in the FISH (Florida Inventory of School Houses) Manual as: The number of students that may be housed in a facility at any given time based on a utilization percentage of the total number of existing satisfactory student stations.

CHANGES TO CAPACITY – Additions, deletions, remodeling, or change of use to the physical plant which increase or decrease the FISH student stations.

CITIES – All municipalities in Polk County except those exempt from the Public School Facilities Element, pursuant to Section 163.3177(12), F.S.

CLASS SIZE AMENDMENT – A provision to ensure that no later than the 2010 school year, there are a sufficient number of classrooms in a public school so that:
   a. The maximum number of students assigned to each teacher teaching in a public school classroom(s) for pre-kindergarten through grade 3 does not exceed 18 students.
   b. The maximum number of students assigned to each teacher teaching in a public school classroom(s) for grades 4 through 8 does not exceed 22 students; and
   c. The maximum number of students assigned to each teacher teaching in a public school classroom(s) for grades 9 through 12 does not exceed 25 students.

CO-LOCATION – The placing of two (2) or more public use facilities such as but not limited to schools, libraries, parks, fire, police, EMS, on the same or adjacent parcel(s) of land.

COMMUNITY BASED SERVICES – Services and facilities that include, but are not limited to, civic uses, parks, libraries, fire, EMS, law enforcement, health clinics and/or community centers.

CONCURRENCY SERVICE AREA – The designation of an area within which the level of service will be measured when an application for a residential subdivision or site plan is reviewed.

CONSISTENCY – Compatible with and furthering the goals, objectives and policies of the Comprehensive Plan Elements and this agreement.

CONTIGUOUS SCHOOL SERVICE AREAS – School Service Areas which have an adjacent (conterminous) boundary.

CORE – Common area(s) used by all occupants. For purposes of this agreement, it will be limited to the reading room stacks portion of the media center, dining area, and kitchen.

DEVELOPER – Any person or entity, including a governmental agency, undertaking any development.

DEVELOPMENT AGREEMENT – A local development agreement authorized pursuant to section 163.3221 of the act, a participation agreement or reimbursement agreement, or other legally enforceable agreement to be entered into among the school board, an affected local government, and a developer pursuant to article vi, hereof.

DEVELOPMENT PERMIT – Any amendment to the text of a Local Government’s Land Development Code or Official Zoning Map (rezoning), conditional use, special use, planned development, site plan/final subdivision plan, subdivision, building permit, special exception, preliminary plat, plat or any other official action of a Local Government having the effect of permitting the development of land or the specific use of the land.
EDUCATIONAL FACILITY – The public buildings and equipment, structures and special educational use areas constructed, installed or established to serve educational purposes only.

EDUCATIONAL PLANT SURVEY – A systematic study of educational and ancillary plants of an educational agency conducted at least every five (5) years, to evaluate existing facilities and to plan for future facilities to meet proposed program needs.

EXEMPT LOCAL GOVERNMENT – A municipality which is not required to participate in school concurrency when meeting all the requirements for having no significant impact on school attendance, per Section 163.3177(12)(b), F.S..

EXISTING SCHOOL FACILITIES – School facilities constructed and operational at the time a School Concurrency Application is submitted to Polk County.

FINAL DEVELOPMENT APPROVAL – The approval of a final plat, site plan, or building permit for development.

FINANCIAL FEASIBILITY – An assurance that sufficient revenues are readily available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5, of a 5 year capital improvement schedule.

FIVE YEAR PROGRAM OF WORK – The financially feasible Five Year School District Facilities Work Program adopted pursuant to section 1013.35, F.S. Financial feasibility shall be determined using professionally accepted methodologies. The financially feasible plan excludes the unfunded portion of the Five Year Program of Work.

FLORIDA INVENTORY OF SCHOOL HOUSES (FISH) – The FISH capacity is the number of students that may be housed in a facility (school) at any given time based on a percentage (100% elementary, 90% middle, and 95% high) of the total number of existing student stations and designated size for each program. In Polk County, permanent capacity does not include temporary classrooms unless they meet the standards for long-term use pursuant to Section 1013.20, Florida Statues.

IMPACT FEE – Any fee levied by appropriate governmental agencies, by ordinance, or other publicly accepted method upon the issuance of Certificate of Occupancy for new Development in order to fund School Facilities needed to serve such Development.

INTERLOCAL AGREEMENT – The Interlocal Agreement for Public Schools Facilities Planning executed by the Polk County School Board, Polk County Board of County Commissioners, and all non-exempt local governments within Polk County.

LEVEL OF SERVICE (LOS) – A standard established to measure utilization within a School Service Area Boundary or Concurrency Service Area.

PERMANENT CLASSROOM – A permanent not movable area within a school designed and constructed to provide instructional space for the maximum number of students in core-curricula courses assigned to a teacher, based on the constitutional amendment for class size reduction (including, but not limited to, classroom additions which have received covered walkways and technology upgrades).
PERMANENT CORE CAPACITY – Common area(s) used by all occupants. For purposes of this agreement, it will be limited to the reading room stacks portion of the media center, dining area, and kitchen with capacity as determined by the State Requirements for Educational Facilities.

PERMANENT STUDENT STATION CAPACITY (PSSC) – Capacity based on the State mandated square footage per student of permanent classroom space required to house a student in an instructional program.

PLANNED SCHOOL FACILITIES – School facility capacity that will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, pursuant to the School Board’s adopted Five Year Program of Work.

PLANT SURVEY – A systematic study of educational and ancillary plants of an educational agency conducted at least every five (5) years, to evaluate existing facilities and to plan for future facilities to meet proposed program needs.

PROGRAM OF WORK – See Five Year Program of Work.

PROPORTIONATE-SHARE MITIGATION – A developer improvement or contribution identified in a binding and enforceable agreement between the Developer, the School Board and the local government with jurisdiction over the approval of the development order to provide compensation for the additional demand on deficient public school facilities created through the residential development of the property, as set forth in Section 163.3180(13)(e).F.S.

PUBLIC SCHOOL – A facility owned and maintained by the Polk County School District.

RELOCATABLE CLASSROOM – A movable, temporary classroom facility also known as a portable.

REASONABLE WALKING DISTANCE – A walking distance defined by the Polk County School Board as less than 2 miles for purposes of busing students; however, local governments may establish a lesser distance such as a 1 or ½ mile distance for other purposes such as park planning and neighborhoods planning purposes.

SCHOOL BOARD – The Polk County School Board

SCHOOL DISTRICT FACILITIES WORK PROGRAM – Polk County School District’s annual comprehensive planning document, that includes long range planning for facility needs over a five-year, ten-year and twenty-year planning horizon.

SCHOOL LEVEL – The grade make up of a school, usually K-5 elementary, 6-8 middle, and 9-12 senior high. There could be various combinations of the K-12 or Pre K-12 grades.

SCHOOL TYPE – Schools providing the same level of education, i.e. elementary, middle, or high school.

SHARED USE – Two or more governmental agencies using all or part of a facility under the terms set forth in an interlocal agreement.
SPOT ZONE – An area zoned to a particular school that is not in the immediate neighborhood of that school facility in order to facilitate desegregation and balance socio-economic diversity.

TEMPORARY CLASSROOM – A movable classroom facility also known as relocatable or portable.

TIERED LEVEL OF SERVICE – A graduated level of service, used to achieve an adequate and desirable level of service at the end of a specified period of time, as permitted by the Florida Statutes.

UTILIZATION – The comparison of the total number of students enrolled to the total number of student stations (FISH) at a facility within a School Concurrency Service Area.