

EAGLE LAKE PLANNING COMMISSION
REGULAR MEETING
MONDAY, DECEMBER 6, 2021 at 6:30 P.M.
TO BE HELD IN THE COMMISSION CHAMBERS,
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

AGENDA

I. **CALL TO ORDER**

II. **INVOCATION**

III. **PLEDGE OF ALLEGIANCE TO THE FLAG**

IV. **ROLL CALL**

V. **STAFF REPORTS**

VI. **PUBLIC HEARING**

- A. Consideration of a Proposed Ordinance No.: O-22-02, An Ordinance Amending the City of Eagle Lake Comprehensive Plan to Revise and Update the Plan to Address Changes in Florida Statutes, to Update Dates for Completion of Specific Requirements, to Clean up Duplicate Sections, to Update Maps to Reflect City Limit Expansions, and to Remove the Administrative and Technical Support Sections from the Document; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date.

VII. **OLD BUSINESS**

VIII. **NEW BUSINESS**

IX. **CONSENT AGENDA**

- A. Approval of the Planning Commission Minutes -----10/04/2021

X. **AUDIENCE**

XI. **PLANNING COMMISSION**

XII. **ADJOURNMENT**

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statutes 286.0105)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact City Clerk Dawn Wright at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839 or phone (863) 293-4141 within 2 working days of your receipt of this notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON
TUESDAY, NOVEMBER 30, 2021 BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

ORDINANCE No.: O-22-02

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE COMPREHENSIVE PLAN TO REVISE AND UPDATE THE PLAN TO ADDRESS CHANGES IN FLORIDA STATUTES, TO UPDATE DATES FOR COMPLETION OF SPECIFIC REQUIREMENTS, TO CLEAN UP DUPLICATE SECTIONS, TO UPDATE MAPS TO REFLECT CITY LIMIT EXPANSIONS, AND TO REMOVE THE ADMINISTRATIVE AND TECHNICAL SUPPORT SECTIONS FROM THE DOCUMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulations Act, Chapter 163, Florida Statutes, provides for comprehensive plan implementation through the enactment of certain ordinances; and

WHEREAS, the City of Eagle Lake has adopted a Comprehensive Plan known as the City of Eagle Lake 2030 Comprehensive Plan, adopted on April 18, 2011, and as may have been subsequently amended; and

WHEREAS, the City of Eagle Lake is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Commission desires to amend the Eagle Lake Comprehensive Plan to revise and update the plan to address changes in Florida Statutes, to update dates for completion of specific requirements, to clean up duplicate sections, to update maps to reflect City limit expansions, and to remove the administrative and technical support sections from the Comprehensive Plan; and

WHEREAS, the City of Eagle Lake Planning Commission having been duly designated as the Local Planning Agency held a public hearing on December 6, 2021, to consider this amendment to the Comprehensive Plan and recommended the proposed amendment be approved by the City Commission; and

WHEREAS, the City Commission of the City of Eagle Lake held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, AS FOLLOWS:

Section 1. The recitals set forth above are hereby adopted as the legislative findings of the City Commission of the City of Eagle Lake, Florida.

Section 2. Comprehensive Plan Amendment. The City of Eagle Lake Comprehensive Plan, and ordinances which adopted and amended said Comprehensive Plan, are hereby amended as forth in Exhibit “A” hereto (~~strike through~~ language deleted; underline language added).

Section 3. Conflicts. Any ordinance in conflict with this Ordinance is hereby repealed to the extent of such conflict.

Section 4. Effective Date. The foregoing Ordinance shall become effective 31 days after adoption if no challenge is filed.

INTRODUCED on first reading this _____ day of November, 2021.

PASSED on second reading this _____ day of December, 2021.

CITY OF EAGLE LAKE

Cory Coler, Mayor

ATTEST:

Dawn Wright, City Clerk

APPROVED AS TO FORM:

Heather R. Maxwell, City Attorney



City of Eagle Lake
Polk County, Florida

2030 Comprehensive Plan



"Growing with people in mind."



Adopted: April 18, 2011

Updated: December ?? 2021

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Adopted: April 18, 2011

Updated December ?? 2021

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~~ADMINISTRATION SECTION~~

FUTURE LAND USE ELEMENT**PURPOSE:**

The Future Land Use Element and Map Series will direct the pattern of future development and growth within the City through the 2030 planning horizon.

The purpose of this Element is to 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.

GOAL:

~~TO~~ PROVIDE FOR ORGANIZED AND COMPATIBLE LAND USES THAT ARE SENSITIVE TO THE ENVIRONMENT, FISCALLY RESPONSIBLE, MEET THE SOCIAL, ECONOMIC, AND PHYSICAL NEEDS OF PRESENT AND FUTURE RESIDENTS AND PROTECT THE ANTICIPATED QUALITY OF LIFE AS A RESULT OF CHOOSING TO LIVE IN THE CITY.

OBJECTIVE 1:

LAND DEVELOPMENT REGULATIONS.

FUTURE GROWTH AND DEVELOPMENT SHALL BE DIRECTED AND MANAGED THROUGH THE PREPARATION, ADOPTION, IMPLEMENTATION AND ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS.

Policy 1.1:

The City shall enforce the adopted Land Development Regulations that contain provisions to implement the adopted Comprehensive Plan which will, at a minimum:

- a. Regulate the use of land consistent with the Future Land Use Element, the Future Land Use Map, and the Zoning and Future Land Use Compatibility Matrix attached as an exhibit to 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. Provides 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 reduce the adopted level of service for the affected public facilities and service; and
- k. Provide for the inclusion of very ~~low-, low-, and moderate-income~~ low-, low-, and moderate-income housing and manufactured housing;

Policy 1.2: The City shall ~~revise use its existing~~ Land Development Regulations ~~and adopt new provisions where needed~~ to implement the Future Land Use Element and Map. ~~These revised and new r~~Regulations shall 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) provision 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 provide 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.

Policy 1.3: 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.

Policy 1.4: 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 ensures post development runoff rates, volumes, and pollutant loads do not exceed predevelopment runoff rates and conditions.

Policy 1.5: ~~The~~ Land Development Regulations shall ~~be constructed in such a manner as to~~ protect private property rights. If such 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. 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.

OBJECTIVE 2: FUTURE LAND USE MAP.

THE FUTURE LAND USE MAP SHALL CONTAIN THOSE LAND USE CLASSIFICATIONS NECESSARY TO ADEQUATELY PLAN AND PREPARE FOR THE FUTURE GROWTH AND DEVELOPMENT OF THE CITY.

Policy 2.1: The following Future Land Use classifications are hereby established for the purpose of managing future development and redevelopment activities:

1. Agricultural;
2. Suburban Estates Residential;
3. Suburban Transitional Residential;
4. Low Density Residential;
5. Medium Density Residential;
6. High Density Residential;
7. Neighborhood Activity Center;
8. Commercial Transitional;
9. Business Park (Light Industrial);
10. Industrial;
11. Public/Institutional;
12. Recreation and Open Space; and
13. Conservation

Policy 2.2: Agricultural

The Agricultural Future Land Use classification applies to all lands classified by the Polk County Property Appraiser as "Agriculture,"~~qualifying for and receiving green belt exemptions. If it is applied to any lands, t~~ The maximum allowable residential density shall be 1 dwelling unit per 5 acres. Requirements to connect to Central Water and Sewer Service may be waived by the City Commission if said utilities are not available to the site as defined by Chapter 381, Florida Statutes and Chapter 64E-6 of the Florida Administrative Code.

Commented [MHB1]: Ag lands have special assessment as property used for "Bona Fide" "Agriculture purposes." There is no special exemption applied for "Green Belt."

Maximum Density: 1 dwelling unit per 5 acres

Policy 2.3: Suburban Estates Residential

Suburban Estates Residential shall be applied to those properties that serve as a transitional area between established rural/agricultural uses and more intense suburban uses. As the City expands its boundaries, this category will serve as a reasonable land use alternative near the edges of its service area that are adjacent to County rural/agricultural uses. Allowances shall be made for limited agricultural/rural uses within this district such as hobby farming, animal breeding, and dog kennels. Detached single family dwellings shall be the primary use within this district with limited agricultural/rural accessory uses permitted as well. Suburban Estates is also appropriate in high recharge areas for the aquifer due to its higher percentage of pervious area and open space. Requirements to connect to Central Water and Sewer Service may be waived by the City Commission if said utilities are not available to the site as defined by Chapter 381, Florida Statutes and Chapter 64E-6 of the Florida Administrative Code.

Maximum Density: 0 to 1 dwelling unit per acre

Policy 2.4: Suburban Transitional Residential

The Suburban Transitional Residential classification shall be applied to lands that act as a transition between suburban estates uses and more intense residential and non-residential land use districts. No agricultural/rural uses shall be permitted as primary or accessory uses. This district is established to accommodate development of detached ~~single-family~~ single-family homes on large lots.

Maximum Density: 0 to 3 dwelling units per acre

Policy 2.5: Low Density Residential

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

application. The primary type of dwelling is suited for this classification is the free standing or single family detached dwelling unit.

Maximum Density: 0 - 5 dwelling units per acre

Policy 2.6: Medium Density Residential

The primary intent of the Medium Density Residential classification is to encourage the continuation of mixtures of housing types. These units should include ~~one and two story~~ one- and two-story apartments, townhouses, duplexes, and single-family dwellings. Development activities within the intent of this classification can be achieved where such requirements as minimum land areas are met, open space provided, public facilities and services are available, and access to principal streets is safe and convenient

Maximum Density: > 5 but < 10 dwelling units per acre.

Policy 2.7: High Density Residential

The intent of the ~~High-Density~~ High-Density Residential classification is to encourage various dwelling unit mixes, including apartments, townhouses, low-rise multiple family dwellings 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. It is anticipated that 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 users.

Maximum Density: > 10 but < 14 dwelling units per acre.

Policy 2.8: Neighborhood Activity Centers

Neighborhood Activity Centers are intended to accommodate the shopping, business, and service needs of residents of the City and the adjacent surrounding population. Permitted uses include supermarkets, office, convenience store, service station, Post Office, and related commercial services. Neighborhood Activity Centers must be located at the intersections of major collectors and arterial roadways or along an arterial road. The floor area ratio in the Neighborhood Activity Center classification shall not exceed 0.7.

Policy 2.9: Commercial Transitional

The primary function of the Commercial Transitional classification is to provide for infill development and a gradual transition of existing development during the planning horizon from residential and commercial uses to interconnected residential, commercial, office, institutional, and civic uses within the Community Redevelopment Area of the City, adjacent to US 17 and East Eagle Avenue. The Commercial Transitional classification shall encourage pedestrian friendly and ~~transit-oriented~~ transit-oriented design, in keeping with the Community Redevelopment Area requirements. The Commercial Transitional classification shall be served by central water and wastewater services. Residential uses shall be consistent with the densities allowed in the Low Density and Medium Density Future Land Uses. Residential densities shall not exceed a gross density of 9.99 dwelling units per acre. Floor area ratios for non-residential uses shall not exceed 1.0. The City's Community Redevelopment Area guidelines, which are located in the Land Development Regulations, serve as a master plan for the Commercial Transitional area including but not limited to public parking areas, pedestrian access, architectural standards, and signage.

Maximum Density: 9.99 dwelling units per acre

Maximum Intensity: FAR 1.0

The following percentage distribution among the mix of land uses shall be achieved over the planning horizon.

- a. Residential 20 to 40%
- b. Commercial 40 to 65%
- c. Office 20 to 40%
- d. Institutional 10 to 40%
- e. Public/Civic 10 to 20%

Policy 2.10:

Business Park Centers (Light Industrial)

Business Park Centers may be located within Eagle Lake providing that the necessary public facilities and services are available or scheduled to be available at the time of issue of any development order. Business Park Centers are intended to provide locations for the placement of establishments to accommodate light assembly (nonmanufacturing) and wholesale employment needs of the residents of Eagle Lake and the adjacent areas. General characteristics of Business Park Centers are:

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

Percent of Lot Coverage: 50 percent.

Usable Site Area:	5 acres or more.
Gross Floor Area:	50,000 to 300,000 square feet.
Maximum FAR:	0.5
Min. Population Served:	4,000 or more people.
Service Area Radius:	5 miles or more.
Typical Lead Tenant:	One or more light assembly plants, or warehouse facility, employing at least 10 people.
Other Typical Tenant:	Office, distributors, research and development.

Policy 2.11: Industrial

The primary function of the Industrial classification is to accommodate light industrial. Permitted light industrial uses include light manufacturing and assembly, truck and bus terminal facilities, warehousing and storage facilities excluding uses generating potentially harmful nuisance impacts. Floor area ratios for industrial structures shall not exceed 1.0.

Maximum FAR: 1.0

Policy 2.12: Public/Institutional

The primary function of the Public/Institutional classification is to provide for areas for existing or future government-owned or leased buildings or grounds including schools, government buildings, fire and police stations, libraries, medical facilities, other non-recreational public properties; and private buildings or grounds such as hospitals, camps, clubs, private schools, museums, and similar land uses. Floor area ratios for structures in this category shall not exceed 2.0.

Maximum FAR: 2.0

Policy 2.13: Recreation and Open Space

The primary function of the Recreation and Open Space classification is to indicate areas of existing or future public and/or privately owned parks and open

space areas. Permitted uses include publicly- or privately-owned properties which are open to recreational use by the public. Other uses may include conservation uses, open space, or environmentally sensitive areas. Stormwater management areas to service the parks and recreation facilities are permitted. The Floor Area Ratio is 0.01 for public parks.

Maximum FAR: 0.01

Policy 2.14: Conservation

The Conservation Future Land Use classification applies to all lands designated for conservation purposes within the City and applies to those areas identified as wetlands within the corporate limits.

Policy 2.15: Electric Distribution Substations

Electric distribution substations are allowed in all land use classifications, but not in historic neighborhoods. Land Development Regulations shall be adopted to establish compatibility standards, including setback and buffering standards, and to establish procedures for the review of applications for locating electric substation sites. ~~{163.3208, F.S.}~~

Commented [MHB2]: This is not currently address in the LDRs

OBJECTIVE 3: NATURAL FEATURES AND RESOURCES.

THE FUTURE LAND USES DESCRIBED ON THE FUTURE LAND USE MAP SHALL BE LOCATED IN AREAS DETERMINED BY THEIR PHYSICAL TOPOGRAPHY AND OTHER NATURAL FEATURES AND RESOURCES OF LAND. ~~{9J-5.006(3)(B)1-;(B)4-} {CR 9(A)(1)}~~

Policy 3.1: The City shall identify development constraints created by soil conditions, topography, natural features, and resources and regulate densities and intensities where such constraints exist.

Policy 3.2: ~~The adopted-~~Site plan review procedures shall require proposed development to provide soils, topographic, vegetation, natural features, and resources information at a level of detail and specificity to determine the suitability of the proposed development for the site. All cost associated with the provision of this information shall be the responsibility of the owner/developer submitting the proposed project for review.

Policy 3.3: The City shall designate on the Future Land Use Map Series, 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.

Policy 3.4: Areas of prime recharge to the Floridan Aquifer and cones of influence for municipal water wells shall be identified and ~~are to be~~ included on the Future Land Use Map series and environmental map series. ~~[9J-5.011(2)(c)4]~~

Commented [MHB3]: Section 9J-5, FAC was repealed by the Florida Legislature in 2011. Replaced by § 163,3177(6)(a)10.c(I), F.S.

Policy 3.5: The City ~~of Eagle Lake~~ shall enforce ~~the~~ protection standards ~~established in the Land Development Regulations~~ for the cones of influence for each public supply potable water wellfield within the City's jurisdiction. ~~The City shall not approve Proposed~~ land uses which are incompatible with the designated interim protection zones ~~shall be disapproved~~. The ~~City shall not approve the~~ use or storage of hazardous substances within ~~these designated~~ interim protection zones ~~shall also be disapproved~~. The City shall update the existing cones of influence map located in the Technical Support document and add the map to the Future Land Use Map series by December 2012. Assistance from the SWFWMD and/or the FDEP shall also be requested to accomplish this task. ~~[9J-5.006(3)(c)6]~~

Commented [MHB4]: Was this done?

Commented [MHB5]: Section 9J.5, F.A.C. was repealed by the Florida Legislature in 2011.

OBJECTIVE 4: PUBLIC FACILITIES AND SERVICES.

THE FUTURE LAND USES DESCRIBED ON THE FUTURE LAND USE MAP SHALL BE LOCATED IN AREAS WHERE PUBLIC FACILITIES AND SERVICES ARE AVAILABLE OR ARE PLANNED TO BE AVAILABLE AT THE TIME OF DEVELOPMENT.

Policy 4.1: 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 exist.

Policy 4.2: 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 and is consistent with the Capital Improvement Element.

Policy 4.3: ~~In order to~~ The City shall encourage infill development ~~as an attractive alternative and to promote compact growth, the City shall by~~ providing utilities and related services to ~~those~~ developments that take place in areas already served by public facilities and services on a first priority basis.

Policy 4.4: 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.

Policy 4.5: ~~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 limits.~~

Commented [MHB6]: I'm not sure the City does this. I thought the City has an established service area agreement pursuant to §171.203, F.S. or some other legal authorization.

Policy 4.65: The adopted site plan review procedures shall require a determination of availability of public facilities and services and quantify the specific needs of the proposed development.

Policy 4.76: Development orders shall be conditioned to 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.

Policy 4.87: ~~The City of Eagle Lake will shall cooperate with the Polk County School District to identify property for additional public-school public-school facilities and permit school uses and facilities based on identified needs. allow additional lands to be converted to school uses so that the public school board may meet the projected needs for schools.~~

The City will allow public school uses in all Land Use Designations and Zoning Districts (exception for conservation), proximate to urban residential areas and will seek to co-locate public facilities, such as parks, libraries, and community centers, with the schools to the extent possible.

The following criteria will be used for school locations:

1. Schools are encouraged to locate with such facilities as parks, libraries, and community centers.
2. Where a joint agreement to share facilities is reached, schools may be constructed on smaller parcels.
3. Where possible, the City will jointly use schools for community facilities.
4. Utilize Polk County School District Board guidelines for determining school size and land area requirements ~~will be utilized~~.
5. Schools should be centrally located within their intended attendance zones, to the extent possible, ~~and be~~ consistent with established walking distance and bus travel time standards.
6. School ~~The sites~~ should be of sufficient size to ensure that buildings, ~~and~~ ancillary facilities and future expansions can be located away from flood plains, flood prone areas, wetlands, and other environmentally sensitive areas, and will not interfere with historic or archaeological resources.

7. Public utilities should be available to the site or can be accommodated onsite.
8. Ingress and egress should not create detrimental impacts on roads adjacent to the site.
9. ~~Access~~Approaches to the site shall be provided in a manner that is should be safe for pedestrians, bicycles, cars, and buses ~~and sidewalks shall be provided.~~
10. Adequate landscape buffering must be provided from residential area.

Policy 4.98: All new development and redevelopment shall comply with the water conservation policies contained in the Infrastructure Element.

Policy 4.109: In support of the 2035 Polk County Mobility Plan, the City shall require new development and redevelopment to conform with the following criteria:

1. Provide access to transit facilities;
2. Connect to centralized potable water and wastewater systems;
3. Incorporate design features that promote green building principles;
4. Integrate pedestrian-oriented features, including sidewalks, trail, or walkways into all development including pedestrian shelters or awnings;
5. Provide accesses to civic space, parks, green areas, and open space and other amenities;
6. Be supported by public safety (fire, EMS, law enforcement); and
7. Have access to public schools.

Policy 4.110: The City shall encourage and incentivize mixed land uses and higher density and intensities within the US 17 Corridor to promote energy efficient land use patterns and the reduction of infrastructure costs, vehicle miles traveled, and greenhouse gas emissions.

OBJECTIVE 5: LAND FOR PUBLIC FACILITIES.

~~THE CITY SHALL INCLUDE LAND ON THE FUTURE LAND USE MAP FOR PUBLIC FACILITIES TO SUPPORT PROJECTED FUTURE DEVELOPMENT.~~

Policy 5.1: The Future Land Use Map shall indicate those land areas that will be needed for additional public facilities.

OBJECTIVE 6: TRANSPORTATION.

~~LOCATION OF LAND USES, INCLUDING DENSITY AND INTENSITY OF USES, SHALL BE LOCATED ON THE ADOPTED FUTURE LAND USE MAP SHALL BE BASED ON EXISTING AND PROJECTED AVAILABILITY OF ADEQUATE TRANSPORTATION FACILITIES.~~

Policy 6.1: Permitted future development shall not result in the reduction of adopted levels of service for the traffic circulation system as contained in the Transportation Element.

Policy 6.2: The City shall coordinate ~~development of the~~ implementation of the Future Land Use Map and the Transportation Element to ensure that land development is supported by existing and new transportation facilities or improvements to existing facilities necessary to support proposed development shown on the Future Land Use Map are provided.

OBJECTIVE 7: HISTORICAL RESOURCES.

~~THE CITY SHALL PROTECT ALL HISTORICAL RESOURCES WITHIN ITS JURISDICTION BY CONDUCTING SELECTED PROPERTY EVALUATIONS AND CONSIDERING ORGANIZING A HISTORICAL SOCIETY.~~

Policy 7.1: Eagle Lake shall seek state and federal funds to conduct a survey of historically significant properties within the City limits.

Policy 7.2: The City shall consider the establishment of a local historical society composed of residents within the community and Polk County.

Policy 7.3: Criteria for local designation of historically significant properties will be developed in the Land Development Regulations. All sites listed on the Florida Master Site File or National Register shall be considered for local designation. Local designation of sites or structures, as well as authorization for the demolition or alteration of locally designated sites or structures, shall be by action of the City Commission. This procedure does not replace or diminish established procedures for the alteration or demolition of structures or sites in the City, but is an additional safeguard to protect structures and sites designated by the City Commission as meriting protection.

OBJECTIVE 8: CONCURRENCY

~~GUIDE NEW DEVELOPMENT BASED ON WILL BE GUIDED BY THE AVAILABILITY OF SUPPORTING PUBLIC FACILITIES AND SERVICES, AND THE APPROPRIATE SOIL CONDITIONS AND TOPOGRAPHY. THIS SHALL BE ACCOMPLISHED THROUGH THE ADOPTION AND ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS AND THE CONCURRENCY MANAGEMENT SYSTEM. [9]-5.006(3)(b)1]~~

Commented [MHB7]: If this is still viable, I recommend the term "Historical Society" be changed to a "Historical Advisory Committee."

Commented [MHB8]: See previous comment

Commented [MHB9]: I cannot find that this was done.

Commented [MHB10]: See previous comments regarding § 9J-5, F.A.C.

Policy 8.1: Direct higher densities and intensity of use to areas where public facilities and services are available or are projected to be available. Limit the density and intensity of use in areas where public facilities and services are not available. ~~{9J-5.006(3)(c)3}~~

Policy 8.2: Ensure that development orders or permits for future development and redevelopment are issued only if the public facilities and services necessary to meet the adopted level of service standards are available concurrent with the impacts of the development as required by the Concurrency Management System and established within all Elements of the Comprehensive Plan, including the level of service standards listed within the following Elements:

1. Infrastructure Element
2. Transportation Element
3. Capital Improvements Element
4. Public School Facilities Element ~~{9J-5.006(3)(c)3}~~

OBJECTIVE 9: DESIRED URBAN GROWTH PATTERN

~~THE CITY OF EAGLE LAKE SHALL PROMOTE AN URBAN GROWTH PATTERN THAT IS ORDERLY, COMPACT, CONSISTENT WITH THIS COMPREHENSIVE PLAN, AND COMPATIBLE WITH THE EXISTING AND PROPOSED LAND USES AND CHARACTER OF THE CITY. URBAN SPRAWL SHALL BE DISCOURAGED BY MAXIMIZING THE USE OF EXISTING PUBLIC FACILITIES AND SERVICES. EAGLE LAKE SHALL ENCOURAGE DEVELOPMENT TECHNIQUES SUCH AS ON-SITE TRAFFIC CONTROL, LIMITATION OF DRIVEWAY AND ROAD ACCESS TO ARTERIAL AND COLLECTOR HIGHWAYS, AND CLUSTER DEVELOPMENT. LAND DEVELOPMENT REGULATIONS SHALL SPECIFY THE REVIEW PROCESSES, CONDITIONS, AND CRITERIA FOR UTILIZING SUCH DEVELOPMENT TECHNIQUES. {9J-5.006(3)(b)3,9}~~

Policy 9.1: The City shall locate Future Land Uses at densities and intensities that will discourage urban sprawl and leap-frog development patterns in order to maximize the use of existing public facilities and services. ~~{9J-5.006(3)(c)7}~~

Policy 9.2: ~~Locate future land uses at densities and intensities that will reduce greenhouse gas emissions while encouraging energy efficiency and will discourage urban sprawl and leap-frog development that unduly depletes the physical, social, and fiscal resources of the City. {9J-5.006(3)(c)3}~~ The City shall encourage development techniques such as on-site traffic control, limitation of driveways onto arterial and collector roads, and cluster development.

Policy 9.3 The City shall specify the development review processes, conditions, and criteria for the utilization of appropriate development techniques in the land development regulations.

Commented [MHB11]: This is contained in Policy 9.1 which should be expanded to include this entire statement. Everything below the first sentence statement should be written in the form of a policy statement.

Commented [MHB12]: This is essentially a repeat of Policy 9.1. I recommend replacing with a policy using the 3rd sentence of the objective statement

OBJECTIVE 10: URBAN SPRAWL.

~~THE CITY SHALL CONTINUE TO DISCOURAGE URBAN SPRAWL BY CONTINUING TO WORKING WITH POLK COUNTY TO COORDINATE ALL DEVELOPMENT ACTIVITIES OUTSIDE THE CORPORATE LIMITS AND WITHIN THE CITY OF EAGLE LAKE SERVICE AREA WHICH MIGHT REQUIRE MUNICIPAL SERVICES.~~

Policy 10.1: 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.

Policy 10.2: The City shall utilize the Florida Interlocal Cooperation Act of 1969, Chapter 163.01, Florida Statutes, with the County and other local governments to coordinate the provision of any public facilities and services outside the corporate limits.

Policy 10.3: The City shall ~~continue to~~ implement the Urban Service district which will be that area serviced by the City with portable water and sewer services based upon planned extensions of those facilities meeting concurrency requirements and joint City/County land use coordination.

OBJECTIVE 11: REDEVELOPMENT OF BLIGHTED AREAS.

~~THE CITY SHALL CONTINUE TO PROMOTE THE REDEVELOPMENT AND RENEWAL OF BLIGHTED AREAS WITHIN ITS-THE CORPORATE LIMITS AND COOPERATE WITH POLK COUNTY FOR ASSISTANCE IN SECURING FUNDS FOR SUCH WORK.~~

Policy 11.1: The City shall ~~continue to~~ work with the Polk County ~~Housing and Neighborhood Development Community Development Department~~ to secure Community Development Block Grants and other funds and related assistance in ~~the redevelopment and improvement of redeveloping-renewing~~ blighted areas.

Policy 11.2: The City shall ~~continue to~~ work with other agencies in securing financial assistance in redeveloping and renewing blighted areas.

Policy 11.3: ~~Continue to~~ implement Housing Element directives for the renewal and revitalization of substandard housing. ~~{9J-5-006(3)(c)2}~~

Policy 11.4: The City shall encourage replatting of old undeveloped subdivisions by amending the Land Development Regulations during the Planning Horizon to provide a streamlined process for replatting and small-scale subdivision.

- Policy 11.5:** 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.
- Policy 11.6:** ~~Through the Code Enforcement Office, the City shall discourage deterioration of structures and properties by using Code Enforcement and other city resources to make property owners will continue to make the public aware of programs and funds 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.~~ The City shall discourage deterioration of structures and properties by using Code Enforcement and other city resources to make property owners will continue to make the public aware of programs and funds 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.
- Policy 11.7:** ~~Encourage the Re-~~ platting of vacant lots in old subdivisions ~~will be encouraged~~ in order to provide additional development opportunities.
- OBJECTIVE 12:** **ELIMINATION OF INCOMPATIBLE USES**
- ELIMINATE EXISTING LAND USES, CONDITIONS, AND ZONING THAT ARE INCONSISTENT WITH THE COMPREHENSIVE PLAN AND THE PROPOSED FUTURE LAND USES AS DEPICTED ON THE FUTURE LAND USE MAP. ~~SERIES. [9J-5.006(3)(b)2,3]~~
- Policy 12.1:** Identify, reevaluate, and work toward the elimination of existing land uses that are inconsistent with the City's character and the proposed future land uses. ~~[9J-5.006(3)(c)2]~~
- Policy 12.2:** The City shall, enforce Land Development Regulation criteria ~~to achieve for~~ assuring compatibility between adjacent land uses.
- OBJECTIVE 13:** **CORRIDOR DEVELOPMENT.**
- ~~USE THE LAND DEVELOPMENT REGULATIONS TO PROVIDE SHALL REQUIRE THAT DEVELOPMENT OPPORTUNITIES FOR BE PROVIDED TO UTILIZE LAND ALONG HIGHWAY CORRIDORS WITH GREATER EMPHASIS ON DEPTH AND LESS ON LINEAR EXPANSION.~~
- Policy 13.1:** The City shall provide for performance standards in its Land Development Regulations which permit commercial and industrial planned developments, landscaping and related esthetic requirements, mixed land uses with emphasis on compatibility between such uses, open spaces between uses, and setback lines from highway right-of-way.
- Policy 13.2:** The City shall make provisions in its Land Development Regulations which permit and encourage the use of cluster development by owners of individual small parcels of land who may or may not be able to combine their lands with adjoining parcel owners for purposes of development.

OBJECTIVE 14: VISUAL DESIGN STANDARDS.

~~UTILIZE LAND DEVELOPMENT IMPACT FEES SHALL BE UTILIZED IN A MANNER WHICH WILL OFFER INCENTIVES TO DEVELOPERS TO CONNECT TO EXISTING INFRASTRUCTURES.~~

Policy 14.1: An evaluation shall be 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 US Highway 17.

OBJECTIVE 15: FISCAL RESPONSIBILITY.

~~BASED ON THE ADOPTED CAPITAL IMPROVEMENTS ELEMENT, THE CITY SHALL ONLY CONSIDER APPROVING PROPOSED DEVELOPMENT PLANS THAT ARE IN KEEPING WITH ITS FISCAL ABILITY AND THE MOST RECENTLY ADOPTED CAPITAL IMPROVEMENTS PLAN TO PROVIDE PUBLIC FACILITIES AND SERVICES TO THE PROPOSED DEVELOPMENT.~~

Policy 15.1: 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~~ 5-year Capital Improvement Element.

Policy 15.2: 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 time frame for delivery, and the required payment for such facilities and services.

Policy 15.3: The City shall not provide public facilities and services to any proposed development if the Capital Improvement Element contains no provisions for delivery of these facilities and services.

OBJECTIVE 16: IMPACT FEES.

~~ADOPTED-UTILIZE LAND DEVELOPMENT IMPACT FEES SHALL BE UTILIZED IN A MANNER WHICH WILL OFFER INCENTIVES TO DEVELOPERS TO CONNECT TO EXISTING INFRASTRUCTURE.~~

Policy 16.1: The City will periodically review impact fee schedules to determine if they in fact do cover the cost of facility improvements and consider other facilities which are impacted by new development but currently do not require impact fee collection.

Policy 16.2: ~~During the Planning Horizon, the City shall consider the development and adoption of impact fees that have incentive rates based on the length of extension, degree of public facility improvements required, degree of reuse of existing facilities or improvements required to older facilities to serve proposed developments.~~

Commented [MHB13]: I am not sure this was ever done. Other cities with a divided one-way pair, similar to US 17 through Eagle Lake have had some success with this effort,

Commented [MHB14]: I am not sure if this was done or is still a viable policy.

Policy 16.1: ~~During the Planning Horizon, the City shall consider the establishment of 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 close in connections and infill development orders.~~

Commented [MHB15]: This reads like a duplication of the previous policy statement.

Policy 16.2: ~~The City budget shall be constructed in a manner which will minimize the use of ad valorem taxes revenue for construction of new public facilities where demand has been created as a result of new development.~~

Commented [MHB16]: I'm not sure a Comprehensive Plan Policy should establish a restriction on the City's budget. This could be used against the City in its budget process.

OBJECTIVE 17: COORDINATION.

~~AS COORDINATE PROPOSED FUTURE LAND USE ACTIVITIES ARE REPRESENTED TO THE CITY FOR APPROVAL, THEY SHALL BE COORDINATED WITH ANY APPROPRIATE RESOURCE PLANNING AND MANAGEMENT PLANS PREPARED PURSUANT TO CHAPTER 380, FLORIDA STATUTES.~~

Policy 17.1: ~~As a part of the site plan review process, the City shall review any applicable Chapter 380, Florida Statute, requirements plan~~ when making land use decisions for areas addressed in the Future Land Use Plan and Map in an effort to reduce potential conflicts.

OBJECTIVE 18: TRAINING AND EDUCATION.

~~THE CITY SHALL CONTINUE TO WORK TO PROVIDE TRAINING AND EDUCATIONAL OPPORTUNITIES TO KEEP EMPLOYEES AND OTHER CITY OFFICIALS CURRENT WITH GROWTH MANAGEMENT AND FISCAL RESPONSIBILITIES.~~

Policy 18.1: 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 issues and solutions. 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.

OBJECTIVE 19: Property Rights

Consider private property rights in making local decisions.

Commented [MHB17]: This section is required by Florida House Bill 59, which became effective 7/01/21. The language is based on the model language contained in the Bill.

Policy 19.1: The City shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy 19.2: The City shall consider the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 19.3: The City shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy 19.4: The City shall consider the right of a property owner to dispose of his or her property through sale or gift.

TRANSPORTATION ELEMENT

PURPOSE:

The purpose of this Element is to plan for the future ~~transportation~~^{ffie} needs of residents and nonresidents who travel in and through the City. ~~As in the past, t~~The Future Land Use Map ~~together with and the resulting existing land uses and the development of new~~ land uses will have the greatest influence on the requirements for improvements ~~to the City's transportation system in this element.~~ ~~Therefore, T~~the planning effort must address a linkage between land use and mobility, which includes both motorized and non-motorized traffic circulation systems. Sidewalks, ~~and~~ bicycle ways and multi-use trails for non-motorized traffic are considered a part of transportation planning.

GOAL: ~~IT SHALL BE THE GOAL OF THE CITY OF EAGLE LAKE 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.

OBJECTIVE 1: SAFE, CONVENIENT, AND EFFICIENT TRANSPORTATION SYSTEM.

~~THE CITY SHALL PROVIDE A SAFE AND ADEQUATE MOTORIZED TRAFFIC CIRCULATION SYSTEM FOR ALL CITY ITS~~ RESIDENTS AND USERS.

Policy 1.1: The City of ~~Eagle Lake~~ shall coordinate with the Polk Transportation Planning Organization (TPO) and the Central Florida Regional Planning Council to adopt and apply multi-modal levels of service (LOS) which shall be the minimum acceptable standards for Federal, State, County, and local roads within the City limits of Eagle Lake. Said multi-modal LOS standards shall promote transit by lowering levels of service where transit is available. The City hereby adopts multi-modal levels of service.

For roadways outside the multi-modal service area, the City hereby adopts the following peak season/peak hour standards as the minimum level of service (LOS) standard:

Figure 1.1.1:

	Highway Minimum Standard	Highway Minimum Duration	Transit	Pedestrian	Bicycle
M1	LOS "D" peak direction	Average of two highest peak hours	60 <u>minute60-</u> <u>minute</u> headway	Sidewalk access to bus stop	Bike racks on buses
M2	LOS "E" peak direction	Average of two highest peak hours	30 <u>minute30-</u> <u>minute</u> headway	Sidewalk access to bus stop	Bike racks on buses Bike route/system

*Does not supersede SIS LOS Standard a set by Rule 14-94, F.A.C.

Figure 1.1.2: BASE HIGHWAY LEVEL OF SERVICE STANDARDS⁽¹⁾

Facility Type	Level of Service
Principal arterial roadways: SIS facilities Non-SIS facility	C* D
Minor arterial roadways	D
All other roadways	D
⁽¹⁾ LOS is measured for peak hour/peak direction using the average of the two highest peak hours. * Or Standard Set by the Department of Transportation)	

Policy 1.2: The City will ~~continue to~~ implement the established ~~5-year~~5-year maintenance schedule for all municipal streets under City jurisdiction.

OBJECTIVE 2: ~~THE CITY WILL CONTINUE TO WORK TO PROVIDE A SAFE AND ADEQUATE NON-MOTORIZED AND PEDESTRIAN TRAFFIC CIRCULATION SYSTEM.~~

Policy 2.1: ~~To~~The City will encourage energy efficiency and ~~savings~~savings; alternative modes of transportation shall be accommodated to create a community that is not solely reliant on the automobile for all transportation trips. At a minimum, this will address conceptual designs to accommodate: transit, pedestrians, bicycles, and alternative vehicles (i.e. electric vehicles, etc.)

Policy 2.2: The City will ~~non-motorized traffic circulation master plan will utilize and be located~~ facilities for non-motorized traffic within the existing wide right-of-way throughout the City based on the Traffic Circulation Master Plan.

- Policy 2.3:** The City will ~~continue to~~ require new commercial and residential developments to provide and dedicate sidewalks. Where feasible, new sidewalks should be linked to Eagle Lake's existing sidewalk system. ~~{9J-5.007(3)(c)3,5}~~
- Policy 2.4:** The City shall prioritize new sidewalk construction for those areas of the City lacking an existing sidewalk network. ~~{9J-5.007(3)(c)3,5}~~
- Policy 2.5:** Pedestrian ways and bikeways shall be combined where practical and feasible to keep cost of improvements to a minimum.
- OBJECTIVE 3:** **FUTURE LAND USE.**
- ~~ENFORCE~~ REGULATIONS THAT ~~CONTAIN PROVISIONS FOR FUTURE LAND USES TO BE PROVIDED WITH~~ REQUIRE A TRAFFIC CIRCULATION SYSTEM WITHIN FUTURE LAND USES ADEQUATE TO MEET THE NEEDS OF THE PROJECTED USERS ~~SHALL BE ENFORCED.~~
- Policy 3.1:** ~~During the Planning Horizon, The~~ City shall evaluate the Land Development Regulations ~~shall be evaluated~~ to determine what changes, if any, are needed to meet the required transportation ~~needs~~ requirements of the existing and projected population.
- Policy 3.2:** ~~During the Planning Horizon,,~~ The City shall review existing off street parking requirements for all land uses ~~shall be reviewed~~ to determine their adequacy to meet current parking needs and amended where necessary.
- Policy 3.3:** ~~The City shall permit~~ development ~~shall be permitted to occur~~ only in areas where a peak hour LOS as outlined in Policies 1.1 and 1.2 can be met or exceeded consistent with the requirements of the Florida Community Planning Act.
- Policy 3.4:** The City shall coordinate with the Florida Department of Transportation, the Polk Transportation Planning Organization, and the Central Florida Regional Planning Council to ensure through the Land Development Regulations, transportation improvement ~~plans~~ standards, and the Concurrency Management System that no road segment will be permitted to deteriorate to a LOS below those established in Policies 1.1 and 1.2. ~~{9J-5.007(3)(c)1}~~
- OBJECTIVE 4:** **POLK TRANSPORTATION PLANNING ORGANIZATION**
- ~~THE CITY SHALL CONTINUE TO~~ **COORDINATE ITS** TRAFFIC CIRCULATION PLANS WITH THOSE OF THE POLK TRANSPORTATION PLANNING ORGANIZATION (PTPO).
- Policy 4.1:** The City shall ~~continue to~~ coordinate City transportation plans with those of the FDOT including the adopted ~~Five Year Work Program and the~~ Transportation

- Improvement Program (TIP) and the Long Range Transportation Plan (LRTP) of the PTPO.
- Policy 4.2:** When reviewing ~~development~~ proposals for the development of properties abutting or impacting traffic on State or County-maintained roadways, the City will coordinate with the Florida Department of Transportation and the Polk Transportation Planning Organization to ensure consistency with state, regional, and county standards, and determine impacts on adopted levels of service. ~~[9]-5.007(3)(c)4]~~
- Policy 4.3:** The City shall seek the cooperation and utilize the resources of the PTPO for prioritization and funding of ~~those~~ roadway improvements eligible for Federal and State ~~that fall within the PTPO's priority and funding jurisdiction.~~
- OBJECTIVE 5:** **PRESERVATION OF RIGHTS OF WAY.**
- ~~THE CITY WILL CONTINUE TO~~ PROTECT EXISTING AND FUTURE RIGHTS OF WAY FROM BUILDING ENCROACHMENT AND OTHER FORMS OF DEVELOPMENT THAT WOULD HINDER ROADWAY IMPROVEMENTS WHEN NEEDED.
- Policy 5.1:** Prevent the building encroachment and hinderance of righ-of-way utilization for street expansion ~~Through the existing street setback line requirements in the Land Development Regulation Zoning Ordinance the City will assure the prevention of building encroachment and hindering utilization of right of way for street expansions.~~
- Policy 5.2:** The City shall, ~~as a part of the review process contained in Policy 5.1, utilize a~~ require a street setback ~~alongline on~~ all principal arterials, County urban collectors, and City urban collectors.
- OBJECTIVE 6:** **IDENTIFY** REQUIRED RIGHT-OF-WAY NEEDS TO ACCOMMODATE PROJECTED TRAVEL DEMANDS ON THE STATE, REGIONAL, AND CITY TRANSPORTATION CORRIDORS ~~SHALL BE IDENTIFIED.~~
- Policy 6.1:** The City shall ~~continue to~~ work with representatives of the PTPO and the FDOT to identify the applicable State, regional, and City transportation corridor right of way needed for future transportation improvements.
- Policy 6.2:** The City shall request the Florida Department of Transportation or Polk County to submit any proposed facility plans affecting segments of state and/or county-maintained roadways within the city limits of Eagle Lake for consistency review. ~~[9]-5.007(3)(c)1]~~
- OBJECTIVE 7:** ~~THE CITY WILL~~ COORDINATE LAND DEVELOPMENT ORDERS WITH APPLICABLE STATE AGENCIES.

Policy 7.1: Driveway access permit requirements shall be a part of the Land Development Regulations and shall require that land developments be coordinated with FDOT and Polk County ~~DOT~~, as applicable.

Policy 7.2: The City shall adopt by reference the FDOT Access Management Standards for the State Highway System.

OBJECTIVE 8: SUPPORT OF PUBLIC TRANSIT

The City will promote access to and ridership on the countywide public transit~~bus~~ system, including the coordination~~ng of with transit providers to~~ locate transit stops ~~and terminals~~ near major trip generators and employment centers, and coordination~~ng~~ with the multi-modal plans of Polk County for transit supportive development, areas which include transit cores, transit centers, and transit corridors. ~~[9J-5.019(4)(b)4.]~~

Policy 8.1: The City will promote the development of future major trip generators and employers on transit routes, to decrease the number of vehicle trips within the City, and to accommodate the transportation disadvantaged, including the elderly and those without a vehicle. ~~[9J-5.019(4)(c) 9, 12.]~~

Policy 8.2: The City will coordinate with the Polk Transit Authority and participate in the planning process in order to provide Eagle Lake with improved transit connectivity with other parts of Polk County as well as regional transportation hubs and facilities. ~~[9J-5.019(4)(c) 11.]~~

Policy 8.3: The City shall support the Polk County multi-modal transportation system by being designated as a Transit Supportive Development Area (TSDA), which includes transit centers along travel corridors connecting Eagle Lake to other TSDAs.

Policy 8.4: The City will coordinate with the TPO, FDOT, and transit providers to implement plans for park-and-ride lots, as identified in Transportation Improvement Plans and Long-Range Transportation Plans, as updated. ~~[9J-5.019(4)(c) 6, 11, 13.]~~

HOUSING ELEMENT

PURPOSE.

The purpose of this Element is not only to meet the minimum requirements of the Florida Community Planning Act, Chapter 163, Part II, Florida Statutes-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 solely generated locally but may involve available assistance from Federal, State and County sources.

GOAL: ~~IT SHALL BE THE GOAL OF THE CITY OF EAGLE LAKE TO PRESERVE AND PROTECT THE QUALITY OF LIFE IN EAGLE LAKE, AND PROVIDE OPPORTUNITIES FOR DECENT, SAFE, SANITARY, AND AFFORDABLE HOUSING OF A TYPE, SIZE, LOCATION, AND COST TO MEET THE NEEDS AND REQUIREMENTS OF CURRENT AND FUTURE RESIDENTS, WHILE RECOGNIZING THE PRIVATE SECTOR AS THE PRIMARY PROVIDER OF HOUSING.~~

OBJECTIVE 1: HOUSING NEEDS

~~THROUGHOUT THE PLANNING HORIZON, THE CITY WILL ASSIST PRIVATE ENTERPRISE AND THE NONPROFIT HOUSING PROVIDERS IN SECURING ADDITIONAL DWELLING UNITS NEEDED BY AFFORDABLE FORM TO ACCOMMODATE THE PROJECTED POPULATION EXPECTED TO RESIDE IN THE CITY. BY THESE TARGET DATES.~~

Policy 1.1: The City shall ~~continue to~~ seek funding assistance from Federal, State, County, and private sources to assist in meeting the housing needs of the existing and projected additional households.

Policy 1.2: The City shall develop a monitoring program to measure the efficiency and effectiveness of the private/nonprofit housing delivery process in meeting established future housing needs.

Policy 1.3: The City shall ~~continue to~~ develop and maintain a ~~formal~~ liaison with the Builders Association to encourage and promote the benefits of locating within the City in order to provide the needed housing units for the projected population.

Policy 1.5: The City shall adopt ~~all~~ current Standard Building Codes ~~Congress codes~~ and updates adopted by the Southern Building Code Congress International (SBCCI) on a systematic basis and ~~shall~~ review such codes for applicability on an annual basis.

OBJECTIVE 2: ~~THE CITY SHALL CONTINUE TO PROVIDE HOUSING CONSERVATION, REHABILITATION, AND CODE ENFORCEMENT PROGRAMS WHICH ADDRESS THE NEEDS OF SEASONAL~~

AGRICULTURAL WORKERS AND YEAR-ROUND HOUSING UNITS AND WHICH WILL, AT A MINIMUM, STABILIZE DETERIORATED AND BLIGHTED AREAS.

- Policy 2.1:** The City shall ~~continue to~~ enforce the minimum housing code.
- Policy 2.2:** The City shall ~~, as a part of its code enforcement program,~~ seek Federal, State, and county funding for the demolition or rehabilitation of substandard housing units as identified through the City's code enforcement program.
- Policy 2.3:** The City shall work through the Polk County Housing and Neighborhood Services Community Development Division to seek financial assistance for property owners seeking to make improvements to any neighborhood or area, including those housing seasonal farm workers, in order to meet minimum code requirements.
- Policy 2.4:** 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.
- Policy 2.5:** ~~Throughout the planning period, t~~The City shall coordinate with the Polk County Housing and Neighborhood Development Division to establish an information and referral system to make available technical assistance and information on housing maintenance and rehabilitation programs for City residents. ~~{9J-5.010(3)(c)1,7}~~
- OBJECTIVE 3:** ~~CONTINUE TO~~ ENFORCE REGULATIONS WHICH PERMIT NEW HOUSING ONLY IN AREAS WHERE INFRASTRUCTURE IS ALREADY IN PLACE, UNDER CONSTRUCTION, OR WHERE FUNDS ARE AVAILABLE AND COMMITTED FOR SUCH IMPROVEMENTS.
- Policy 3.1:** The City shall ~~continue to~~ implement ~~the necessary~~ development and site plan review procedures to ensure that all housing construction permits are issued only in areas either already served by necessary infrastructure meeting required levels of service or will be at the time of issue of the certificate of occupancy.
- Policy 3.2:** ~~Through the use of the "Memorandum of Understanding", t~~The City shall coordinate development standards with Polk County for residential developments located in unincorporated Polk County and within the City's municipal service area currently outside and not adjacent to the corporate limits but needing Eagle Lake municipal services so that acceptable minimum standards will be met should they later become a part of the City.
- OBJECTIVE 4:** ~~CONTINUE TO~~ ENCOURAGE COMPATIBILITY OF INSTITUTIONAL USES WITH CONVENTIONAL RESIDENTIAL USES.
- Policy 4.1:** The Future Land Use Element shall provide for the inclusion of licensed foster care facilities and group homes as a part of the land uses considered compatible in the appropriate applicable residential land use classifications.

- Policy 4.2:** The City shall ~~continue to~~ ensure that licensed group homes and foster care facilities are permitted or permissible in areas of residential character.
- Policy 4.3:** The City shall maintain criteria for the location of sites suitable for foster care facilities and group homes.
- OBJECTIVE 5:** **MAINTAIN REGULATIONS WHICH WILL PROVIDE ADEQUATE OPPORTUNITIES FOR SITTING AFFORDABLE HOUSING FOR VERY ~~LOW, LOW, AND MODERATE INCOME~~ LOW-, LOW-, AND MODERATE-INCOME FAMILIES AND MANUFACTURED HOUSING RESIDENTS.**
- Policy 5.1:** The Future Land Use Element shall provide for the inclusion of very low, low, and moderate-income housing and manufactured housing as a part of the applicable residential land use classifications.
- Policy 5.2:** The City shall, ~~through its Land Development Regulations,~~ promote a mix of housing types, densities, and affordable housing through the Land Development Regulations.
- Policy 5.3:** The City shall periodically review, and if ~~necessary~~ necessary, revise, ~~its-the~~ Land Development Regulations to ensure that provision is made to provide adequate sites for very ~~low, low, and moderate income~~ low-, low-, and moderate-income housing and manufactured housing.
- Policy 5.4:** The City shall identify and map existing and candidate sites for affordable and workforce housing serviceable by adequate infrastructure and accessible to transit corridors as part of a comprehensive strategy to promote sustainable housing and neighborhoods.
- Policy 5.5:** ~~During the planning horizon, the~~ City shall develop location criteria for ~~location of~~ sites suitable for very low, low, and moderate-income housing including the required infrastructure and related public facilities.
- Policy 5.6:** ~~During the planning horizon, the~~ City shall develop location criteria for ~~the location of~~ sites suitable for manufactured housing including the required infrastructure and related public facilities.
- Policy 5.7:** ~~For sites specifically identified by the City as suitable for very low and low income families, the~~ City shall continue to implement zoning regulations which provide inducements to increase the supply of affordable housing including density bonuses and the consideration of accessory dwelling units for those sites specifically identified by the City as suitable for very low and low income families. No additional density shall be granted that exceeds the maximum density of the Future Land Use designation without a corresponding Future Land Use Amendment.
- Policy 5.8:** The City will solicit the involvement, including partnerships, of local government with private and non-profit groups, and with economic development groups, for

the utilization of job training, job creation, and economic solutions in order to prepare its citizens for home ownership, and in order to take advantage of any affordable housing programs within the jurisdiction of the City. ~~-(9)5.010(3)(c)8~~

OBJECTIVE 6: ~~DURING THE PLANNING HORIZON, THE CITY WILL~~ ESTABLISH A PROGRAM WHICH WILL PROVIDE FOR THE IDENTIFICATION AND CONSERVATION OF HISTORICALLY SIGNIFICANT HOUSING.

Policy 6.1: ~~During the planning horizon, t~~The City shall develop a program for identification and inspection of historically significant housing.

Policy 6.2: ~~During the planning horizon, t~~The City shall develop qualification criteria and a program for seeking financial assistance for the preservation and rehabilitation of historically significant housing.

OBJECTIVE 7: ~~DURING THE PLANNING HORIZON,~~ DEVELOP A PROGRAM TO PROVIDE ASSISTANCE TO THOSE HOUSEHOLDS DISPLACED AS A RESULT OF FEDERAL, STATE, AND LOCAL PROGRAMS INCLUDING CODE ENFORCEMENT ACTIONS.

Policy 7.1: ~~During the planning horizon, t~~The City shall develop a program and qualification criteria designed to assist ~~low- and moderate-income~~ low- and moderate-income households required to relocate as a result of minimum housing code enforcement actions.

Policy 7.2: The City shall work through the Polk County ~~Housing and Neighborhood Community~~ Development Division in seeking financial assistance for relocation housing for families displaced as a result of minimum housing code enforcement actions.

OBJECTIVE 8: ~~REDUCTION OF GREENHOUSE GASES AND INCREASE IN ENERGY EFFICIENCY~~

~~THE CITY SHALL~~ SUPPORT ENERGY EFFICIENCY AND THE USE OF RENEWABLE ENERGY RESOURCES IN EXISTING HOUSING AND IN DESIGN AND CONSTRUCTION OF NEW HOUSING TO PROMOTE THE REDUCTION OF GREENHOUSE GASES AND INCREASE IN ENERGY EFFICIENCY.

Policy 8.1: The City shall encourage support for residential construction that meets the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or another nationally recognized, high performance green building rating system as recognized by the Florida Department of Management Services.

Policy 8.2: The City shall allow for ~~not prohibit~~ the appropriate placement of photovoltaic panels, ~~including the development and adoption of. The City shall develop and adopt~~ review criteria to establish standards for the appropriate placement of photovoltaic panels.

Policy 8.3: The City shall provide educational materials on the strategic placement of

landscape materials to reduce energy consumption.

Policy 8.4:

The City shall ~~through the Future Land Use Map and Future Land Use Categories,~~ encourage ~~a~~ higher ~~residential concentration of~~ density~~ies~~, ~~for~~ pedestrian-oriented urban neighborhoods having convenient access to regional transit ~~stops~~stations where the mix of activity provides access to a full range of residential services and amenities, and opportunities for people to live within walking distance of employment.

INFRASTRUCTURE ELEMENT

GOAL 1: NEEDED PUBLIC FACILITIES SHALL BE PROVIDED IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITY AND PROMOTES ORDERLY, COMPACT URBAN GROWTH.

OBJECTIVE 1.1: ~~THE CITY SHALL ENFORCE PROCEDURES TO ENSURE THAT AT THE TIME OF A BUILDING OR DEVELOPMENT PERMIT IS ISSUED, ADEQUATE FACILITY CAPACITY IS AVAILABLE OR WILL BE AVAILABLE WHEN NEEDED TO SERVE THE DEVELOPMENT.~~

Policy 1.1.1: 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:

FACILITY	LEVEL OF SERVICE STANDARD
Potable Water	Average Water Consumption Rate 132 gallons per capita per day 110 gallons per capita per day by FY 2012-13
Sanitary Sewer	Average Sewage Generation Rate 110 gallons per capita per day
Solid Waste	Average Solid Waste Generation Rate 8.0 lbs per day Drainage Facilities Design Storm: At the time of development or redevelopment, the City shall require a Drainage Level of Service Standard based on requirements as established in the Land Development Regulations. At a minimum, no system shall be designed at less than the following standards: 1. Drainage Structures: Ability to handle a 25-year frequency, 24-hour duration; 2. Stormwater Facilities: 25-year, 24-hour storm event at top of bank or berm; 3. Storm sewers: Capacity to handle a 25-year storm event 25-year frequency, 24-hour duration

Commented [MHB1]: Based on this LOS statement, the 132 gpd can be deleted and the 110 gpd kept. Is this still appropriate?

Commented [MHB2]: This is consistent with Polk County's Solid Waste LOS

Commented [MHB3]: Format change to be consistent with the LOS listed in the Capital Improvements Element.

~~Southwest Florida Water Management District Permit Information Manual, March 1988~~

Commented [MHB4]: Is there an update to this?

~~Distribution:~~

~~SCS Type 2, Florida Modified Treatment:~~

~~Per Southwest Florida Water Management District and DOT design criteria~~

Policy 1.1.2: All improvements for replacement, expansion, or increase in capacity of facilities shall be compatible with the adopted level of service standards for the facilities.

Policy 1.1.3: The Public Works Department and the City Planner shall jointly develop procedures to update facility demand and capacity information as development / building permits or orders are issued.

Policy 1.1.4: The City Planner shall prepare annual summaries of capacity and demand information for each facility and service area.

Policy 1.1.5: The City shall periodically review current fee structures and ordinances and shall institute or increase fees as required.

OBJECTIVE 1.2: ~~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.~~

Policy 1.2.1: ~~A Capital Improvement Coordinating Committee is hereby created, composed of the Director of the Public Works Department, the City Planner and City Manager, for the purpose of evaluating and ranking capital improvement projects proposed for inclusion in the five-year schedule of capital improvement needs, beginning with the 1991 Capital Improvements Element update.~~

Commented [MHB5]: Is this still being done?

Policy 1.2.21: Proposed capital improvement projects will be evaluated and ranked according to the following priority level guidelines:

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.

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.

Level Three – whether the project represents a logical extension of facilities and services within a designated service area.

GOAL 2: ~~THE CITY SHALL PROVIDE SAFE DRINKING WATER TO ALL USERS AT ADEQUATE QUANTITY AND QUALITY, INCLUDING FIRE FLOW REQUIREMENTS.~~

OBJECTIVE 2.1: ~~THE CITY SHALL PROVIDE ADEQUATE QUALITY WATER IN COMPLIANCE WITH ENVIRONMENTAL PROTECTION AGENCY AND FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION REQUIREMENTS AND PROVIDE AN ADEQUATE QUANTITY OF WATER TO ALL PORTIONS OF THE SYSTEM UNDER ALL APPLICABLE CONDITIONS, INCLUDING FIRE FLOW.~~

Policy 2.1.1: The City shall ~~continue to~~ comply with EPA requirements for lead in drinking water.

Policy 2.1.2: The City shall enforce ordinances encouraging water conservation and requiring water conservation measures in new construction.

OBJECTIVE 2.2: ~~THE CITY SHALL PROTECT AND CONSERVE ITS POTABLE WATER RESOURCES THROUGH VARIOUS CONSERVATION METHODS.~~

Policy 2.2.1: Landscaping Design for all new development and redevelopment shall utilize drought tolerant and native plants and water conserving features, including efficient irrigation design.

Policy 2.2.2: The City shall evaluate the potential and financial feasibility for water reuse every five years and coordinate with the Southwest Florida Water Management District and the Florida Department of Environmental Protection to implement a reuse program when feasible.

Policy 2.2.3: ~~The City shall require applicants for new development to construct dry or pressurized lines for encourage water reuse for irrigation by new development projects located in areas deemed financially feasible for accommodating the installation of a water reuse system, and the City shall require that reuse water, when available, be used for landscape irrigation.~~

Policy 2.2.43: The City shall require all new development and redevelopment to utilize water conserving plumbing fixtures.

Policy 2.2.54: The City shall periodically review its utility rate structure ordinance, and revise the ordinance as necessary, to ensure that the reductions in water use to be achieved by the ordinance are met.

Policy 2.2.65: Rain sensors or soil moisture sensors shall be installed on new irrigation systems to override automatic sprinkler operations when sufficient soil moisture is present to meet landscaping needs.

Policy 2.2.76: ~~Periodically inventory~~ As land transition~~ings~~ from agricultural ~~uses~~ to urban uses, ~~the City shall inventory such areas periodically~~ and work with landowners and the

Commented [MHB6]: Was this implemented? I'm not sure water reuse is available on do not believe new developments are being required to install. Winter Haven is rethinking their requirement for residential reuse. I suggest rewording this policy.

Commented [MHB7]: Did the city amend the building code to require this?

Southwest Florida Water Management District to reallocate a portion of the water ~~that was~~ originally permitted for agricultural use by the District to ~~be~~ public supply use.

Policy 2.2.87: The City shall coordinate with the Southwest Florida Water Management District, other local governments in Polk County, and water supply utilities, as appropriate, to evaluate alternative water supply options and implement or participate with other entities to implement alternative water supply projects and programs to meet the City's water supply needs for the long-term planning time frame established in the Comprehensive Plan.

Policy 2.2.98: When the City amends its Comprehensive Plan to modify future land uses, the City will analyze future water demand and the available water sources to meet this demand as part of the facilities availability analysis required to support a Comprehensive Plan Amendment. ~~This analysis will also include a projection of future water conservation savings and reuse offsets.~~

Policy 2.2.109: The City shall continue to participate in the regional water supply planning process and other water supply development, water conservation and protection programs of the South Florida Water Management District and will implement a water shortage plan should the need arise.

OBJECTIVE 2.3: ~~THE CITY SHALL MAXIMIZE THE USE OF EXISTING FACILITIES TO ENSURE CAPACITY IS AVAILABLE FOR EXISTING AND PROPOSED DEVELOPMENT.~~

Policy 2.3.1: The City's annual water consumption will be equal to or less than the amount allocated under the District-issued consumptive use permit.

GOAL 3: ~~THE CITY SHALL PROVIDE ADEQUATE SANITARY SEWER (WASTEWATER) SERVICE TO ALL RESIDENTS IN COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS.~~

OBJECTIVE 3.1: ~~THE CITY SHALL ENSURE THAT LONG-TERM ARRANGEMENTS ARE MADE FOR WASTEWATER DISPOSAL.~~

Policy 3.1.1: The City shall maintain contingency plans for wastewater treatment in the event of cancellation of an existing agreement.

OBJECTIVE 3.2: ~~THE CITY SHALL REDUCE OPERATIONS AND MAINTENANCE REQUIREMENTS FOR THE EXISTING SANITARY SEWER (WASTEWATER) SYSTEM.~~

Policy 3.2.1: The City shall maintain the routine, on-going program of sanitary sewer inspection, and cleaning.

GOAL 4: ~~THE CITY SHALL COMPLY WITH THE FLORIDA SOLID WASTE MANAGEMENT ACT AND PROVIDE AN ACCEPTABLE LEVEL OF SERVICE TO ALL RESIDENTS.~~

OBJECTIVE 4.1: ~~THE CITY SHALL CONTINUE TO PROMOTE RECYCLING OF WASTE MATERIALS.~~

Policy 4.1.1: The City shall continue to implement an educational program advising residents of the provisions of the Solid Waste Management Act and the benefits of recycling.

OBJECTIVE 4.2: ~~THE CITY SHALL CONTINUE TO PROMOTE THE PROPER DISPOSAL OF HAZARDOUS AND BIOHAZARDOUS MATERIALS.~~

Policy 4.2.1: The City shall implement an annual Amnesty Day for the collection of small quantities of household hazardous wastes, independently or through local agreements with other local governments.

Policy 4.2.2: The City shall adopt the applicable FDEP and Florida Department of Health and Rehabilitative Services (FDHRS) regulations by reference.

OBJECTIVE 4.3: ~~IN ORDER TO IMPLEMENT EFFICIENT RECYCLING EFFORTS TO RETURN VALUABLE MATERIALS TO PRODUCTIVE USE, CONSERVE ENERGY, AND PROTECT NATURAL RESOURCES, THE CITY SHALL CONTINUE TO COORDINATE WITH POLK COUNTY AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION IN MEETING THE COUNTY'S AND STATE'S GOALS FOR RECYCLING.~~

Policy 4.3.1: To increase public participation in recycling efforts, the City shall take part in countywide public education efforts and—provide information to Eagle Lake citizens on the location of facilities for the disposal of oil, tires, and other recyclable materials.

Policy 4.3.2: ~~The City's Continue recycling efforts to recycle should be~~ consistent with the Polk County Solid-Waste Management and Resource-Recovery Master Plan.

GOAL 5: ~~PROVIDE ADEQUATE PROTECTION OF EXISTING STORMWATER MANAGEMENT SYSTEMS AND RECEIVING WATER BODIES AND TO PROTECT THE NATURAL FUNCTION OF AQUIFER RECHARGE AREAS WITHIN THE CORPORATE LIMITS OF EAGLE LAKE AND TO ASSURE A SAFE AND AMPLE SUPPLY OF GROUNDWATER TO ITS RESIDENTS. {9J-5.011(2)(a)}~~

OBJECTIVE 5.1: ~~THE CITY SHALL CONTINUE TO REGULATE STORMWATER DISCHARGES TO PREVENT FLOODING OF EXISTING AND PROPOSED STORMWATER FACILITIES.~~

Policy 5.1.1: The City shall require FDOT drainage permits for all new construction drainage to the FDOT drainage system.

- Policy 5.1.2:** The City shall require all new construction, except single family and duplex residencies, 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.
- Policy 5.1.3:** The City shall review on a case-by-case basis any additional impervious construction in existing drainage problem areas until improvements are constructed.
- Policy 5.1.4:** The City shall maintain a stormwater management master plan. This plan will cover only those areas of the City which do not utilize the DOT drainage facilities. This plan will review the adequacy of existing facilities and outline required improvements.
- Policy 5.1.5:** Proposed land uses which are incompatible with designated prime groundwater aquifer recharge areas shall be disapproved. The use or storage of hazardous substances within designated prime groundwater aquifer recharge areas shall be regulated through enforcement of the City's Land Development Regulations.
- Policy 5.1.6:** Continue to enforce the City's Land Development Regulations related to minimum development standards for retention and detention areas and for the amount of impervious surface material permitted in developments. The City shall encourage the use of porous pavement and grid and modular pavement for new development located in identified high aquifer recharge areas.
- Policy 5.1.7:** Coordinate with the Southwest Florida Water Management District and Polk County in regard to regional aquifer recharge objectives.
- OBJECTIVE 5.2:** ~~THE CITY SHALL ENFORCE STRUCTURAL AND NON-STRUCTURAL MEASURES TO REDUCE POLLUTANT LOADINGS TO EAGLE LAKE, LAKE MCLEOD, AND MILLSITE LAKE.~~
- Policy 5.2.1:** The City shall continue to enforce present requirements for the treatment of runoff from the first inch of rainfall for all new construction, except single-family and duplex residences in existing platted subdivisions.
- Policy 5.2.2:** The City shall require all new construction, except as noted in Policy 5.2.1, to obtain either a SWFWMD permit or exemption.
- Policy 5.2.3:** The City shall evaluate active treatment and/or management practices to determine the most feasible means of reducing pollutant discharges to the lakes. ~~The selected practices will be implemented by 1993.~~
- Policy 5.2.4:** The City shall ~~continue to~~ require erosion and sediment control during construction.
- GOAL 6:** ~~THE CITY SHALL PROTECT THE CITY'S ITS EXISTING GROUNDWATER SUPPLY.~~

- OBJECTIVE 6.1:** ~~THE CITY SHALL~~ CONTINUE TO PROTECT THE EXISTING RECHARGE CAPABILITIES OF THE AREA.
- Policy 6.1.1:** The City shall ~~limit the amount of implement~~ impervious cover age requirements for all new land uses development that can be placed on upland soils ~~to not exceed 70% through the City's Land Development Regulations.~~
- OBJECTIVE 6.2:** ~~THE CITY SHALL~~ ENFORCE THE PROGRAM TO PROTECT THE EXISTING POTABLE WATER WELLS' CONE OF INFLUENCE.
- Policy 6.2.1:** The City shall ~~enforce the provisions of use~~ the zoning code Land Development Regulations ~~to to that~~ prohibit ~~any industrial development or~~ commercial development with high pollution potential within the wells' cone of influence.
- Policy 6.2.2:** The City shall continue to prohibit septic tanks within the cone of influence.
- Policy 6.2.3:** The City shall continue to implement sanitary sewer construction standards to reduce the possibility for pollution within the cone of influence.
- GOAL 7:** IMPROVE THE COORDINATION OF WATER SUPPLY AND LAND USE PLANNING BY MAINTAINING A WATER SUPPLY FACILITIES WORK PLAN (WSFWP) THAT ADDRESSES THE WATER SUPPLY FACILITIES NECESSARY TO SERVE THE EXISTING AND FUTURE DEVELOPMENT THAT OCCURS WITHIN THE CITY'S WATER SERVICE AREA TO ~~2024~~2018.
- OBJECTIVE 7.1:** ~~TO~~ MAINTAIN A WATER SUPPLY FACILITIES WORK PLAN (WSFWP) FOR AT LEAST 10 YEARS AS REQUIRED BY AND IN ACCORDANCE WITH FLORIDA STATUTES THAT ADDRESSES THE WATER SUPPLY FACILITIES THAT ARE NECESSARY TO SERVE EXISTING AND FUTURE DEVELOPMENT WITHIN THE CITY'S WATER SERVICE AREA.
- Policy 7.1.1:** The most recently adopted City of Eagle Lake Water Supply Facilities Work Plan ~~(FY 2008/2009 — 2017/2018) is herein adopted~~ shall be incorporated in the Technical Support Document of the Comprehensive Plan.
- Policy 7.1.2:** The City shall participate in updates of the SWFWMD water supply assessments and updates of the District Water Supply Plan to enable the City to design and implement an effective water supply plan.
- Policy 7.1.3:** The WSFWP shall be updated within eighteen (18) months following concurrently with the updates of the South west Florida Water Management District's approval of its Regional Water Supply Plan (Section 163.3177(6)©3, Florida Statutes.
- GOAL 8:** ENSURE THE PROVISION OF ADEQUATE WATER RESOURCES TO MEET THE NEEDS OF ALL RESIDENTS, VISITORS, AND BUSINESSES IN THE CITY OF EAGLE LAKE.

OBJECTIVE 8.1: ~~THE CITY SHALL PROVIDE SUFFICIENT AMOUNTS OF SAFE, HIGH QUALITY WATER TO MEET THE NEEDS OF CURRENT AND FUTURE USERS THROUGH THE YEAR 2030.~~

Policy 8.1.1: The City shall maintain water sources capable of supplying a minimum of ~~110~~100 gallons per person per day ~~by 2012/2013.~~

Commented [MHB8]: This should be consistent with the Level of Service in Policy 1.1.1

Policy 8.1.2: Through its Concurrency Management System sufficient sources of water shall be in place, or scheduled to be in place to serve new development prior to the approval of ~~final construction~~development plans.

Policy 8.1.3: Prior to issuing a building permit or its functional equivalent, the City shall consult with the water supplier to determine whether adequate water supplies will be available to serve the new development, no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent.

Policy 8.1.4: The City shall ~~ensure that population projections shall be~~ annually evaluated ~~population projections~~ to verify whether actual growth has followed projected growth. When necessary, population projections shall be adjusted to reflect observed conditions.

OBJECTIVE 8.2: ~~THE CITY SHALL TAKE DIRECT ACTIONS TO CONSERVE EXISTING POTABLE WATER RESOURCES.~~

Policy 8.2.1: Every five years undertake a systematic calibration of all major water meters as necessary to eliminate unaccounted water.

Policy 8.2.2: The City will continue to replace stopped meters as needed.

Policy 8.2.3: Adopt any update to the water conservation plan approved by the Southwest Florida Water Management District (SWFWMD).

Policy 8.2.4: Coordinate with SWFWMD to enforce water restrictions ~~within the City and—C~~ coordinate with Polk County ~~for to enforcement of~~ water restrictions in the unincorporated portions of the utility service area.

Policy 8.2.5: ~~To reduce the amount of unaccounted water, the City Hall will P~~periodically evaluate and test the potable water distribution system for leaks ~~to reduce the amount of unaccounted water.~~

OBJECTIVE 8.3: ~~THE CITY SHALL WORK WITH SURROUNDING GOVERNMENTS AND SWFWMD TO EXPLORE THE DEVELOPMENT OF REGIONAL WATER SUPPLY SYSTEMS IN ORDER TO MEET FUTURE POTABLE WATER NEEDS.~~

Policy 8.3.1: The ~~20152006~~ SWFWMD Regional Water Supply Plan ~~for the Heartland Region~~ is hereby adopted by reference.

- GOAL 9:** WORK TOWARDS REDUCING THE AMOUNT OF POTABLE WATER USE FOR IRRIGATION AND OTHER NON-DOMESTIC USES WITHIN THE CITY.
- OBJECTIVE 9.1:** ~~THE CITY SHALL~~ REDUCE THE AMOUNT OF POTABLE WATER USED FOR IRRIGATION BY 2030.
- Policy 9.1.1:** By June ~~2024~~~~2012~~, the Land Development Code shall be amended to require the use of Florida friendly landscaping for all developments.
- Policy 9.1.2:** When possible, discourage homeowners associations from enacting deed restrictions precluding the use of Florida friendly landscaping by homeowners.
- OBJECTIVE 9.2:** ~~THE CITY SHALL~~ WORK WITH LARGE COMMERCIAL AND INDUSTRIAL WATER USERS TO EVALUATE THEIR WATER NEEDS AND SOURCES.
- Policy 9.2.1:** Require high use commercial and industrial water users to prepare water conservation plans.
- Policy 9.2.2:** Periodically offer water efficiency audits to all water users within the City.
- GOAL 10:** REDUCE THE IMPACT OF WATER USAGE ON NATURAL SYSTEMS INCLUDING AREA LAKES, RIVERS, WETLANDS, AND GROUND WATER SYSTEMS.
- OBJECTIVE 10.1:** REDUCE, ~~TO THE GREATEST EXTENT POSSIBLE,~~ THE EFFECTS OF GROUNDWATER WITHDRAWALS ON NATURAL SYSTEMS TO THE GREATEST EXTENT POSSIBLE.
- Policy 10.1.1:** When Locat~~ing~~~~ion~~ new public water supply wells, ensure that the well's cone of influence will not adversely affect any lake or major wetland system.

CONSERVATION ELEMENT**PURPOSE:**

The purpose of this Element is to establish goals, objectives, and policies whereby present natural resources can be managed and conserved for current and future use by ~~the City's~~ residents.

GOAL 1: ~~TO CONSERVE, PROTECT, AND MANAGE NATURAL RESOURCES WITHIN EAGLE LAKE IN A MANNER APPROPRIATE TO ENSURE THE HIGHEST ENVIRONMENTAL QUALITY POSSIBLE FOR CURRENT AND FUTURE RESIDENTS.~~

OBJECTIVE 1.1: **AIR QUALITY**

~~EAGLE LAKE WILL CONTINUE TO MEET THE APPLICABLE MINIMUM AIR QUALITY STANDARDS SET BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) AND THE ENVIRONMENTAL PROTECTION AGENCY (EPA).~~

Policy 1.1.1: The City shall enforce air quality standards through the use of industrial performance standards in the Land Development Regulations.

Policy 1.1.2: ~~mend t~~The Land Development Regulations ~~when shall be amended~~ appropriate to include when revised or new regulations ~~are~~ promulgated and adopted by the FDEP and the EPA.

Policy 1.1.3: The City shall work with the State in testing for possible violations of air quality standards.

Policy 1.1.4: The City will adopt provisions in its Land Development Regulations which will contain best management practices for minimizing unconfined emissions generated by construction activity.

OBJECTIVE 1.2: **SURFACE WATER.**

~~THE CITY SHALL CONSERVE, APPROPRIATELY USE, AND PROTECT THE QUALITY AND QUANTITY OF ITS SURFACE WATER RESOURCES. THIS SHALL BE ACCOMPLISHED THROUGH THE CONTINUED ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS AND THROUGH COORDINATION WITH AGENCIES THAT MONITOR USE AND CONDITIONS OF SURFACE WATER OR REGULATE SURFACE WATER QUALITY STANDARDS. -[9J-5.013(2)(B)2]~~

Policy 1.2.1: ~~The City will Continue to~~ implement regulations and procedures for the enforcement of state water quality standards.

Policy 1.2.2: Stormwater run-off from new developments shall be directed to retention systems that will provide treatment that meets FDEP and SWFWMD minimum requirements.

- Policy 1.2.3:** The requirements for stormwater retention systems shall be incorporated into ~~the~~ site plan review process within the City Land Development Regulations in compliance with State water quality standards as defined in Chapters 62-4, 62-302 and 62-303 FAC. Section 17-3, FAC.
- Policy 1.2.4:** The City shall direct requests for development orders within the corporate limits to the FDEP, DNR, SWFWMD, and the County to improve compliance with the dredge and fill permitting process.
- Policy 1.2.5:** The City shall enforce impervious surface definitions and standards, including the percent permitted by development type as included in its Land Development Regulations.
- Policy 1.2.6:** The City shall ~~continue to~~ promote educational programs which address the importance of conserving and protecting available water resources.
- Policy 1.2.7:** Cooperate with the Polk County ~~Parks and Natural~~ Water-Resources Department, the Florida Lakewatch Program, the Department of Environmental Protection, and the Southwest Florida Water Management District, to ensure that all lakes with historic surface areas of ten acres or more within the city limits are monitored ~~adequately at least twice annually~~ for standard water quality parameters.
- Policy 1.2.8:** The City of Eagle Lake shall abide by the Florida Department of Environmental Protection Best Management Practices program which monitors point source discharges into lakes. ~~The City shall a~~ Adopt and enforce Land Development Regulations that require shoreline buffer zones adjacent to lakes to preserve natural vegetation, and general design and construction standards for on-site stormwater management systems for new development and redevelopment to ensure that post-development runoff rates, volumes, and pollutant loads do not exceed pre-development conditions.
- Policy 1.2.9:** ~~Throughout the planning period, Eagle Lake shall s~~ Seek all available grants, funds, and assistance from government agencies or private organizations for the enhancement, improvement, or restoration of lakes within the City.
- OBJECTIVE 1.3:** FLOODPLAINS
- PROTECT THE NATURAL HYDROLOGIC AND ECOLOGICAL FUNCTIONS OF FLOODPLAINS DEVELOPMENT REGULATIONS THAT PROTECT THE NATURAL FUNCTIONS OF THE 100-YEAR FLOODPLAIN AROUND THE LAKES AND WITHIN WETLANDS WILL CONTINUE TO BE ENFORCED.

Commented [MHB1]: I do not believe this citation is the correct one. I believe it should be Chapters 62-302 (Surface Water Quality Standards), 62-4 (antidegradation policy in Rule 62-4.242), and 62-303 (Impaired Waters Rule), Florida Administrative Code (F.A.C.). Please double check me on this.

Policy 1.3.1: ~~Eagle Lake-The City~~ shall adopt and enforce ~~the City's~~ Land Development Regulations that provide protection measures for floodplains from development activities. This shall be accomplished by:

1. Requiring new development to locate on non-sensitive portions of development site;
2. Requiring developers to adhere to applicable Southwest Florida Water Management District or Florida Department of Environmental Protection stormwater management standards;
3. Requiring the clustering of dwelling units away from sensitive portions of site;
4. Disapproval of proposed development which would fragment large ecological communities;
5. Requiring buffering of sensitive areas; and
6. The provision of conservation easements.

Policy 1.3.2: Request that the Southwest Florida Water Management District establish regulatory lake levels for named lakes within the city limits as part of the district's Lake Levels Project.

Policy 1.3.3: ~~Eagle Lake-The City~~ shall ~~continue to~~ designate 100-year floodplains as "environmentally sensitive lands" and protect them in accordance with the Goals, Objectives, and Policies of this Element.

Policy 1.3.4: The City shall enforce the Special Flood Hazard Area identified on the Flood Insurance Rate Map Zoning-District to protect life and property and to protect and preserve natural open spaces and lakes.

Policy 1.3.5: The Special Flood Hazard Area Zoning-District shall meet the most current requirements of the National Flood Insurance Program regulations.

OBJECTIVE 1.4: GROUNDWATER AND POTABLE WATER RESOURCES

~~THROUGHOUT THE PLANNING PERIOD, PROTECT THE QUANTITY AND QUALITY OF EAGLE LAKE'S GROUNDWATER FROM DEGRADATION.~~

Policy 1.4.1: The City shall ~~continue, in cooperation with and under FDEP guidelines, to monitor-ensure that~~ groundwater quality and levels are monitored in cooperation with and under FDEP guidelines.

- Policy 1.4.2:** ~~The City shall~~ ~~Regulation shall be~~ enforced regulations to protect water recharge areas.
- Policy 1.4.3:** ~~The City shall promote the reduction of D~~omestic wastewater ~~shall continue to be reduced~~ below an average daily per capita generation of 100 gallons by promoting various water conservation practices.
- OBJECTIVE 1.5:** ~~THE CITY SHALL CONTINUE TO WORK TO DECREASE PER CAPITA DOMESTIC WATER USAGE DURING THE PLANNING TIMEFRAME.~~
- Policy 1.5.1:** In cooperation with the Southwest Florida Water Management District, develop and implement a water shortage contingency plan for dealing with temporary severe water shortages. A local water shortage plan shall be developed for response to emergency water supply interruptions. Provisions for cooperative agreements with neighboring jurisdictions, back-up water supplies and storage facilities, and organized procedures for emergency response shall be included in the plan.
- Policy 1.5.2:** Development orders approving land and water uses shall give favorable consideration to plans for domestic ~~waste-water~~wastewater systems which use gray water as a source for black water uses and such other uses which do not require potable water.
- Policy 1.5.3:** The City shall adopt the provisions of the Florida Water Conservation Act by reference.
- OBJECTIVE 1.6:** ~~LAND AND WATER USE APPROVALS SHALL ENCOURAGE USE OF NATIVE VEGETATION IN RESIDENTIAL~~~~DOMESTIC~~, COMMERCIAL, PUBLIC AND OTHER FORMS OF LANDSCAPING TO REDUCE WATER REQUIREMENTS.
- Policy 1.6.1:** The City shall enforce the landscape ordinance that provides for use of native vegetation where applicable through a system of performance incentives and requires the protection and/or replacement of existing trees at the time of development permits are issued.
- Policy 1.6.2:** The City shall enforce the irrigation ordinance which encourages the use of efficient water conservation technology and practices through a system of incentives.
- GOAL 2:** ~~THE CITY SHALL ASSESS PROJECTED WATER NEEDS AND SOURCES FOR AT LEAST A TEN-YEAR~~~~TEN-YEAR~~ PLANNING PERIOD BY MAINTAINING A WATER SUPPLY FACILITIES WORK PLAN (WSFWP). THE WSFWP SHALL MAXIMIZE THE EFFICIENT USE OF GROUNDWATER AND WHERE POSSIBLE SUBSTITUTE ALTERNATIVE WATER SOURCES FOR THE USE OF GROUND WATER.

OBJECTIVE 2.1: WATER CONSERVATION

~~TO~~ ESTABLISH, PROMOTE AND REQUIRE WATER CONSERVATION TECHNIQUES AND PROGRAMS WHERE FEASIBLE FOR CURRENT AND FUTURE DEVELOPMENT. THESE TECHNIQUES AND PROGRAMS ARE IDENTIFIED IN THE WATER SUPPLY FACILITIES WORK PLAN.

Policy: 2.1.1

In cooperation with the Southwest Florida Water Management District, develop and implement a water shortage contingency plan for dealing with temporary severe water shortages. A local water shortage plan shall be developed for response to emergency water supply interruptions. Provisions for cooperative agreements with neighboring jurisdictions, back-up water supplies and storage facilities, and organized procedures for emergency response shall be included in the plan.

OBJECTIVE 2.2: MINERALS AND SOILS.

~~THE CITY SHALL CONTINUE TO ENFORCE THE ITS LAND DEVELOPMENT REGULATION'S~~ DEVELOPMENT STANDARDS AND OTHER ACTIVITIES DESIGNED TO CONSERVE, APPROPRIATELY USE, AND PROTECT THE QUALITY AND QUANTITY OF MINERALS AND SOILS. ~~{9J-5.013(2)(b)3}~~

Policy 2.2.1:

~~As lands are annexed, t~~The City shall protect, conserve, and regulate the appropriate use of land annexed into the City and for appropriate use those lands identified as suitable for mineral extraction.

Policy 2.2.2:

The City shall establish ~~a set of~~ development regulations which will protect and conserve while permitting reasonable use of lands suitable for mineral extraction.

Policy 2.2.3:

The City shall utilize the services of and coordinate with state agencies such as DEP 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.

Policy 2.2.4:

Enforce development guidelines to minimize soil erosion and prevent sedimentation in the adjacent lakes.

OBJECTIVE 2.3: PLANTS AND ANIMALS.

PROTECT NATIVE VEGETATION, INCLUDING FORESTS; AND WILDLIFE HABITATS, INCLUDING FISHERIES.

Policy 2.3.1:

At the time lands are annexed into the City, an evaluation of such properties shall be ~~required from the~~ 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 in 1991~~ applicable State and Federal regulations shall be applied to provide protection for the species and/or habitats.

Policy 2.3.2: The City shall ~~continue to~~ protect all rare, endangered, threatened, and special concern species and their habitats known to exist in the City as a result of annexation of land and water areas.

Policy 2.3.3: ~~Regulatory provisions for protecting all rare, endangered, threatened, and special concern species and their habitats shall be included in the development impact review process which shall be adopted in 1991.~~

Commented [MHB2]: This statement is prospective ("shall be") and not consistent with Policy 2.3.1 (see highlighted portion).

Policy 2.3.43: The Florida Fish and Wildlife Commission shall serve as a review agency when appropriate ~~for the City~~ to ensure compliance with these provisions.

Policy 2.3.54: Adopt, as part of Land Development Regulations, standards to maintain and restore a canopy of ~~native drought-tolerant~~ trees and to require the use of Florida friendly Xeriscaping techniques ~~where landscaping is required.~~

Policy 2.3.65: ~~In cooperation with individual property owners and volunteer organizations, develop a plan, in cooperation with individual property owners and volunteer organizations, to plant native drought-tolerant trees and to maintain trees in parks, rights-of-way, and other city property.~~

Policy 2.3.76: ~~Eagle Lake The City~~ shall require any developer to consult with the Florida Fish and Wildlife Conservation Commission prior to the issuance of a land use approval which would adversely affect endangered and threatened species.

Policy 2.3.87: ~~Eagle Lake The City~~ shall establish consistent regulations with Polk County and adjacent municipalities regarding conservation, appropriate use, and protection of unique vegetative communities which may cross the boundaries of neighboring jurisdictions.

OBJECTIVE 2.4: LAKES AND FISHERIES.

~~THE CITY SHALL CONTINUE TO WORK WITH THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND THE SWFWMD TO PROTECT THE WATER LEVELS AND WATER QUALITY OF THE LAKES WITHIN THE CITY LIMITS AND TO ENHANCE THE FISHERIES.~~

Policy 2.4.1: The City shall work with the Florida Game and Fresh Water Fish Commission to assist in monitoring activities on the lakes that might cause harm and/or destruction to the fisheries.

Policy 2.4.2: The City shall work with SWFWMD to assist in monitoring the water use consumption activities on the lakes that may cause a lowering of the lake levels.

OBJECTIVE 2.5: EXISTING ACCESS WILL CONTINUE TO BE MADE AVAILABLE ON LAKES WITHIN THE CITY FOR THE USE OF THE PUBLIC.

Policy 2.5.1: The City shall cooperate with the County in providing access to the lakes for swimming, boating, fishing and where applicable, skiing and related water activities.

Policy 2.5.2: The City shall ~~continue to~~ maintain the public park on the south side of Lake Eagle.

OBJECTIVE 2.6: WETLANDS.

WETLANDS AND THE NATURAL FUNCTIONS OF WETLANDS SHALL BE PROTECTED AND CONSERVED ON ALL DEVELOPMENT ORDERS INVOLVING WETLANDS. ~~THE CITY WILL ENSURE THAT NO NET LOSS OF WETLANDS OCCURS.~~

Policy 2.6.1: ~~Coordinate with the appropriate Federal and state agencies to protect and conserve. The adequate and appropriate protection and conservation of wetlands shall be accomplished through a comprehensive planning process which includes consideration of the types, values, functions, sizes, conditions and location of wetlands and which is based on supporting data and analysis.~~

Commented [MHB3]: This could be inconsistent with FDEP requirements. I recommend removing this statement. The City is not in a position to enforce this without modifying its regulations.

Policy 2.6.2: The City shall adopt and enforce Land Development Regulations that ~~include wetland protection standards that ensure the protection of~~ wetlands, and native vegetative communities and wildlife habitat within the City boundaries from development activities that would adversely affect their quality and survival, or the survival of any endangered or threatened species of wildlife which may exist within the City. This shall be accomplished by:

Commented [MHB4]: The City is not in a position to evaluate the types, values, functions, conditions, etc. of wetlands. This state policy must be modified.

1. Requiring developers to restore and mitigate disturbed natural resources;
2. Encouraging cluster of development outside of natural vegetative communities;
3. Requiring buffers from sensitive ecological areas; and
4. Encouraging the provision of conservation easements.

Policy 2.6.3: Future land uses, which are incompatible with the protection and conservation of wetlands and wetland functions, shall be directed away from wetlands. The type, intensity or density, extent, distribution and location of allowable land uses and the types, values, functions, sizes, conditions and locations of wetland are land use factors which shall be considered when directing incompatible land uses away from wetlands.

Policy 2.6.4: Land uses shall be distributed in a manner that minimizes the effect and impact on wetlands. The protection of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other goals, objectives and policies in the Eagle Lake Comprehensive Plan: Where incompatible land uses are allowed to occur; mitigation shall be considered as one means to compensate for loss of wetlands functions.

Policy 2.6.5: The City shall accept title to wetlands set aside as a result of density transfers as part of consideration for issuing development orders. ~~{91-5-013(2)(c)9}~~

OBJECTIVE 3: HAZARDOUS WASTE

ELIMINATE THE IMPROPER DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES.

Policy 3.1: Participate in Amnesty Days program sponsored by the Florida Department of Environmental Regulation for the periodic collection and disposal of household hazardous wastes.

Policy 3.2: Enter into an agreement with Polk County for the cooperative use of educational materials developed as part of a proposed education program for all generators of hazardous waste.

OBJECTIVE 4: INTEGRATED GREEN INFRASTRUCTURE

~~THE CITY OF EAGLE LAKE WILL~~ ENCOURAGE THE INTEGRATION OF PUBLIC AND PRIVATE INVESTMENTS IN GREEN INFRASTRUCTURE (INTERCONNECTED NETWORK OF OPEN SPACES AND NATURAL AREAS).

Policy 4.1: The City will encourage the acquisition or conservation of an interconnected network of open spaces, natural areas, and agricultural lands. The network will provide for:

- a. Protection of natural resources and wildlife habitat;
- b. Habitat corridors through linked open spaces;
- c. Protection of historic and cultural resources;
- d. Recreational opportunities;
- e. Community health benefits;
- f. Economic development opportunities; and
- g. Multi-use trails connecting population centers to natural areas.

Policy 4.2: The City will coordinate with Polk County to establish a process for the maintenance and update of the Polk Green District overlay as well as the development and implementation of policies to acquire, conserve, or construct green infrastructure.

Policy 4.3: The City will coordinate with ~~the~~ Polk County and municipalities within the County to coordinate future trails connecting Eagle Lake to other parts of the county.

RECREATION AND OPEN SPACE ELEMENT**PURPOSE:**

The purpose of this Element is to provide for the protection, maintenance, and enhancement of existing recreation and open space resources and to plan for the needs of future populations, based on established level of service standards.

GOAL 1: ~~TO PROVIDE RECREATION FACILITIES AND OPEN SPACE WHICH WILL SATISFY THE NEEDS OF ALL THE PRESENT AND PROJECTED FUTURE RESIDENTS OF THE CITY.~~

OBJECTIVE 1: PUBLIC ACCESS.

~~THE CITY SHALL CONTINUE TO PROVIDE PUBLIC ACCESS TO ALL PUBLIC RECREATION SITES INCLUDING WATER BODIES WITHIN ITS CORPORATE LIMITS.~~

Policy 1.1: The City shall ~~continue to~~ maintain public access to the parks and park lands located within its boundaries.

Policy 1.2: Locate ~~any~~ new parks and recreation lands so as to provide easy access for residents not previously served.

Policy 1.3: On an annual basis, City staff shall evaluate access to public parks and recreation lands and make recommendations to the City Commission for improvements. The City shall consider (1) the adequacy of motor vehicle parking, (2) impediments to bicycle access, (3) impediments to pedestrian access.

Policy 1.4: As part of the Transportation Element, identify and designate bicycle and/or pedestrian routes along local streets linking public recreational facilities. In addition, provide the appropriate signage along such routes to improve accessibility. ~~-(9)-5.014(3)(c)5]~~

Policy 1.5: Through the development approval process, the City will encourage new development to provide pedestrian interconnectivity within the project and to areas external to the project such as the City's parks and recreation system and schools.

Policy 1.6: The City may work to identify and establish incentives, guidelines, and potential funding for the development of community gardens.

OBJECTIVE 2: ADEQUACY OF PARKS AND RECREATION FACILITIES.

~~THE CITY SHALL CONTINUE TO IMPLEMENT A PROGRAM FOR FUNDING FUTURE EXPANSION AND IMPROVEMENTS OF THE PARK SYSTEM AND RECREATION FACILITIES.~~

Policy 2.1: The City shall enforce recreation impact fees for all residential development in a manner consistent with the requirements of the Florida Statutes.

OBJECTIVE 3: OPEN SPACE.

~~REQUIRE NEW RESIDENTIAL DEVELOPMENT TO PROVIDE FOR THE PROVISION OF OPEN SPACE AREAS WITHIN THE DEVELOPMNET~~

~~A MINIMUM OF 15% OPEN SPACE SHALL BE PROVIDED BY ALL NEW DEVELOPMENTS WHEN DEVELOPMENT ORDERS ARE APPROVED BEGINNING IN 2011 WHEN THE DEVELOPMENT REGULATIONS ARE AMENDED AND ADOPTED.~~

Policy 5.1 The City shall amend the Land Development Regulation by 2025 to require new residential planned developments to set aside a minimum percentage of open space areas within the development. The open space areas may include but not be limited to: wetlands, floodplain areas, natural areas, parks & recreation, buffer areas, etc.

Policy 5.1: ~~The City shall develop open space definitions and standards, by development type and include in its development regulations during 2011.~~

Policy 5.2: The City shall ~~continue to~~ enforce impervious surface definitions and standards, including the percent permitted, by the development type, ~~as included in~~ theits Land Development Regulations.

Policy 5.3: The City shall enforce criteria and standards for setbacks for all building and development from water bodies as incorporated its Land Development Regulations.

OBJECTIVE 6: STANDARDS.

ALLOCATION OF PARK AND RECREATION LAND.

AT A MINIMUM MAINTAIN THE EXISTING SYSTEM OF PUBLIC PARK AND RECREATION LANDS.

Policy 6.1: The following level of service standard for parks and recreation is hereby established:

4.5 acres per 1,000 population

Any land permanently dedicated or available to the public for recreation, regardless of provider, may be used to meet the level of service standard.

Policy 6.2: The City will ~~continue to~~ ensure through the enforcement of Land Development Regulations and a Concurrency Management System that no development order

Commented [MHB1]: This is a policy statement and not an objective statement. I have amended the language to read more like an objective and change this to a policy. However, the City needs to make a decision on how to deal with this requirement. I cannot find that this was ever done. The city has several options: (1) amend the LDR to implement this objective; (2) change the date for implementation; (3) change the min. amount of Open Space required and amend the date; (4) remove the language/

Commented [MHB2]: This was never done and I am not sure what purpose it serves unless the City wants to distinguish between active and passive open space area. I recommend removing it.

will be issued for any development that would result in failure of the recreation and park system to meet the adopted LOS standards.

OBJECTIVE 7: PARK DEFICIENCIES.

~~PHYSICAL CONDITIONS OF THE ACTUAL IMPROVEMENTS IN THE PARK SYSTEM SHALL BE PERIODICALLY EVALUATED TO DETERMINE WHEN AND WHAT DEGREE OF MAINTENANCE WILL BE REQUIRED TO KEEP THE FACILITIES OPERATIONAL.~~

~~MAINTAIN EXISTING RECREATION FACILITIES IN A SAFE AND FUNCTIONAL CONDITION THROUGH USE OF ADEQUATE ANNUAL OPERATING BUDGETS AND PROPER MAINTENANCE AND MANAGEMENT TECHNIQUES.~~

Commented [MHB3]: This is a policy statement. Switch with Policy 7.2 which is more of an objective than a policy.

Policy 7.1: The City shall ~~continue to complete~~ ~~institute~~ a physical assessment of recreation equipment.

Policy 7.2: ~~Maintain existing recreational facilities in a safe and functional condition through use of adequate annual operating budgets and proper maintenance and management techniques.~~

~~The City shall periodically evaluate the physical conditions of improvements to the park system to determine when and what degree of maintenance will be required to keep the facilities operational.~~

Commented [MHB4]: This should be the objective statement.

OBJECTIVE 8: COORDINATION WITH OTHER RECREATION PROVIDERS

~~INCREASE THE RECREATION OPPORTUNITIES AVAILABLE TO THE RESIDENTS OF EAGLE LAKE THROUGH COORDINATION AND COOPERATION WITH OTHER RECREATION PROVIDERS. ~~[9]~~ 5.014(3)(B)2,3~~

Policy 8.1: The City Manager or a designated person ~~he shall designate~~ shall coordinate annually with Polk County to suggest improvements or additions to the county park and recreation system that are desired by the residents of Eagle Lake, based on the recommendations of the City Commission.

Policy 8.2: The City Manager shall periodically meet with the appropriate officials of adjoining municipalities to explore ways that local, county, and state entities can cooperate in the provision of parks and recreation.

Policy 8.3: The City will coordinate with the County and municipalities to coordinate future trails connecting Eagle Lake to other parts of the county.

INTERGOVERNMENTAL COORDINATION ELEMENT

PURPOSE.

The State Legislature mandates the coordination of development activities between local governments in an effort to reduce the degradation of Florida's natural resources and the waste of taxpayer's dollars.

The purpose of this element in Eagle Lake's Comprehensive Plan is to identify principles and guidelines to be used in coordinating the Comprehensive Plan with the plans of the school board, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities and the county establish specific lines of communication and procedures to follow for coordinating development activities in the best interest of the public. This element demonstrates consideration of the particular effects of the comprehensive plan on the development of adjacent municipalities and the county.

Commented [MHB1]: Language taken from Section 163.3177(6)(a)(h)1, Intergovernmental Coordination Element

GOAL: 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 RESOURCES BY MINIMIZING DUPLICATION OF EFFORTS IN ORDER TO PRESERVE AND PROTECT THE QUALITY OF LIFE IN EAGLE LAKE.

OBJECTIVE 1: STATE COMPREHENSIVE PLAN.

~~THE CITY SHALL MAINTAIN AN ADOPTED COMPREHENSIVE PLAN WHICH NOT ONLY MEETS LOCAL NEEDS BUT FURTHERS THE PURPOSE AND INTENT OF THE STATE COMPREHENSIVE PLAN AND THE REGIONAL POLICY PLAN.~~

Policy 1.1: The City shall maintain an adopted 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.

OBJECTIVE 2: COMPREHENSIVE PLAN COORDINATION.

~~THE CITY SHALL DEVELOP A SYSTEMATIC METHOD TO~~ COORDINATE THE VARIOUS ELEMENTS OF THE COMPREHENSIVE PLAN WITH THE EFFECTED ADJACENT LOCAL GOVERNMENTS AND DEPARTMENTS WITHIN THE LOCAL GOVERNMENTS, THE SCHOOL BOARD AND APPROPRIATE REGULATORY AGENCIES.

Policy 2.1: ~~During 2011, t~~The City shall maintain develop and adopt a written guidelines defining which local governments, departments and/or agencies will receive copies of the City's Comprehensive Plan and amendments for their review and use.

- Policy 2.2:** The City shall ~~continue to~~ utilize the “Memorandum of Understanding” with the County to participate in a formal exchange of planning data and service related information.
- Policy 2.3:** The City shall ~~continue to~~ utilize the “Memorandum of Understanding” with the City of Winter Haven to participate in the exchanging of planning data and service related information.
- Policy 2.4:** The City shall develop and adopt a set of annexation policies and criteria to be coordinated with the County and the City of Winter Haven.
- Policy 2.5:** The City shall utilize the “Memorandum of Understanding” in cooperation with the County and the City of Winter Haven, 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.
- OBJECTIVE 3:** **PLAN IMPACTS.**
- ~~THE CITY SHALL DEVELOP A PROCESS TO REVIEW AND ASSESS POTENTIAL IMPACTS OF ANY PROPOSED DEVELOPMENT OR PROPOSED AMENDMENTS CONTAINED IN ITS COMPREHENSIVE PLAN ON THE COUNTY, WINTER HAVEN, THE REGION, AND THE STATE.~~
- Policy 3.1:** The City shall develop, as a part of its site plan and impact statement review process, a listing of 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, and a timing mechanism for response.
- Policy 3.2:** The City shall notify to the School Board of all requests for residential development orders.
- Policy 3.3:** The City shall utilize the “Memorandum of Understanding”, in cooperation with the County to develop and adopt a coordination process notify and be notified of Comprehensive Plan Element amendments, particularly land use, recreation, and infrastructure.
- Policy 3.4:** The City shall institute, in cooperation with the City of Winter Haven, a “Memorandum of Understanding” for the purpose of developing and adopting a coordination process to notify and be notified of Comprehensive Plan Element amendments, particularly land use, recreation, and infrastructure.
- Policy 3.5:** The City shall adopt a review process of its own Comprehensive Plan to evaluate compatibility with the Plans of adjacent local governments and record how and where they are or are not compatible

- Policy 3.6:** The City shall adopt the Regional Planning Council’s mediation process as its initial recourse to resolve disputes between any other local government on matters relating to the Comprehensive Plan.
- Policy 3.7:** The City shall participate with the Region in increasing public participation in the implementation of the Central Florida Regional Policy Plan.
- Policy 3.8:** The City will coordinate with Polk County and municipalities to promote the implementation of consistent land use policies and mobility strategies with the County Transit Corridors and Centers Overlays to ensure a seamless transportation system.
- Policy 3.9:** The City will coordinate with the PTPO and the Polk Transit Authority for the provision of major transportation facilities and mass transit.
- Policy 3.10:** The City will forward notice of proposed future land use plan policies related to hurricane shelters and evacuation routes, as well as map amendments resulting in an increase in population, to the Central Florida Regional Planning Council (CFRPC) and the Polk County Emergency Management Department to determine hurricane shelter space availability and the effect of increased evacuating populations on evacuation clearance times and routes. The City will coordinate with the Polk County Emergency Management Department to locate hurricane shelters and evacuation routes in the City.
- Policy 3.11:** The City will coordinate with Polk Vision, myregion.org’s How Shall We Grow – Growth Scenario, and the Heartland 2060 Vision.
- Policy 3.12:** The City will coordinate with Polk County to establish a process for the maintenance and update of the PolkGreen Overlay, as well as the development and implementation of policies to acquire, conserve, or construct green infrastructure.

OBJECTIVE 4: INTERLOCAL AGREEMENTS.

~~UTILIZE~~ INTERLOCAL AGREEMENTS ~~AS THE SHALL BE A PRIMARY TOOL UTILIZED BY THE CITY FOR ASSISTING IN IMPLEMENTING TO ASSIST IN THE IMPLEMENTATION OF~~ THE GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN AND FOR SECURING SERVICES IN A COOPERATIVE MANNER FROM OTHER LOCAL GOVERNMENTS, AGENCIES, AND PRIVATE ENTITIESPARTIES.

- Policy 4.1:** The City shall ~~continue to~~ use current interlocal agreements with other local governments and agencies that are of benefit to the residents of Eagle Lake.
- Policy 4.2:** The City shall ~~continue to~~ use the provisions of Chapter 163.01, Florida Interlocal Cooperation Act of 1969, Florida Statutes, to govern the agreements made between the City and other local governments, agencies, and private parties.
- Policy 4.3:** The City shall enter into interlocal agreements with any local government, agency, and/or private ~~entities~~ party when beneficial services can be attained for the betterment of the quality of life for Eagle Lake residents.
- OBJECTIVE 5:** **LEVEL OF SERVICE COORDINATION.**
- ~~THE CITY SHALL COORDINATE, AS APPROPRIATE, ANY CHANGES IN ESTABLISHED LEVEL OF SERVICE STANDARDS FOR PUBLIC FACILITIES.~~
- Policy 5.2:** The City shall establish procedures whereby affected governmental entities within Eagle Lake's Planning Area ~~may~~ must comment on any proposed changed in level of service standards.
- Policy 5.2:** The City, when notified by other governmental entities of proposed changes in their level of services standards, shall review and respond as appropriate.
- OBJECTIVE 6:** **SCHOOL FACILITIES.**
- INTEGRATE LAND USE AND SCHOOL FACILITY PLANNING IN POLK COUNTY 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 6.1:** 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 6.2:** ~~Coordinate with the School Board to participate in Develop a process for~~ an annual joint review of the capital plans for the school board and the local government.
- Policy 6.3:** ~~Coordinate with the School Board to p~~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 6.4:** The City of Eagle Lake shall coordinate with the efforts of ~~Polk County and~~ the School Board to provide emergency shelter, in accordance with Florida Statutes, when the construction of new facilities, or rehabilitation or expansion of existing facilities is being considered.

OBJECTIVE 7: SCHOOL SITING.

~~POLK COUNTY AND THE CITY OF EAGLE LAKE 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 EDUCATION FACILITIES ARE COORDINATED IN TIME AND PLACE, CONCURRENT WITH NECESSARY SERVICES AND INFRASTRUCTURE, AND TO ENSURE COMPATIBILITY AND CONSISTENCY WITH THE COMPREHENSIVE PLAN.~~

Commented [MHB2]: Eagle Lake's Comp Plan cannot impose a requirement on another local government. The policy statements under this objective address the coordination efforts.

Policy 7.1: ~~Polk County and the City of Eagle Lake~~ 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 7.2: ~~Polk County and the City of Eagle Lake~~ 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 7.3: ~~Polk County and the City of Eagle Lake~~ The City shall coordinate with the School Board and other jurisdictions ~~for on the~~ planning and siting of new school facilities to ensure appropriate timing of necessary services and infrastructure and are compatible and consistent with the Comprehensive Plan.

Policy 7.4: ~~Polk County and the City of Eagle Lake~~ 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 current and future land use plan categories as depicted in the zoning/land use matrix, Polk County and the City of Eagle Lake shall by~~ clearly identifying in the Future Land Use Element and Land Development Regulations the land use and zoning categories in which schools are allowable uses.

Policy 7.5: ~~Polk County and the City of Eagle Lake~~ 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 ~~as referenced in F.S. 21013.51.~~

Policy 7.6: ~~Polk County and the City of Eagle Lake~~ The City shall protect schools from the intrusion of incompatible land uses by providing ~~an opportunity for the~~ School Board representatives ~~the opportunity~~ to participate in the review process for all proposed developments adjacent and in proximity to schools.

- Policy 7.7:** The preferred locations for public schools, ~~whether~~ elementary, middle, or high schools, are within the City's Utility Urban Service Areas ~~for utility services and expansions.~~
- Policy 7.8:** ~~Polk County and the City of Eagle Lake~~ The City shall ~~expeditiously~~ automatically process any amendments to the Future Land Use Map upon the approval of a new school site, ~~where necessary. The processing of any amendments shall at cost to the School Board as specified in the fee schedule.~~
- Policy 7.9:** ~~Polk County and the City of Eagle Lake~~ The City shall participate in the School Site Selection process following the terms and limitations established in the School Interlocal Agreement.
- Policy 7.10:** ~~Polk County and the City of Eagle Lake~~ 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 7.11:** ~~Polk County and the City of Eagle Lake~~ The City shall ~~establish an effective process for reserving, coordinate~~ with School Board staff ~~approval, in identifying and securing potential~~ school sites to the extent practical. This which could include:
- A. Consideration of school siting during the completion of area wide studies;
 - B. Encouragement to developers to contribute 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 8.1:** 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 8.2:** Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.
- Policy 8.3:** 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.

Commented [MHB3]: Any fee waiver should be addressed in the fee schedule and does not need to be part of a Comp Plan Policy.

Commented [MHB4]: The City cannot legally "reserve" sites for new school locations.

- Policy 8.4:** 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 8.5:** Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance to residential neighborhoods.
- Policy 8.6:** In cooperation with the School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.
- Policy 8.7:** 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 8.8:** ~~Polk County and the City of Eagle Lake~~ 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, pedestrian, bicycle, and other connectivity to the surrounding residential community.
- Policy 8.9:** The City will cooperate with the School Board and Polk County to ~~R~~reduce capital expenditures ~~for Polk County, the City of Eagle Lake, and the School Board~~ via cost-effective design criteria and shared facilities.

CAPITAL IMPROVEMENTS ELEMENT

PURPOSE

The purpose of the Capital Improvements Element is to evaluate the need for and the location of public facilities as identified in the Comprehensive Plan Elements in order to encourage the efficient use of such facilities for at least a 5-year period. The Capital Improvements Element provides an estimate of the cost of improvements for which the City has fiscal responsibility, including a delineation of when such facilities are necessary to implement the Comprehensive Plan; to analyze the fiscal capability of the City to finance and construct 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 and to maintain adopted levels of service standards for public facilities contained in the Plan.

GOAL: ~~TO PROVIDE THE NECESSARY PUBLIC FACILITIES FOR THE 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.~~

OBJECTIVE 1: CAPITAL FACILITIES CONSTRUCTION

USE THE CAPITAL IMPROVEMENT PROCESS AS ADOPTED, AND ANNUALLY UPDATED, 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~~ SCHEDULE OF THIS ELEMENT. [9J-5.016(3)(B)1] ~~[CR-9(B)]~~

Policy 1.1: The City shall annually evaluate and rank capital improvement projects for the succeeding 5-years. On an annual basis, proposed capital improvement projects shall be evaluated and ranked according to the following priority level criteria and funding feasibility:

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 improvement costs, provides service to developed areas lacking full service or promotes infill 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)]~~

Policy 1.2: The Capital Improvement Element shall be a five-year program that is updated annually and may be amended ~~twice~~, if required through the ~~comprehensive~~ Growth Management plan amendment process. ~~In the event of an emergency, the Capital Improvements Element can be amended more than twice in a year.~~

Policy 1.3: The Capital Improvements Element shall be integrated into the Capital Improvement Program process and the first year of the Capital Improvement Program will represent the Capital budget that is adopted by the City Commission. ~~The Capital Budget will include the first year of the Capital Improvements Element and all other Capital Improvements identified in the Capital Improvements Program.~~

OBJECTIVE 2: CAPITAL IMPROVEMENTS/LAND USE COORDINATION

~~COORDINATE LAND USE DECISIONS (INCLUDING FUTURE LAND USE MAP AMENDMENTS AND ALL DEVELOPMENT ORDERS) SHALL BE COORDINATED WITH THE CITY'S FINANCIAL ABILITY 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]~~

Policy 2.1: The City shall include provisions in its Land Development Regulations for the 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 levels of service standards. ~~[9J-5.016(4)(b)]~~

Policy 2.2: The City staff shall ~~be responsible for~~ certifying that all development orders are consistent with the Land Development Regulations, Comprehensive Plan, and the 5-Year Schedule of Capital Improvements. ~~[9J-5.016(4)(b)] [CR 9(a)(2)]~~

Policy 2.3: ~~The City shall approve~~ Land use development orders ~~shall be granted by the City only when the levels of service for needed facilities can be reasonably met~~ functioning at the adopted level of service exist, or will be available

Commented [MHB1]: Wording from Sec. 380.3180, F.S.I

concurrent with occupancy or use of such developed land. ~~{9J-5.016(4)(b)} {CR 9(a)(1)}; {CR 9(b)(2)}~~

Policy 2.4: The City shall utilize the level of service standards (LOS) identified in this plan to evaluate and permit new development in order to maintain adopted level of service standards for existing and future needs.

Policy 2.5: 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 applicable in the City's utility service area:

- a. Traffic Circulation.
- b. Potable Water.
- c. Sanitary Sewer.
- d. Solid Waste.
- e. Drainage.
- f. Recreation.

A. Traffic Circulation.*

The City of Eagle Lake shall coordinate with the Polk Transportation Planning Organization (TPO) and the Central Florida Regional Planning Council to adopt and apply multi-modal levels of service (LOS) which shall be the minimum acceptable standards for State, County, and local roads within the City limits of Eagle Lake. Said multi-modal LOS standards shall promote transit by lowering levels of service where transit is available. The City hereby adopts multi-modal levels of service.

Figure 2.5.1:

	Highway Minimum Standard	Highway Minimum Duration	Transit	Pedestrian	Bicycle
M1	LOS "D" peak direction	Average of two highest peak hours	60 minute headway	Sidewalk access to bus stop	Bike racks on buses
M2	LOS "E" peak direction	Average of two highest peak hours	30 minute headway	Sidewalk access to bus stop	Bike racks on buses Bike route/system

*Does not supersede SIS LOS Standard as set by Rule 14-94, F.A.C.

For roadways outside the multi-modal service area, the City hereby adopts the following peak season/peak hour standards as the minimum level of service (LOS) standard:

Figure 2.5.2: BASE HIGHWAY LEVEL OF SERVICE STANDARDS ⁽¹⁾

Facility Type	Level of Service
Principal arterial roadways: SIS facilities	C* D
Non-SIS facility	
Minor arterial roadways	D
All other roadways	D
⁽¹⁾ LOS is measured for peak hour/peak direction using the average of the two highest peak hours. * (Or Standard Set by the Department of Transportation)	

B. Potable Water.

Average water consumption rate:

~~132 gallons per capita per day~~

110 gallons per capita per day ~~by FY 2012-13~~

C. Sanitary Sewer.

Average sewage generation rate;

110 gallons per capita per day

D. Solid Waste.

Average solid waste generation rate:

8.0 lbs. per capita per day

E. Drainage.

At the time of development or redevelopment, the City shall require a Drainage Level of Service Standard based on requirements as established in the Land Development Regulations. At a minimum, no system shall be designed at less of the following standards:

1. Drainage Structures:
Ability to handle 25-year, ~~24-hour~~24-hour storm event
2. Stormwater Facilities:
25-year, ~~24-hour~~24-hour storm event at top of bank or berm
3. Storm sewers:
Capacity to handle a 25-year storm event

F. Recreation.

4.5 acres per 1,000 population

Any land permanently dedicated or available to the public for recreation, regardless of provider, may be used to meet the level of service standard.

G. Public School Facilities:

Consistent with Policy 2-B-1 and Policy 2B-2 of the Public School Facilities Element and the Interlocal Agreement for Public School Facilities planning, 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:

<u>TIERED LEVEL OF SERVICE – SCHOOL YEAR 2011-2015</u>					
<u>Facility Type</u>	<u>Year</u>	<u>Year</u>	<u>Year</u>	<u>Year</u>	<u>Year</u>
	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>
<u>Elementary</u>	<u>115%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
<u>Middle</u>	<u>110%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
<u>High School</u>	<u>105%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>

1. 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.
2. Other: K-8, 6th grade centers, 9th grade centers, 6-12th grade schools are at one hundred percent (100%) of permanent DOE FISH capacity.
3. 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.
4. 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 City of Eagle Lake shall apply the LOS standards set forth herein consistently with Polk County, all local jurisdictions, and the School Board on a district-wide basis within the adopted concurrency service areas for each school type in accordance with the policies of the Public School Facilities Element and the Interlocal Agreement for Public School Facilities Planning.

Policy 2.6:

The City ~~hereby~~ adopts by reference, ~~the Southwest Florida Water Management District Regional Water Supply Plan and District Water Management Plan, the most recently approved Florida Department of Transportation (FDOT) and Polk County Transportation Planning Organization Transportation Improvement Plan, as approved by the Polk Transportation Planning Organization (Polk TPO) as part of~~ and the ~~Florida Department of Transportation 5-Year Work Program 2011-2015 into the City's~~ 5-Year Schedule of Capital Improvements.

Policy 2.7:

The City ~~of Eagle Lake hereby~~ adopts, by reference, the most recently approved Polk County School District Five-Year Facilities Work Program, as approved by the Polk County School Board ~~for the years 2010/2011 through 2014/2015 as part of its it's~~ the City's Schedule of Capital Improvements. ~~[Revised by Ord. 08-04; Adopted June, 2007, F.S. 163.3180(13)(a) and 163.3177(12)].~~

~~A.~~ Public School Facilities:

~~Consistent with Policy 2-B-1 and Policy 2B-2 of the Public School Facilities Element and the Interlocal Agreement for Public School Facilities planning, 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:~~

TIERED LEVEL OF SERVICE — SCHOOL YEAR 2011-2015					
Facility Type	Year	Year	Year	Year	Year
	2010-11	2011-12	2012-13	2013-14	2014-15

Elementary	115%	100%	100%	100%	100%
Middle	110%	100%	100%	100%	100%
High School	105%	100%	100%	100%	100%

1. ~~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.~~
2. ~~Other: K-8, 6th grade centers, 9th grade centers, 6-12th grade schools are at one hundred percent (100%) of permanent DOE FISH capacity.~~
3. ~~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.~~
4. ~~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 City of Eagle Lake shall apply the LOS standards set forth herein consistently with Polk County, all local jurisdictions, and the School Board on a district-wide basis within the adopted concurrency service areas for each school type in accordance with the policies of the Public School Facilities Element and the Interlocal Agreement for Public School Facilities Planning.~~

OBJECTIVE 3: CAPITAL IMPROVEMENTS COST SHARING

~~THE CITY SHALL UTILIZE THE METHODOLOGY ESTABLISHED IN THE LAND DEVELOPMENT REGULATIONS TO ENSURE THAT ALL FUTURE DEVELOPMENT PAYS ALL COST ASSOCIATED WITH THE DEMANDS GENERATED AS A RESULT OF THE INDIVIDUAL DEVELOPMENT FOR EXISTING AND FUTURE FACILITY NEEDS. [9]-5.016(3)(B)4.]~~

Policy 3.1:

The City shall amend its Land Development Regulations to 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. ~~[9]-5.016(3)(c)8.] [SCP (18) Public facilities (b) 2 and 3]~~

- Policy 3.2:** ~~During the Planning Horizon,~~ the City shall ~~implement~~establish a cost sharing formula for assessing new development 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.]; [CP (18) Public facilities (b) 3,5 and 9]; [SCP (21) Governmental Efficiency (b) 13]~~
- Policy 3.3:** ~~During the Planning Horizon,~~ ~~t~~The City shall develop and adopt impact fees that contain incentive rates, based on the length of extension, degree of public facility improvement required, degree of reuse of existing facilities or improvements required for older facilities to serve proposed developments. ~~–[CR 9(a)(3)]; [SCP (18) Public Facilities (b) 1,3 and 6]~~
- Policy 3.4:** The City shall not permit the use of small satellite water, wastewater, solid waste, and hazardous waste facilities by proposed developments by requiring, as 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]~~
- Policy 3.5:** The City shall not allow exceptions for developments of de minimis impacts.
- OBJECTIVE 4:** **IMPLEMENTATION.**
- ~~THE CITY WILL IDENTIFY AND ESTABLISH THE SOURCES(S) FOR FUNDING THE NEEDED CAPITAL IMPROVEMENTS IDENTIFIED IN THE SEVERAL PLANNING ELEMENTS. –[9J-5.016(3)(b)5.]~~
- Policy 4.1:** The 5-Year Schedule of Capital Improvements 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. and 9.]; [9J-5.016(4)(a)1. and 2.]~~
- Policy 4.2:** Capital improvement projects shall be evaluated prior to incorporation into the Five-year Capital Improvement Budget, upon the following criteria: the impact of the project on the total capital budget; the City Manager’s evaluation of the condition of public facilities; the relative priority of the project as compared to other capital needs; the financial feasibility of the project; whether the project is necessary to correct a level of service deficiency and the established plans of FDOT. Each City-Department head shall submit to the City Manager, no later than July 1 of 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 Policy 1.1. Such list shall include an evaluation of the life expectancy remaining in the existing facility. ~~–[9J-5.016(3)(c)3. and 9.]; [CR 9(c)(1) and (3)]; [CR 11(a)(2)]~~

OBJECTIVE 5: MANAGING DEVELOPMENT TO PROVIDE NEEDED CAPITAL IMPROVEMENTS.

~~USE THE LAND DEVELOPMENT REVIEW PROCESS SHALL BE MANAGED BY THE CITY TO ENSURE THAT COST 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]~~

Policy 5.1: The City shall use ~~a the adopted~~ Concurrency Management System for making determinations on public facility availability and shall not issue any development order 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;
- D. The Concurrency Management System Plan adopted by the City ensures that the public facilities will be built when needed by the proposed development; or
- E. Determined by the City Staff to not be overburdened. ~~[9J-5.016(3)(c)6.] [CR 9(a)(1) and (4)]; [CR 9(b)(1)] [SCP (18) Public Facilities (b)9]~~

OBJECTIVE 6: EXISTING DEVELOPMENT ORDERS.

~~THE CITY WILL MAKE AVAILABLE ON A PRIORITY BASIS THOSE PUBLIC FACILITIES NEEDED FOR DEVELOPMENTS APPROVED PRIOR TO ADOPTION OF THE COMPREHENSIVE PLAN. [9J-5.016(3)(b)5.]~~

Policy 6.1: Projects approved with development orders issued prior to adoption of the Comprehensive Plan shall be provided needed public facilities on a first priority basis, provided the developer pays the applicable impact fees and other associated cost in order to maintain the adopted level of service standards. Other associated cost necessary to maintain adopted level of service standards shall be established by the City Staff. ~~[9J-5.016(3)(c)5.]~~

OBJECTIVE 7: BUDGETARY PROCEDURES.

~~REVIEW AND UPDATE 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)]~~

- Policy 7.1:** The 5-year capital improvement 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)}~~
- Policy 7.2:** 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.]
- Policy 7.3:** The City ~~of Eagle Lake~~ shall plan for and provide needed capital facilities that are within the fiscal capability of the City through the adoption of a Capital Improvements Program (CIP). ~~For those needed capital facilities that are under the fiscal responsibility of another public agency, the City of Eagle Lake shall adopt by reference the applicable agency's 5-year capital improvement program or work plan.~~
- Policy 7.4:** The City shall reserve and designate Enterprise Fund surpluses for major capital expenditures. ~~{9J-5.016(3)(c)2.}~~
- Policy 7.5:** The City shall establish an annual systematic research program 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.}~~
- Policy 7.6:** 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 benefit those from whom they were collected. ~~{9J-5.016(3)9.}~~
- Policy 7.7:** The City shall periodically evaluate ~~in 2008~~, 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.
- Policy 7.8:** ~~By 2012, t~~I The City shall evaluate the cost of and consider establishing a computer based land development data management system. The system shall consist of a data base, GIS mapping, and any other systems for the purpose of monitoring and managing growth. ~~{SCP (21) Governmental Efficiency (b) 9}~~

PUBLIC SCHOOL FACILITIES ELEMENT

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 POLK COUNTY.

OBJECTIVE 1-A: ~~POLK COUNTY AND THE CITY OF EAGLE LAKE 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 1-A1: Elected Officials Annual Meeting (aka “Schools Summit”).

~~Polk County and the City of Eagle Lake~~ 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 1-A-2: Planners Working Group Annual Meetings.

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 as described in Policy 1-A1, 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 1-A3: Population Projections.

~~Polk County and the City of Eagle Lake~~ 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 1-A4: ~~Polk County and the City of Eagle Lake~~ shall at least annually report on growth and development trends within its jurisdiction to the School Board. ~~Polk County and the City of Eagle Lake~~ 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 1-A5:** 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 1-A6:** The City ~~of Eagle Lake~~ 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 1-A7:** ~~Polk County and the City of Eagle Lake~~ 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 1-A8:** ~~Polk County and the City of Eagle Lake~~ shall appoint a representative selected by the School Board to serve at a minimum as an ex-officio member of their local planning agency but could be a full member with voting rights.
- OBJECTIVE 1-B:** **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 1-B1:** 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 1-B2:** 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 1-B3:** Encourage public/private partnerships between schools, business community, and other employers through mentoring programs, and Adopt-A-School programs with employees.
- OBJECTIVE 1-C:** ~~POLK COUNTY AND THE CITY OF EAGLE LAKE SHALL~~ ESTABLISH NEW AND REVIEW EXISTING COORDINATION MECHANISMS RELATING TO SCHOOL FACILITY PLANNING THAT EVALUATES AND ADDRESSES 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 1-C1: ~~Polk County and the City of Eagle Lake~~ 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; and
- G. Resolution of Disputes.

Policy 1-C2: 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 1-C3: 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 Board of County Commissioners, School Board, and Commissions from other jurisdictions shall meet jointly to develop mechanisms for coordination. Such efforts may include:

- A. Coordinated submittal and review of the annual capital improvement program of Polk County and the City of Eagle Lake, 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, and other appropriate mechanisms as deemed necessary.

GOAL 2: ~~POLK COUNTY AND THE CITY OF EAGLE LAKE 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 2-A: 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 2-A1: ~~Polk County and t~~The City of Eagle Lake shall ~~use it~~ establish development plan review procedures ~~with an effective date of March 1, 2008~~ for all residential and mixed use development proposals in order to implement school concurrency.

Policy 2-A2: ~~The long term target for Polk County Schools, based upon State Requirements for Educational Facilities (SREF), is 100% of Permanent Student Station Capacity.~~

~~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 2-A3: ~~Polk County and t~~The City of Eagle Lake shall collaborate with the School Board to identify methods to achieve targeted school 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; and
- E. Exploring re-use of former non-residential centers as potential urban school sites.

OBJECTIVE 2-B: LEVEL OF SERVICE STANDARDS

Commented [MHB1]: This is NOT a policy statement. I refers to action to be taken by the School Board, not the City of Eagle Lake. Recommend deletion of these statements.

~~POLK COUNTY AND THE CITY OF EAGLE LAKE 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 PLAN. THESE STANDARDS SHALL BE CONSISTENT WITH THE INTERLOCAL AGREEMENT.~~

Policy 2-B1: ~~Polk County and t~~The City of Eagle Lake 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 2-B2: Consistent with the Interlocal Agreement, the uniform district-wide level-of service standards are established as a percent of ~~permanent~~ Florida Department of Education (FDOE) Florida Inventory of School Houses (FISH) capacity. Permanent capacity cannot be increased by adding relocatables. The LOS standards are set as follows:

TIERED LEVEL OF SERVICE — SCHOOL YEAR 2008-2013					
Facility Type	Year 2008-09	Year 2009-10	Year 2010-11	Year 2011-12	Year 2012-13
Elementary	122%	122%	115%	100%	100%
Middle	113%	113%	110%	100%	100%
High School	110%	110%	105%	100%	100%

- 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, 6-12th grade schools 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 2-B3: ~~Where schools operate below their respective LOS standard, their facility needs should be addressed in the School Board's Five Year Program of Work. Facility needs which can not be addressed by the Five Year Program of Work would~~

~~require a long term concurrency management program to be adopted by the School Board.~~

Commented [MHB2]: This statement refers to something the School Board should be required to do. It is not an appropriate policy statement for the City of Eagle Lake.

Policy 2-B34: ~~Polk County and the City of Eagle Lake~~ shall coordinate with the School Board to achieve an acceptable LOS at ~~identified overcapacity/backlogged~~ schools as part of a ~~long term (10 years) and~~ financially feasible concurrency management program. ~~In addition, the City shall coordinate with the School Board to identify long-term solutions for schools with chronic concurrency concerns. 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 2-C: SCHOOL CONCURRENCY SERVICE AREAS

~~POLK COUNTY AND THE CITY OF EAGLE LAKE, IN COORDINATION WITH OTHER JURISDICTIONS AND THE SCHOOL BOARD, SHALL~~ ESTABLISH SCHOOL CONCURRENCY SERVICE AREAS (SCA) WITHIN WHICH A DETERMINATION IS MADE OF WHETHER ADEQUATE SCHOOL CAPACITY IS AVAILABLE BASED ON THE ADOPTED LEVEL OF SERVICE STANDARDS.

Policy 2-C1: The School Concurrency Service Areas (CSAs) for the Polk County School District, as agreed in the Interlocal Agreement, shall be based on 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, Polk County and the City ~~of Eagle Lake~~ shall coordinate with the School Board 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.

Policy 2-C2: 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' within Polk County's and the City of Eagle Lake's development approvals for the CSA and for contiguous CSAs.

Policy 2-C3: 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 2-D: PROCESS FOR SCHOOL CONCURRENCY IMPLEMENTATION

~~IN COORDINATION WITH THE SCHOOL BOARD, POLK COUNTY AND THE CITY OF EAGLE LAKE WILL ESTABLISH A PROCESS FOR IMPLEMENTATION OF SCHOOL CONCURRENCY WHICH INCLUDES CAPACITY DETERMINATIONS AND AVAILABILITY STANDARDS. POLK COUNTY AND THE CITY OF EAGLE LAKE 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.~~

Commented [MHB3]: This is stated as Policy 2-D1 and should not be included in the objective statement.

- Policy 2-D1:** 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 2-D2:** School concurrency shall apply only to residential development or a phase of residential development that generate 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 2-D3:** ~~Polk County and the City of Eagle Lake~~ 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 2-D4:** ~~Polk County and the City of Eagle Lake~~, 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 2-D5 (a):** ~~Polk County and the City of Eagle Lake~~ 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 school concurrency mitigation commitments, as provided herein.
- Policy 2-D5 (b):** 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 2-D6:** ~~Polk County and the City of Eagle Lake~~ 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 2-D7: ~~Polk County and the City of Eagle Lake~~ shall only issue a concurrency approval for a 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 recording of the subdivision plat or permitting of 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 2-D8: 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 proportionate share or other 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~~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 2-D9: If the impact of the project will not occur until years 2 or 3 or later in year 1 of the School Board's financially feasible ~~Five-Year~~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~~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 school concurrency mitigation, or some other means.

OBJECTIVE 2-E: SCHOOL CONCURRENCY MITIGATION

~~POLK COUNTY AND THE CITY OF EAGLE LAKE 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 FIVE-YEAR PROGRAM OF WORK.~~

Policy 2-E1: 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~~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 2-E2: 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 2-E3: 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, Polk County, the City of Eagle Lake 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~~ Plan 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 2-E4: 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, as determined by the Interlocal Agreement.

Policy 2-E5: 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 2-F: ~~POLK COUNTY AND THE CITY OF EAGLE LAKE, IN COORDINATION WITH OTHER JURISDICTIONS, SHALL ENSURE EXISTING DEFICIENCIES AND FUTURE NEEDS ARE ADDRESSED CONSISTENT WITH THE ADOPTED LEVEL OF SERVICE STANDARDS FOR PUBLIC SCHOOLS.~~

Policy 2-F1: ~~Polk County and t~~The City of Eagle Lake, 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 2-F2: ~~Polk County and t~~The City of Eagle Lake hereby incorporates by reference the School Board's financially feasible ~~Five-Year~~Five-Year Program of Work

Policy 2-F3: ~~Polk County and t~~The City of Eagle Lake shall work with developers and other entities continue to investigate the feasibility of alternative additional 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 3-A: ~~POLK COUNTY AND THE CITY OF EAGLE LAKE~~ 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 TO ENSURE COMPATIBILITY AND CONSISTENCY WITH THE COMPREHENSIVE PLAN.

- Policy 3-A1:** ~~Polk County and t~~The City of Eagle Lake 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 3-A2:** ~~Polk County and t~~The City of Eagle Lake 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 3-A3:** ~~Polk County and t~~The City of Eagle Lake 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 are compatible and consistent with the Comprehensive Plan.
- Policy 3-A4:** ~~Polk County and t~~The City of Eagle Lake 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 current and future land use plan categories as depicted in the zoning/land use matrix. ~~Polk County and t~~The City of Eagle Lake shall clearly identify in the Future Land Use Element and Land Development Regulations the land use and zoning categories in which schools are allowable uses.
- Policy 3-A5:** ~~The siting of new schools, location 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 in unincorporated Polk County except in the Urban Development and Urban Growth Areas (UDA and UGA respectively) within the Polk City and Ridge Special Protection Areas.~~
- Policy 3-A6:** ~~Polk County and t~~The City of Eagle Lake 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 ~~as referenced in F.S. 1013.51.~~
- Policy 3-A7:** ~~Polk County and t~~The City of Eagle Lake 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.

Commented [MHB4]: The Green Swamp is not located within the City Limits of Eagle Lake; therefore, this policy should be deleted.

- Policy 3-A8:** The preferred locations for public schools, whether elementary, middle or high schools are within the ~~Utility~~~~Urban~~ Service Areas for utility services and expansions.
- Policy 3-A9:** ~~Polk County and the City of Eagle Lake~~ shall ~~automatically~~ process amendments to the Future Land Use Map upon the approval of a new school site, where necessary. The processing of any amendments shall be at no cost to the School Board.
- Policy 3-A10:** ~~Polk County and the City of Eagle Lake~~ shall participate in the School Site Selection process following the terms and limitations established in the Interlocal Agreement.
- Policy 3-A11:** ~~Polk County and the City of Eagle Lake~~ shall collaborate with the School Board, ~~Polk County~~ and other jurisdictions to ensure the provision of supporting infrastructure as required by the Interlocal Agreement and applicable Florida Statutes.
- Policy 3-A12:** ~~Polk County and the City of Eagle Lake~~ 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. Encouragement to developers to contribute towards the provision of school facilities.
- OBJECTIVE 3-B:** 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 3-B1:** 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.
- Policy3-B2:** ~~Support and encourage the provision of~~ Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.
- Policy 3-B3:** 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 3-B4:** 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 3-B5:** Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance to residential neighborhoods.
- Policy 3-B6:** In cooperation with the School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.
- Policy 3-B7:** 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 3-B8:** ~~Polk County and the City of Eagle Lake~~ 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, pedestrian, bicycle and other connectivity to the surrounding residential community.
- Policy 3-B9:** Reduce capital expenditures for ~~Polk County~~, the City of ~~Eagle Lake~~ and the School Board via cost-effective design criteria and shared facilities.
- OBJECTIVE 3-C:** **PLAN FOR THE EXPANSION AND/OR REHABILITATION OF EXISTING SCHOOL FACILITIES TO MAINTAIN AND IMPROVE NEIGHBORHOODS AND COMMUNITIES.**
- Policy 3-C1:** Where existing schools are proposed to be expanded, substantially renovated or new schools are proposed to be built, ~~Polk County and the City of Eagle Lake~~ 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 3-C2:** Coordinate with the School Board, Florida Department of Transportation (FDOT), the Polk 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 seeking grant funding to enhance access and inter-modal connectivity to and between schools, their co-located facilities, neighborhoods, and proximate community facilities such as parks.

- OBJECTIVE 3-D:** IMPLEMENT PROVISIONS OF THE INTERLOCAL AGREEMENT BY COORDINATING THE LOCATION OF EDUCATIONAL FACILITIES AND THE CO-LOCATION OF OTHER PUBLIC FACILITIES.
- Policy 3-D1:** ~~Polk County and the City of Eagle Lake~~ 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 3-D2:** 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 3-D3:** ~~Polk County and the City of Eagle Lake~~ Where financially feasible, the City of Eagle Lake will provide funding within their Capital Improvements Element to allow for identified and potential co-location projects.
- OBJECTIVE 3-E:** STRENGTHEN EXISTING NEIGHBORHOODS AND ENHANCE COMMUNITY AND NEIGHBORHOOD DESIGN THROUGH THE CO-LOCATION AND JOINT USE OF EDUCATIONAL FACILITIES.
- Policy 3-E1:** ~~Polk County and the City of Eagle Lake~~, 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 3-E2:** ~~Polk County and the City of Eagle Lake~~ 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 3-E3:** Utilize ~~Continue to exercise~~ joint use agreements between the School Board, Polk County, the City of Eagle Lake, 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 3-E4:** 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 3-E5:** Each year upon adoption of the School Board's Five--Year ~~Work Program of Work, and as coordinated by Polk County and the School Board, the City will participate in meetings of~~County staff shall assist the School Board as needed in ~~bringing together~~ relevant agencies to discuss planning and budgeting for possible co-located facilities. The coordination may include staff from the affected ~~local government's~~County and/or City planning, parks and recreation, library, police/law enforcement, civic groups, and other government agencies as necessary. ~~This~~ coordination meeting should occur several years prior to commencement of school construction in order to achieve maximum co-location opportunities.
- Policy 3-E6:** Encourage the business community, developers, and other private organizations to coordinate with ~~Polk County, the City of Eagle Lake 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 4-A:** **INTEGRATE LAND USE AND SCHOOL FACILITY PLANNING IN ~~THE CITY~~ ~~POLK COUNTY~~ 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 4-A1:** 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 4-A2:** Develop a process for an annual joint review of the capital plans for the school board and the local government.
- Policy 4-A3:** 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 4-A4:** ~~Polk County shall coordinate with the efforts of the School Board to provide emergency shelter, in accordance with Florida Statutes, when the construction of new facilities or rehabilitation or expansion of existing facilities are being considered.~~

Commented [MHB5]: A municipality's Comp Plan cannot compel Polk County or another agency to take action.

The City, in cooperation with the School Board, Polk County and other municipalities in Polk County, shall identify issues related 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; and
- a-c. The designation of sites other than public schools as long-term shelters, to allow school to resume normal operations following emergency events.

OBJECTIVE 4-B: SUPPORT SCHOOL BOARD PROGRAMS TO EFFECTIVELY AND EFFICIENTLY MANAGE EXISTING CAPITAL AND OPERATIONAL FUNDS AND RESOURCES.

Policy 4-B1: ~~Polk County and t~~The City of Eagle Lake shall cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

Policy 4-B2: 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 4-B3: ~~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.~~

Commented [MHB6]: I do not believe this is an appropriate policy statement for the Comprehensive Plan.

Policy 4-B34: Give priority in scheduling ~~City~~county programs and capital improvements which are consistent with and which meet the capital needs identified in the school facility planning program(s).

Policy 4-B45: Coordinate and provide input to 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 4-B56: Consider joint funding for expanding appropriate school facilities to function as community service centers.

Policy 4-B67: 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 4-B78: ~~Polk County and the City of Eagle Lake~~ The City of Eagle Lake 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 4-B89: Support School Board efforts to allow the private sector to construct school facilities and/or lease land or facilities to the School Board.

Policy 4-B10: ~~Polk County and the City of Eagle Lake~~ The City of Eagle Lake shall identify infrastructure projects within ~~Polk County's and the City's of Eagle Lake'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 5-A: ~~POLK COUNTY AND THE CITY OF EAGLE LAKE SHALL IMPLEMENT THE OBJECTIVES AND POLICIES OF THE PUBLIC SCHOOL FACILITIES ELEMENT IN COORDINATION WITH THE SCHOOL BOARD AND LOCAL MUNICIPALITIES.~~

Policy 5-A1: ~~Polk County and the City of Eagle Lake~~ The City ~~Manager of Eagle Lake Administrator~~, or designee, shall be responsible for implementing the educational facilities objectives and policies included in ~~Polk County and the City of Eagle Lake Comprehensive Plan.~~

Policy 5-A2: ~~Polk County and the City of Eagle Lake~~ The City of Eagle Lake shall adopt development regulations as necessary to implement the objectives and policies of the Public School Facilities Element.

Policy 5-A3: ~~Polk County and the City of Eagle Lake~~ The City of Eagle Lake shall maintain intergovernmental agreements with other local governments in order to attain common objectives within the Public School Facilities Element.

Policy 5-A4: ~~Polk County and the City of Eagle Lake~~ The City of Eagle Lake shall establish contact with other governmental agencies and private organizations, as needed, to carry out Public School Facilities Element objectives and policies.

- Policy 5-A5:** ~~Polk County and the City of Eagle Lake~~ shall revise permitting or permit-related procedures, as necessary, to carry out the objectives and policies of the Public School Facilities Element.
- Policy 5-A6:** ~~Polk County and the City of Eagle Lake~~ shall develop and implement programs or methodology, and conduct any studies required by the Public School Facilities Element.
- Policy 5-A7:** ~~Polk County and the City of Eagle Lake~~ shall determine from the School Board the inventories required by the Public School Facilities Element.
- Policy 5-A8:** ~~Polk County and the City of Eagle Lake~~ shall continue to enforce existing regulations where specified within the Public School Facilities Element.
- Policy 5-A9:** 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.

LIST OF DEFINITIONS AND ACRONYMS**~ A ~**

ACT: Means Section 163.01 and Part II of Chapter 163, Florida Statutes as amended from time to time.

ADEQUATE PUBLIC FACILITIES: Public facilities available to serve a development in a manner to meet the levels of service set forth in the Capital Improvements Element and the Concurrency Management System.

ADJACENT MUNICIPALITIES: Those municipalities that could have an immediate effect on land use decisions.

ADJACENT SCHOOL SERVICE AREAS: School Service Areas which have a contiguous (coterminous) boundary.

ADAPTIVE USE: The process of converting a building to a use other than that for which it was originally designed.

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.

AFFORDABLE HOUSING: Housing for which monthly rents or monthly mortgage payments, including taxes, insurance, and utilities, do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households or persons indicated in Section 420.0004, F.S. Affordable housing definitions that are prescribed by other affordable housing programs administered by either the United States Department of Housing and Urban Development or the State of Florida may be used by local governments if such programs are implemented by the local government to provide affordable housing. ~~[Source: Rule 9J-5, FAC]~~

AGRICULTURAL USES: Activities within land areas which are predominantly used for the cultivation of crops and livestock including: crop land; pasture land; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas.

AMNESTY DAYS: A period time authorized by the state for the purpose of purging small quantities of hazardous waste, free of charge, from the possession of homeowners, farmers, schools, state agencies, and small businesses.

ANNEXATION: The adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.

AQUIFER: A water-bearing stratum of permeable rock, sand, or gravel.

ARTERIAL ROAD: 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.

AVAILABILITY OR AVAILABLE: With regard to the provision of facilities and services concurrent with the impacts of development, means that at a minimum the facilities and services will be provided in accordance with the ~~standards set forth in Rule 9J-5.0055(2), Florida Administrative Code.~~

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.

~ B ~

BEST MANAGEMENT PRACTICE (BMP): A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

BICYCLE AND PEDESTRIAN WAYS: Any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded. ~~(§9J-5.003, F.A.C.)~~

BLIGHTED AREAS: Developed areas which have deteriorated through neglect or abandonment and which could benefit the community if redeveloped.

BUFFER: An area or strip of land established to separate and protect one type of land use from another with which it is incompatible. A buffer area typically is landscaped and contains vegetative plantings, berms, and/or walls or fences to create a visual and/or sound barrier between the two incompatible uses.

BUILDING: A structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, packing house, or similar structure. Buildings may refer to a historically or architecturally-related complex, such as a house or jail, or a barn.

~ C ~

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

CAPITAL BUDGET: The portion of each local government's budget which reflects capital improvements scheduled for a fiscal year.

CAPITAL IMPROVEMENT: Physical assets constructed or purchased to provide, 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 purposes 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.

CAPITAL IMPROVEMENT PROGRAM (CIP): A five-year listing of proposed capital improvement projects.

CAPITAL IMPROVEMENTS ELEMENT (CIE): The Capital Improvements Element of the City.

CERTIFICATE OF CONCURRENCY: 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 shall specify the public facilities and services which are to be constructed, timing of 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 expired.

CHANGES TO CAPACITY: Additions, deletions, remodeling, or change of use to the physical plant which increase or decrease the FISH student stations.

CLASS SIZE AMMENDMENT: 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.

CLUSTER DEVELOPMENT: A development pattern - for residential, commercial, industrial, institutional, or combinations of such uses - in which the uses are grouped or "clustered" through a density transfer, rather than spread evenly throughout a parcel as a conventional lot-by-lot development.

CO-LOCATION: The placing of two (2) or more public use facilities such as but not limited to schools, libraries, parks, fire, police, and EMS on the same or adjacent parcel(s) of land.

COLLECTOR ROAD: 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. ~~(\$91-5.003, F.A.C.)~~

COMMERCIAL USES: Activities within land areas which are predominantly connected with the sale, rental, and distribution of products, or performance of services.

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.

COMMUNITY PARK: A park between 16 and 100 acres in size designed to serve more than one neighborhood.

COMPREHENSIVE PLAN: The Comprehensive Plan of the City, including the various Elements, as adopted and amended.

CONCURRENCY: The necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur. ~~(\$9J-5.003, F.A.C.)~~

CONCURRENCY MANAGEMENT SYSTEM: The procedures and/or process that the local government will utilize to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development. ~~(\$9J-5.003, F.A.C.)~~

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.

CONE OF INFLUENCE: An area around one or more major water wells the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawdown depth.

CONSERVATION USES: Activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality and/or quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

CONSISTENCY: Compatible with and furthering the goals, objectives, and policies of the Comprehensive Plan Elements and the Interlocal Agreement for Public Schools Facilities Planning.

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.

CRITICAL HABITAT: The specific area within a geographical area occupied by plant or animal species listed by the Florida Department of Agriculture and Consumer Services, Florida Game and Freshwater Fish Commission, or U.S. Fish and Wildlife Service as endangered, threatened, or species of special concern on which are found those physical or biological features (a) essential to the conservation of the species and (b) which may require special management considerations or protection.

CURRENTLY AVAILABLE REVENUE SOURCES: An existing source and amount of revenue presently available to the local government. It does not include a local government's present intent to increase the future level or amount of a revenue source which is contingent on ratification by public referendum. ~~(\$9J-5.003, F.A.C.)~~

~ D ~

DEMOLITION: The complete or constructive removal of any or part or whole of a building or structure upon any site when same will not be relocated intact to a new site.

DEVELOPER: Any person, including a governmental agency, undertaking any development. (§380.031, F.S.)

DEVELOPMENT: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.

The following activities or uses shall be taken to involve "development":

A reconstruction, alteration of the size, or material change in the external appearance of a structure on land; a change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction"; commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land; demolition of a structure; clearing of land as an adjunct of construction; deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken to involve "development":

Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way; work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks, or the like; work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure; the use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling; the use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products, raising livestock, or for other agricultural purposes; a change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class; a change in the ownership or form of ownership of any parcel or structure; the creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

"Development" as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. (§380.04, F.S.)

DEVELOPMENT AGREEMENT: 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.

DEVELOPMENT AGREEMENT (PUBLIC SCHOOLS FACILITIES) – 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 OF REGIONAL IMPACT (DRI): Any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

DEVELOPMENT ORDER: Any order granting, denying, or granting with conditions an application for a development permit. (§380.031, F.S.)

DEVELOPMENT PERMIT: Includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development. (§380.031, F.S.)

DEVELOPMENT PERMIT (PUBLIC SCHOOLS FACILITIES): 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.

DEVELOPMENT REVIEW: See site plan review.

DISTURBANCE: Digging, excavating, and similar activity conducted at an archaeological site.

DRAINAGE BASIN: The area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin. ~~(§9J-5.003, F.A.C.)~~

DRAINAGE DETENTION STRUCTURE: A structure which collects and temporarily stores stormwater for the purpose of treatment through physical, chemical, or biological processes with subsequent gradual release of the stormwater. ~~(§9J-5.003, F.A.C.)~~

DRAINAGE FACILITIES: A system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures. ~~(§9J-5.003, F.A.C.)~~

DRAINAGE RETENTION STRUCTURE: A structure designed to collect and prevent the release of a given volume of stormwater by complete on-site storage. ~~(§9J-5.003, F.A.C.)~~

DWELLING UNIT: A structure in which occupants live and eat separately from anyone else, and have direct access to the outside (e.g. to a hallway or street) of the unit.

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ECOLOGICAL COMMUNITIES: See Vegetative Communities.

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.

EDUCATIONAL USES: 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 buildings, campus open space, dormitories, recreational facilities or parking.

ENVIRONMENTALLY SENSITIVE LAND: Wetlands, floodplains, cones of influence, aquifer recharge areas, or critical habitat for plant or animal species listed by the Florida Department of Agriculture and Consumer Services, Florida Game and Freshwater Fish Commission, or U.S. Fish and Wildlife Service as endangered, threatened, or species of special concern.

EVACUATION ROUTES: Routes designated by county civil defense authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane. ~~(\$91-5.003, F.A.C.)~~

EXISTING SCHOOL FACILITIES: School facilities constructed and operational at the time a School Concurrency Application is submitted to Polk County.

EXTREMELY LOW INCOME PERSONS: One or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.

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FAMILY DAY CARE HOME: An occupied residence in which child care is regularly provided to no more than five preschool children from more than one unrelated family and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. The maximum number of five preschool children living in the home and preschool children received for day care who are not related to the resident caregiver. Elementary school siblings of the preschool children received for day care may also be cared for outside of school hours provided the total number of children, including the caregiver's own and those related to the caregiver, does not exceed 10.

FINAL DEVELOPMENT APPROVAL: The approval of a final plat, site plan, or building permit for development.

FINANCIALLY FEASIBLE PLAN: Sufficient revenues are currently 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 for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and developer contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the period covered by the 5-year schedule of capital improvements. A comprehensive plan shall be deemed financially feasible for transportation and school facilities throughout the planning period addressed by the capital improvements schedule if it can be demonstrated that the level-of-service standards will be achieved and maintained by the end of the planning period even if in a particular year such improvements are not concurrent as required by s. 163.3180, F.S.

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.

FLOODPLAINS: Areas inundated during a 100-year flood event or identified by the National Flood Insurance Program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps. ~~(\$9J-5.003, F.A.C.)~~

FLOODWAYS: The channel of a stream plus any adjacent flood plain areas that must be kept free of encroachment in order that the 100-year flood may be carried without substantial increases in flood heights.

FLORIDA INVENTORY OF SCHOOL HOUSES (FISH) CAPACITY: The report of the permanent capacity of existing public school facilities. The FISH capacity is the number of students that may be housed in a facility (school) at any given time as determined by the Florida Department of Education, Office of Educational Facilities. 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 Statutes.

FOSTER CARE FACILITY: 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.

FRONTAGE ROAD: A road designed to parallel a major roadway, thereby allowing the major roadway to function as a limited-access facility while providing access to lands adjacent to the roadway (sometimes designated a "service road".)

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GOAL: The long term end toward which programs or activities are ultimately directed. ~~(\$9J-5.003, F.A.C.)~~

GREEN INFRASTRUCTURE: Open spaces, natural areas, greenways, wetlands, parks, forests, treed roadway corridors, and similar areas that naturally sequester carbon dioxide and reduce the heat island effect in urban areas.

GROUP HOME: 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.

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HAZARDOUS MATERIAL: Any hazardous chemical, toxic chemical, or extremely hazardous substance, as defined in s. 329 of Title III. (§252.82, F.S.)

HAZARDOUS WASTE: Solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

HIGH RECHARGE AREA: Geographic areas designated by a Florida Water Management District where, generally, water enters the aquifer system at a rate of greater than ten inches per year.

HISTORIC RESOURCES: All areas, districts or sites containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant.

HURRICANE SHELTER: A structure designated by local officials as a place of safe refuge during a storm or hurricane. ~~(§91-5.003, F.A.C.)~~

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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.

INCOMPATIBLE LAND USES: Land uses which, if occurring adjacent to one another, have a detrimental effect on one or both of the uses.

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 with in Polk County.

INDUSTRIAL USES: Activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products. ~~(\$9J-5.003, F.A.C.)~~

INFRASTRUCTURE: Those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways. ~~(\$9J-5.003, F.A.C.)~~

INTENSITY: The degree to which land is used, referring to levels of concentration or activity in uses such as residential, commercial, industrial, recreation, or parking.

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LAND DEVELOPMENT REGULATIONS (LDR): Includes local zoning, subdivision, building, and other regulations controlling the development of land. (§380.031, F.S.)

LAND USE: The development that has occurred on land. (§380.031, F.S.)

LEVEL OF SERVICE (LOS): means aAn indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

LEVEL OF SERVICE – PUBLIC SCHOOL FACILITIES (LOS): A standard established to measure utilization within a School Service Area Boundary or Concurrency Service Area.

LIMITED ACCESS FACILITY: 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. ~~(\$9J-5.003, F.A.C.)~~

LOCAL COMPREHENSIVE PLAN: Any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, as amended. (§380.031, F.S.)

LOCAL ROAD: 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. ~~(\$9J-5.003, F.A.C.)~~

LOW-INCOME PERSONS: One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater. (§420.00004, F.S.)

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MAJOR TRIP GENERATORS OR ATTRACTORS: Concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends. ~~(\$9J-5.003, F.A.C.)~~

MANUFACTURED HOME: A mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act. (§320.01, F.S.)

MINERALS: All solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state.

MOBILE HOME: A structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. For tax purposes, the length of a mobile home is the distance from the exterior of the wall nearest to the drawbar and coupling mechanism to the exterior of the wall at the opposite end of the home where such walls enclose living or other interior space. Such distance includes expandable rooms, but excludes bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments that do not enclose interior space. In the event that the mobile home owner has no proof of the length of the drawbar, coupling, or hitch, then the tax collector may in his or her discretion either inspect the home to determine the actual length or may assume 4 feet to be the length of the drawbar, coupling, or hitch. (§320.01, F.S.)

MODERATE-INCOME PERSONS: One or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater. (§420.00004, F.S.)

MULTI-MODAL TRANSPORTATION SYSTEM: A Multi-Modal transportation System in a system that incorporates the movements of people and goods with connections using two or more modes. These modes include air, car, rail, boat, public transit, and non-motorized transportation.

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NATURAL DRAINAGE FEATURES: The naturally occurring features of an area which accommodate the flow of stormwater, such as streams, rivers, lakes and wetlands. ~~(\$9J-5.003, F.A.C.)~~

NATURAL RESERVATIONS: Areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters. ~~(\$9J-5.003, F.A.C.)~~

NATURAL RESOURCES: Land, air, water, groundwater, drinking water supplies, fish and their habitats, wildlife and their habitats, biota, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the State of Florida and situated in an area of critical state concern or offshore from an area of critical state concern. (§380.0558 F.S.)

NEIGHBORHOOD PARK: A park between one and fifteen acres in size that serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways. ~~(§9J-5.003, F.A.C.)~~

NONCONFORMING USE: Uses of land and structures, and characteristics of uses, which are prohibited under the terms of a zoning ordinance but were lawful at the date of the ordinance's enactment.

NONPOINT SOURCE POLLUTION: Any source of water pollution that is not a point source. ~~(§9J-5.003, F.A.C.)~~

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OBJECTIVE: A specific, measurable, intermediate end that is achievable and marks progress toward a goal. ~~(§9J-5.003, F.A.C.)~~

OPEN SPACE: Undeveloped lands suitable for passive recreation or conservation uses.

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PARCEL OF LAND: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit. (§380.031, F.S.)

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.

PLANNED UNIT DEVELOPMENT (PUD): A form of development characterized by a unified site design for a number of housing units, clustering buildings, and providing common open space, density increases, and a mix of building types and land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. Also, a process in which public officials have considerable involvement in determining the nature of development through site plan review. It includes aspects of both subdivision and zoning regulation and usually is administered either through a special permit or a rezoning process.

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.

PLAYGROUND: A recreation area with play apparatus. ~~(\$9J-5.003, F.A.C.)~~

POINT SOURCE POLLUTION: Any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture. ~~(\$9J-5.003, F.A.C.)~~

POLICY: The way in which programs and activities are conducted to achieve an identified goal. ~~(\$9J-5.003 F.A.C.)~~

POLLUTION: The presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property. ~~(\$9J-5.003, F.A.C.)~~

POLKGREEN OVERLAY: An interconnected Network of Open Spaces, Natural Areas, and Agricultural Land. The overlay will provide a framework for land use policies and community investments that provide:

- a. protection of natural resources and wildlife habitat;
- b. habitat corridors through linked open spaces;
- c. protection of historic and cultural resources;
- d. recreational opportunities;
- e. community health benefits;
- f. economic development opportunities; and
- g. multi-use trails connecting population centers to natural areas.

POTABLE WATER: Water suitable for human consumption and which meets water quality standards determined by the Department of Health and Rehabilitative Services, provided through a public system or by private well.

POTABLE WATER FACILITIES: A system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains. ~~(\$9J-5.003, F.A.C.)~~

PRIVATE RECREATION SITES: Sites owned by private, commercial or non-profit entities available to the public for purposes of recreational use. ~~(\$9J-5.003 F.A.C.)~~

PROGRAM OF WORK: See Five Year Program of Work.

PUBLIC ACCESS: The ability of the public to physically reach, enter or use recreation sites including beaches and shores. ~~(\$9J-5.003 F.A.C.)~~

PUBLIC BUILDINGS AND GROUNDS: 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: Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities, and public health systems or facilities.

PUBLIC HURRICANE SHELTER: A structure designated by local emergency management officials and the American Red Cross as a shelter during a hurricane. (§308.032, F.S.)

PUBLIC SCHOOL: A facility owned and maintained by the Polk County School District.

PUBLIC-SUPPLY WATER SYSTEM: A public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. (§403.852, F.S.)

PUBLIC RECREATION SITES: Sites owned or leased on a long term basis by a federal, state, regional or local government agency for purposes of recreational use. ~~(\$9J-5.003, F.A.C.)~~

PUBLIC TRANSIT: Passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus. ~~(\$9J-5.003, F.A.C.)~~

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RECONSTRUCTION: The authentic reproduction of a building or site that once existed, but disappeared or was demolished.

RECREATION FACILITY: A component of a recreation site used by the public such as a trail, court, athletic field or swimming pool. ~~(\$9J-5.003, F.A.C.)~~

RECREATIONAL USES: Activities within areas where recreation occurs.

REDEVELOPMENT: Undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a community redevelopment area or rehabilitation or

conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan. (§163-340, F.S.)

REGIONAL PARK: A park which is designed to serve two or more communities. ~~(§91-5.003, F.A.C.)~~

RELOCATABLE CLASSROOM: A movable, temporary classroom facility also known as a portable.

RELOCATION HOUSING: 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.

RESERVED CAPACITY: The setting aside of an agreed upon quantity of a public facility or service to be used for a specific project having been assigned a development order.

RESIDENT POPULATION: Inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population. ~~(§91-5.003, F.A.C.)~~

RESIDENTIAL USES: Activities within land areas used predominantly for housing.

REASONABLE WALKING DISTANCE: A walking distance defined by the Polk County School Board as less than 2 miles for purposes of bussing 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 neighborhood planning purposes.

RESOURCE PLANNING AND MANAGEMENT COMMITTEE OR COMMITTEE: A committee appointed pursuant to s.380.045. (§380.031, F.S.)

RESTORATION: The creation of an authentic reproduction beginning with existing parts of an original object or building.

REVITALIZATION: The imparting of new economic and community life in an existing neighborhood, area, or business district while at the same time preserving the original building stock and historic character.

RIGHT-OF-WAY: 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. ~~(§91-5.003, F.A.C.)~~

ROADWAY FUNCTIONAL CLASSIFICATION: 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, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories. ~~(§91-5.003, F.A.C.)~~

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SANITARY SEWER FACILITIES: Structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems. ~~(\$9J-5.003, F.A.C.)~~

SANITARY SEWER INTERCEPTOR: A sewerage conduit which connects directly to, and transmits sewage to, a treatment plant. ~~(\$9J-5.003, F.A.C.)~~

SANITARY SEWER TRUNK MAIN: A sewerage conduit which connects directly to, and transmits sewage to, an interceptor. ~~(\$9J-5.003, F.A.C.)~~

SCHOOL BOARD: The Polk County School Board

SCHOOL CONCURRECNY 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.

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.

SEASONAL POPULATION: Part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors. ~~(\$9J-5.003, F.A.C.)~~

SEPTIC TANK: A watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system. (*§10D-6, F.A.C.*)

SERVICES: The programs and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law. ~~(\$9J-5.003, F.A.C.)~~

SHARED USE – Two or more governmental agencies using all or part of a facility under the terms set forth in an interlocal agreement.

SITE: The location of a significant event, activity, building, structure, or archaeological resource.

SITE PLAN: A plan, to scale, showing uses and structures proposed for a parcel of land as required by land development regulations. It includes lot lines, streets, building sites, reserved open spaces,

buildings, major landscape features - both natural and man-made - and, depending on requirements, the locations of proposed utility lines.

SITE PLAN REVIEW: The process whereby local officials review the site plans and maps of a developer to assure that they meet the stated purposes and standards of land development regulations, provide for the necessary public facilities, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping.

SOLID WASTE: Sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

RESIDENTIAL WASTES: Mixed household wastes, excluding yard wastes, generated by the general population.

COMMERCIAL WASTES: Waste generated by the commercial and institutional sectors. Physical characteristics of these wastes are similar to those of residential wastes; in that they consist largely of combustible materials in the form of paper and food wastes from offices, restaurants, retail establishments, schools, motels, and churches.

INDUSTRIAL WASTES: Wastes generated by industrial processes and manufacturing operations, excluding hazardous wastes. These wastes also include general industrial housekeeping and support activity wastes.

SPECIAL WASTES: Wastes having special characteristics or requiring special handling. These wastes include oversize bulky wastes, such as mattresses, and materials generated in demolition and construction projects.

SOLID WASTE FACILITIES: Structures or systems designed for the collection, processing, or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems. ~~(\$91-5.003, F.A.C.)~~

LANDFILL: A landfill is a waste facility which provides for final disposal of solid waste by burying the waste. Landfills are classified for regulatory purposes according to the characteristics of the wastes they are permitted to receive. Currently, all three of the County's operating landfills are identified as Class 1 landfills, which can receive the solid waste typically generated in the City.

SOLID WASTE PROCESSING PLANT: A facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal. ~~(\$91-5.003, F.A.C.)~~

SOLID WASTE TRANSFER STATION: A facility for temporary collection of solid waste prior to transport to a processing plant or to final disposal.

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.

STANDARD HOUSING: Dwelling units that meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

STORMWATER: The flow of water which results from a rainfall event.

STRUCTURE: Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. Structure also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs. (§380.031, F.S.)

SUBDIVISION: Any tract or plot of land divided into two or more lots or parcels less than one acre in size for sale, lease or rent for residential, industrial or commercial use, regardless of whether the lots or parcels are described by reference to recorded plats, metes and bounds description, or by any other legal method. (§10D-6, F.A.C.)

SUBSTANDARD HOUSING: Dwelling units that do not meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

SUPPORT DOCUMENTS: Any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan. ~~(§9J-5.003, F.A.C.)~~

~ T ~

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.

~ U ~

URBAN SPRAWL: Urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity or low-density urban uses, and which are characterized by one or more of the following conditions: (a) The premature or poorly planned conversion of rural land to other uses; (b) The creation of areas of urban development or uses which are not functionally related to land uses which predominate the adjacent area; or (c) The creation of areas of urban development or uses which fail to maximize the use of existing public facilities or the use of areas within which public services are currently provided. Urban sprawl is typically manifested in one or more of the following land use or development patterns: Leapfrog or scattered development; ribbon or strip commercial or other development; or large expanses of predominantly low-intensity, low-density, or single-use development. ~~(§9J-5.003, F.A.C.)~~

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.

~ V ~

VEGETATIVE COMMUNITIES: Ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals. ~~(\$9J-5.003, F.A.C.)~~

VERY-LOW-INCOME PERSONS: One or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

VESTED RIGHT: A right is vested when it has become absolute and fixed and cannot be defeated or denied by subsequent conditions or change in regulations, unless it is taken and paid for. There is no vested right to an existing zoning classification or to have zoning remain the same forever. However, once development has been started or has been completed, there is a right to maintain that particular use regardless of the classification given the property. In order for a nonconforming use to earn the right to continue when the zoning is changed, the right must have vested before the change. If the right to complete the development was not vested, it may not be built, no nonconforming use will be established, and the new regulations will have to be complied with.

~ W ~

WATER RECHARGE AREAS: Land or water areas through which groundwater is replenished. ~~(\$9J-5.003, F.A.C.)~~

WATER WELLS: Wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption.

~ X ~

~ Y ~

~ Z ~

ZERO LOT LINE: A development approach in which a building is sited on one or more lot lines having no yard with the intent to allow more flexibility in site design and to increase the amount of usable open space on the lot.

ACRONYMS

AASHTO	American Association of State Highway and Transportation Officials
ADF	Average daily flow
BMP	Best Management Practice
CIE	Capital Improvements Element
CIP	Capital Improvement Program
CRA	Community Redevelopment Area
CSA	School Concurrency Service Areas
DCA	The Florida Department of Community Affairs
DOE	Department of Education
DRI	Development of Regional Impact
EDB	Ethylene Dibromide
EPA	United States Environmental Protection Agency
FAC	Florida Administrative Code
FDEP (DEP)	Florida Department of Environmental Protection
FDOT	Florida Department of Transportation
FEMA	Federal Emergency Management Agency
FISH	Florida Inventory of School Houses
FS	Florida Statutes
GPCD	Gallons per capita per day
GPD	Gallons per day
HRS	Florida Department of Health and Rehabilitative Services
HUD	United States Department of Housing and Urban Development
HWA	Heartland Water Alliance
LDR	Land Development Regulations
LOS	Level of Service
MGD	Million gallons per day
PSI	Pounds per square inch
PUD	Planned Unit Development
SREF	State Requirements for Educational Facilities
SWFWMD	Southwest Florida Water Management District
TPO	Polk County Transportation Planning Organization
TSDA	Transit Supportive Development Area

EAGLE LAKE PLANNING COMMISSION
REGULAR MEETING
MONDAY, OCTOBER 4, 2021 at 6:30 P.M.
COMMISSION CHAMBERS
675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

Chairwoman Metosh called the meeting to order at 6:30 p.m.

II. INVOCATION

Commissioner Eriksen gave the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Commission and audience said the Pledge of Allegiance to the Flag.

IV. ROLL CALL

PRESENT: Spofford, Eriksen, Roe, Metosh

ABSENT: Aleman

V. STAFF REPORTS

There were no Staff Reports.

VI. PUBLIC HEARING

- A. Consideration of a variance request made by Brian Walsh and Shaun Miller representatives for Clayton Properties, owner of the property located at 941 First Drive, City of Eagle Lake, Florida.**

Shaun Miller and Steve Miller 3020 S Florida Ave Suite 101, Lakeland, FL 33803, are requesting a setback to correct a construction error as the wrong plans were submitted.

MOTION was made by Commissioner Eriksen and seconded by Commissioner Spofford to approve the variance requested by Brian Walsh the applicant and Shawn Miller, the Representative for the owner, Clayton Properties Group, Inc. for the property located at 941 First Dr. for a Four Foot (4') Dimensional Variance to allow Twenty-one Feet (21') in lieu of the required twenty-five (25') as required in Table 2.5.1.10(a) of the Land Development Code for the City of Eagle Lake to construct a Single-Family Residence.

Chairwoman Metosh asked for Commission and audience discussion; there was no audience discussion.

Chairwoman Metosh asked if any other properties were affected with this error.

Shaun Miller and Steve Miller both stated no other homes were affected by this error.

The roll call vote was as follows:

AYES: Spofford, Roe, Eriksen, Metosh

NAYS: None

VII. OLD BUSINESS

There was no Old Business.

VIII. NEW BUSINESS

There was no New Business.

IX. CONSENT AGENDA

A. Approval of the Planning Commission Minutes -----09/08/2021

MOTION was made by Commissioner Spofford and seconded by Commissioner Eriksen to approve the Planning Commission Meeting Minutes of 09/08/2021.

Chairwoman Metosh asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

X. AUDIENCE

There were no comments from the audience.

XI. PLANNING COMMISSION

There were no comments from the Planning Commission.

XII. ADJOURNMENT

MOTION was made by Commissioner Eriksen and seconded by Commissioner Roe to adjourn at 6:38 p.m.

The vote was as follows:

AYES: 4

NAYS: 0

CHAIRWOMAN MICHELLE METOSH

ATTEST:

CITY CLERK DAWN WRIGHT