

## City Commission Work Session

### Meeting minutes February 9, 2022

(APPROVED)

2/9/2022 - Minutes

#### 1. CALL TO ORDER & ROLL CALL

**Commission Members Present:** Eugene Fultz, Robin Gibson, Daniel Williams, Jack Hilligoss

**Commission Members Absent:** Terrye Howell

**Staff Members Present:** James Slaton, City Manager; Albert Galloway, Jr., Jennifer Nanek, City Clerk

Mayor Fultz called the meeting to order at approximately 2:00 p.m.

#### 2. City Manager Comments

James Slaton, City Manager, reported that Jennifer D'hollander has resigned as director of the Lake Wales History Museum. Anderson Hanna has been appointed Interim Director. The board will soon begin a national search for a replacement.

#### 3. Presentation - EDC/Chamber Of Commerce

Skip Alford, Director of the Chamber of Commerce, gave a quarterly report. He will focus on giving updates on just Lake Wales. He is working to get to know the area and area businesses. They have done a rebranding with a new logo and shared business cards with the new logo. The logo has a jewel on it for Crown Jewel of the Ridge. They are trying to fix up and refresh the chamber building. He said he has met with other chamber leaders and the CFDC to see how things are done in Polk County and to be sure we are getting leads in a timely manner. We need to be on their radar. He has responded to 12 leads and conducted 2 site visits. He keeps Mr. Slaton updated weekly. He is looking for developers to encourage them to come. They are working on annexations and the industrial park formerly Longleaf. He shared some demographic information on Lake Wales. The median household income in Lake Wales is \$40,500. Per capita income per individual is \$22,000. Compared to Polk County where the median household income is \$52,000. We have work to do to get these numbers up. We need jobs with good income. Growth is coming. Polk County is one of the fastest areas of growth in the United States. We need a vibrant chamber to work with our businesses. Mr. Alford says he is looking to help work with Karen and efforts to revitalize downtown.

#### 4. Presentation - MainStreet

Karen Thompson, Main Street Director, gave an update on Main Street. Main Street is the biggest return on investment. People are having a great time at events. She reported on the concert series of tribute bands done in partnership with the Arts Center. Oktoberfest was a great event. We need to target more young families that have recently moved here. She reported on Shop small and Make it Magical that went well. There was a window decorating contest that went very well. She reported on the 3rd Thursdays Market which is a well done event. There are plans for a Secret Garden for visitors to downtown to find. Lester Gullede, City Horticulturist, is helping with design and Students from Warner University are helping. Duke Energy is sponsoring the project. Ms. Thompson reviewed some of the new businesses in downtown. They are doing a "Downtown buzz" highlighting a business every month.

Main Street won a Secretary of State award for best mural. Two more murals are coming to downtown. She shared plans to do a video on the restoration of one of the downtown buildings to encourage similar projects elsewhere. They are working on doing a new historic survey of downtown buildings and a set of design guidelines. They want to create an illustrative plan almost a wish list of what we can work towards. Ms. Thompson said there are concerns about parking. She is using a "Closer than you think" campaign. You walk less than at Wal-mart. There is a wine Downtown this weekend.

There have been more than \$1million in sales of property downtown. There is an annual meeting forthcoming. Ed McMahon will be speaking. She invited everyone to come.

Mayor Fultz said the Wales Pointe restaurant and music are great.

5. Presentation - Citrus Connection

This was postponed.

6. Resolution 2022-02, Public Transportation Grant Agreement G2505

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving Resolution 2022-02, authorizing an agreement with the Florida Department of Transportation (FDOT) to provide funding for the design, bid and construction of an aviation fuel farm at the Lake Wales Municipal Airport.

**RECOMMENDATION**

1. Approve Resolution 2022-02, authorizing the execution of Public Transportation Grant Agreement G2505 by the Mayor with the Florida Department of Transportation (FDOT) in the amount of \$803,250.00.

**BACKGROUND** The existing fuel tanks have far exceeded their useful life (over 20 years old) and the 2021 inspection of the fuel tanks concluded that the tanks would not pass a future inspection without significant upgrades. Resolution 2022-02 will provide funding of \$803,250.00 for the design, bid and construction of a new aviation fuel farm at the Lake Wales Municipal Airport.

**OTHER OPTIONS** This project is fully funded by the Florida Department of Transportation.

**FISCAL IMPACT** The current FY 2021/22 Airport capital improvement budget has funding of \$800,000.00 for this project.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Mayor Fultz said they see the potential in the airport.

7. ORDINANCE 2022-06 LDR Updates Chapter 23 Land Development Regulations – 1st Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Staff proposes amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances):

- Sec. 23-303 Streets

- Sec. 23-307 Landscaping - Table 23-421 Permitted Uses - Table 23-422B Dimensional and Area Standards

- Sec. 23-443 Residential PDPs

- Sec. 23-767 Exemptions

**RECOMMENDATION** At a regular meeting on January 25, 2022, the Planning and Zoning Board made a recommendation of approval to City Commission for the proposed changes to the Land Development Regulations. Staff recommends approval at first reading, following a public hearing.

**BACKGROUND** Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments.

Sec. 23-303 Streets Background and justification: Traffic Impact Studies are required for all new development. The intent of this appendix to the code, according to the language prepared by the City's consulting transportation planning firm, is: to define the requirements, procedures and methodology for the preparation and submission of a traffic impact study (TIS) in the City of Lake Wales and to provide equitable, consistent and systematic means of determining the future impact of proposed developments while maintaining the adopted service levels on all roadways.

### **Appendix: Traffic Impact Study Guidelines and Requirements**

**Purpose & Intent** The purpose of the traffic impact study is to identify the potential impacts of new development on the City of Lake Wales transportation network and to provide information which will allow a concurrency determination to be made on each impacted segment. The traffic impact study will identify development traffic volumes on each impacted segment and intersection within a defined area, identify those roadway segments and intersections on which the adopted Level of Service cannot be maintained, include link and intersection analysis, and recommend potential solutions and/or mitigation for those segments and intersections on which the adopted Level of Service is not being met and the associated improvements necessary to regain concurrency.

The intent of this document is to define the requirements, procedures and methodology for the preparation and submission of a traffic impact study (TIS) in the City of Lake Wales and to provide an equitable, consistent and systematic means of determining the future impact of proposed developments while maintaining the adopted service levels on all roadways. Nothing contained in this document shall waive any requirement contained elsewhere in the Lake Wales Land Development Code.

**Applicability** The requirements, procedures and methodology for a traffic impact study contained in this section shall apply to all development approvals in incorporated Lake Wales. In all cases, it will be the responsibility of the applicant to demonstrate to the Administrative Official and the Polk TPO that a proposed development will not unduly impact the road system.

### **Standard Requirements**

As identified in Table 1: Traffic Study Requirements, there are three (3) levels of traffic studies that could be required. The study requirements and depth of analysis are defined for the three (3) study "tiers" in Table 1 and the subsequent sections.

### **Table 1: Traffic Study Requirements**

Tier 1 – Traffic Review Tier 2 – "Minor Traffic Study" Tier 3 – "Major Traffic Study"

Maximum AM or PM Peak Hour Two Way Net New Trips ≤ 50 51 to 99 > 99 See Section 1 for additional details.

## Methodology

Methodology Letter/ Statement Not Required Required. See Section 2 for requirements.

Methodology Meeting Not Required Not Required Required. A methodology letter shall be provided prior to the meeting for City review.

## Study Area

### Study Segments

If the development accesses directly onto a segment identified on the Concurrency Determination Network, this segment shall be evaluated. If the directly accessed segment on the Concurrency Determination Network does not meet the adopted standard, backlogged, constrained or otherwise, the City may require study of additional segments and intersections. If the development does not directly access a segment on the Concurrency Determination Network, no segment evaluation will be required.

Directly accessed segments on the Concurrency Determination Network and all roadway segments where peak hour project generated trips are estimated to consume 5% or more of the peak hour directional service volume, based on service volumes documented in the latest version of the Polk County TPO Roadway Network Database.

**Table 1: Traffic Study Requirements** Tier 1 – Traffic Review Tier 2 – "Minor Traffic Study" Tier 3 – "Major Traffic Study"

Study Intersections Driveway Access Points Driveway access points and all signalized intersections and major unsignalized intersections for which an approach leg is a study segment.

### Technical/Evaluation Requirements

**Data Collection** Intersection turning movement and roadway segment volume traffic data used in analysis shall be less than 12 months old (from the date that the methodology receives approval from the City) and shall be collected during periods of normal traffic conditions. Traffic volumes shall be adjusted to peak season using appropriate correction factors.

**Background Traffic** Background traffic shall be based on historical growth rates, calculated from historic average annual daily traffic (AADT) data at nearby FDOT count stations, or other historic AADT data, if available. Include any vested trips documented within the buildout year, if directed by City or designee. In some cases, for a Tier 3 Study, additional planned development traffic may need to be incorporated if the combined level exceeds the historic growth factor in the study area roadway segments.

**Committed Improvements** Projects identified for construction in the first three years of an adopted Work Program (WP), Transportation Improvement Program (TIP), or Capital Improvement Program (CIP), so long as the improvement is funded for construction consistent with the proposed buildout year.

**Trip Generation** The latest edition of the ITE Trip Generation Manual shall be used for calculation of project trips. If authorized by the City or designee, trip generation data from other sources may be used in the analysis. The latest edition of the ITE Trip Generation Handbook shall be used to estimate pass-by trip reductions for non-residential developments. Internal capture estimates for mixed-use developments shall be based the methodology outlined in NCHRP 684.

### Trip Distribution/ Assignment

Distribution and assignment may be based on existing traffic patterns.

Distribution and assignment shall be based on traffic modeling using the currently approved and calibrated

District One Regional Planning Model (D1RPM) unless an exemption is provided by the City or designee.

### Table 1: Traffic Study Requirements

Tier 1 – Traffic Review Tier 2 – "Minor Traffic Study" Tier 3 – "Major Traffic Study"

Analysis Scenarios Segment and intersection analysis will be required for the following scenarios: Existing Scenario, Future No Build, and Future Build. If mitigation is needed to achieve adopted standards in the Future No Build or Future Build scenarios, additional scenarios, including the mitigation improvements, will be required. For multi-phase developments, analysis of future No Build and Build scenarios will be required for each development phase. See Section 4 for additional details.

Segment Analysis Peak hour, directional Level of Service (LOS) analysis shall be conducted for study segments under AM and PM peak hour conditions. See Section 5 for additional details. In certain cases, if the proposed project does not include residential uses, the requirement for AM peak hour analysis may be waived by the City.

Intersection Analysis Peak hour LOS analysis shall be conducted for study intersections under AM and PM peak hour conditions. See Section 6 for additional details. In certain cases, if the proposed project does not include residential uses, the requirement for AM peak hour analysis may be waived by the City.

Turn Lane/Access Analysis The need for turn lanes at proposed driveway access points shall be determined using the methods of NCHRP 745 for left-turn lanes and NCHRP 279 for right-turn lanes. This analysis should be conducted for the worst-case peak hour to determine the need for turn lanes.

### Traffic Study Requirements

Content Trip Generation (Daily, AM and PM Peak Hour), Segment Analysis, and Driveway Peak Hour Analysis, and Turn Lane/Access Analysis. If the directly accessed segment on the Concurrency Determination Network does not meet the adopted standard, backlogged, constrained or otherwise, the City may require study and documentation of additional segments and intersections. Traffic study requirements are outlined in Section 8.

### Table 1: Traffic Study Requirements

Tier 1 – Traffic Review Tier 2 – "Minor Traffic Study" Tier 3 – "Major Traffic Study" Signed/Sealed by a Florida PE Not Required Yes Yes

### Review

FDOT Review Not Required unless right-of-way permit is needed Yes, if the project trips are >5% on a state roadway and more than 3% on SIS or if right-of-way permit needed

**Traffic Study Tiers/Net External Trip Thresholds** The requirement for traffic studies are based on the net external AM or PM peak hour trips for the project, whichever is greatest, as determined by Table 1. For multi-phase developments, the trip thresholds are based on project buildout, not by phase. In cases of redevelopment, net external trips shall be based upon the new or proposed land use as compared to the land use existing at the time of redevelopment. Credit for prior use must be utilized in connection with a redevelopment of the site within one (1) year following the demolition of the existing structure or termination of the existing use, whichever first occurs.

**Methodology Letter** A methodology letter is required for Tier 2 and Tier 3 traffic studies. An example methodology letter is included in the appendix to these guidelines. The applicant must submit the written methodology letter to the City and obtain written concurrence on the proposed methodology. Failure to do so may result in disapproval of the traffic impact study or a request for additional information and the requirement for a revised TIS. The methodology letter shall include the following information:

-Project description.

- Anticipated buildout year for single phase developments and planned development phasing for multi-phase developments.

- Tier of traffic study being proposed.

- Site Location map.

- Site plan of the proposed development that shows the proposed access locations.

- Programmed improvements

- Map of the area of influence/study area.

- Table of proposed trip generation including pass-by trips and internal trip capture including land use description, ITE codes, trip rates or formulas and data used in the calculations from the latest edition of the ITE Trip Generation Manual and ITE Trip Generation Handbook. If authorized by the City or designee, trip generation data from other sources may be used in the analysis. If proposing an alternative source for trip generation data, attach study documentation, if already completed, or document the proposed methodology, consistent with guidance in the ITE Trip Generation Handbook, if an alternative trip generation rate is to be calculated based on observations of other sites.

- Proposed trip distribution in influence/study area.

- List of roadways that fall within the area of influence/study area.

- Identify any critical issues related to the project such as unacceptable roadway conditions, access constraints, public easements, etc.

- Proposed growth rate for calculation of background growth.

- Date of any traffic counts used in the analysis. Note: traffic counts more than one (1) year old cannot be used in the study unless approved by the City.

- Multi-modal Assessment: evaluation of transit, bicycle and pedestrian accommodations as outlined in Section 3.

**Multimodal Assessment** The multimodal assessment shall include an evaluation of existing and programmed bicycle, pedestrian, and transit mobility options. This assessment shall also discuss how the site plan encourages walking, bicycling and transit ridership through one or more of the following:

• Safe, adequately lighting and well-maintained pathways

• Bicycle parking facilities • Identifiable crosswalks

• Transit bus stops & transit stop amenities (i.e., bench, bus shelter, etc.)

• Removal of natural and/or built barriers that discourage walking

• Compliance with American's with Disabilities Act (ADA) requirements

• Buffering between vehicular areas and sidewalks

- Linkage to existing or future walkway and/or bikeway network and transit route

## **Analysis Scenarios**

Segment and intersection analysis will be required for the following scenarios. For multiphase developments include analysis of future No Build and Build scenarios for development phase.

**Existing Scenario** AM (if required) and PM peak hour analysis of existing traffic on the existing transportation network.

**Future No Build Scenario** AM (if required) and PM peak hour analysis of existing traffic, plus background traffic (derived from growth rates, vested trips, or combination of both), placed on the existing network, plus all improvements funded for construction within the first three years of the state, county or local jurisdiction's adopted work program, capital improvement plan (CIP) and/or adopted transportation improvement plan (TIP).

**Future Build Scenario** AM (if required) and PM peak hour analysis of existing traffic, plus background traffic (derived from growth rates, vested trips, or combination of both), plus the project's traffic placed on the existing network, plus all improvements funded for construction within the first three years of an adopted work program, CIP and/or TIP, and proposed project driveways/access improvements.

**Future No Build Scenario with Mitigation (if necessary)** AM (if required) and PM peak hour analysis of the Future No Build Scenario with the inclusion of any other improvements that are required for mitigation. This analysis scenario will be required only if mitigation is required to obtain the adopted Level of Service as the result of the Future No Build Scenario analysis.

**Future Build Scenario with Mitigation** (if necessary) AM (if required) and PM peak hour analysis of the Future Build Scenario with the inclusion of any other improvements that are required for mitigation. This analysis scenario will be required only if mitigation is required to obtain the adopted Level of Service as the result of the Future Build Scenario analysis.

**Segment Analysis** AM (if required) and PM peak hour, directional Level of Service (LOS) analysis shall be conducted for study area segments based on currently accepted traffic engineering principles. Segment analysis should compare roadway volumes to the service volumes published in the latest edition of the Polk County TPO Roadway Network Database, if available, or the FDOT Generalized Service Volume Tables. Methods that incorporate and apply appropriate techniques from the latest edition of the Highway Capacity Manual (HCM) are also acceptable. These methods may include the use of the latest available versions of the Highway Capacity Software (HCS), Synchro, or LOSPLAN, as approved by the City.

**LOS Standards** The calculated LOS shall be compared to the adopted LOS standards used for concurrency determination and shall be consistent with the Transportation Element of the Lake Wales Comprehensive Plan.

**Roadway Volumes** Existing roadway volumes may be established from the latest edition of the Polk County TPO Roadway Network Database (if available), counts from the Florida Department of Transportation (if available), or collected segment volumes (which may be derived from collected peak hour turning movement counts used for the subject TIS).

**Roadway Service Volumes** Roadway service volumes will be provided in the Polk TPO Concurrency Network Database. In the event the information is not available, FDOT generalized level-of-service standards may be used upon confirmation by the City or designee. Roadway improvements programmed within the first three years of an adopted work program, TIP, or CIP may be utilized as long as the improvement is funded for construction consistent with the proposed buildout year for the development, but no more than three years from the date of the study.

**Intersection Analysis** AM (if required) and PM peak hour LOS analysis shall be conducted for all study intersections based on currently accepted traffic engineering principles. Methods that incorporate and apply

appropriate techniques from the latest edition of the Highway Capacity Manual (HCM) are acceptable. These methods may include the use of the latest available versions of the Highway Capacity Software (HCS) or Synchro. Microsimulation software may also be used but is not required.

**LOS Standards** The existing LOS shall be compared to the adopted LOS standards used for concurrency determination and shall be consistent with the Transportation Element of the Lake Wales Comprehensive Plan. The LOS standards for an intersection analysis shall be the conservative adopted roadway LOS standard of the intersecting roadways.

**Signalization** If signalization is proposed as a mitigation measure, a signal warrant analysis (including FDOT signal warrant summary worksheets) and a Stage 1 Intersection Control Evaluation (ICE) shall be provided for the location(s) proposed for signalization.

**Turn Lane/Access Analysis** The need for turn lanes at proposed project access shall be determined using the methods of NCHRP 745 for left-turn lanes and NCHRP 279 for right-turn lanes. This analysis should be conducted for the worst-case peak hour to determine the need for turn lanes. Crash/Safety Analysis (if City wants to include) Traffic Study Requirements Tier 2 and 3 traffic studies shall include the following elements.

- Table of Contents, List of Figures, List of Tables

- Introduction: project description, site location, site plan, study area/area of influence map, planned and programmed improvements and committed developments.

- Existing Roadway & Intersection Conditions: existing roadway segment geometry, existing intersection geometry, existing traffic volumes and existing segment and intersection LOS results. If a segment or intersection with a history of high crash occurrence exists within a study area, at the discretion of the City an evaluation of potential mitigating measures can be required.

- Future Roadway & Intersection Conditions: future roadway segment geometry and future intersection geometry.

- Future Traffic Conditions: background traffic, trip generation, trip distribution and assignment and future traffic volumes.

- Transportation Assessment: segment analysis, intersection analysis, and turn lane/access analysis for future conditions.

- Multimodal Assessment: evaluation of transit, bicycle, and pedestrian accommodations.

- Crash/Safety Analysis (if required) ? Mitigation Strategies: recommended improvements and proportionate share calculations. ? Summary/Conclusions: brief discussion to highlight the reason for the traffic study tier classification, methodology followed, general results of the analysis and action requested (e.g., approval of mitigation strategy). ? Appendix: approved methodology, traffic count data, site plan, capacity analysis summary sheets for existing conditions and future conditions, trip distribution plot from the travel demand model, and all other pertinent data to support the traffic study. For a Tier 2 or 3 study, the electronic operational analysis files (Synchro, HCS, etc.) shall be submitted with the report.

**Sec. 23-307 Landscaping** *Background and justification:* During the review of recent Site Development Plans for residential projects, there has been a question of interpretation regarding street trees. Specifically, some developers are stating that they will have one of the required trees (per Sec. 307.2.a.3.) to serve as the required street tree. However, the staff's intent is that the required street tree be in addition to the tree density standards. To clarify this requirement, the proposed standards are suggested.

Sec. 307.2 Landscaping standards.

a . *Tree density.*

2. *Non-residential density requirement.* A minimum of two (2) three (3) trees shall be required for each one-quarter (&1/4;) acre or ten thousand eight hundred ninety (10,890) square feet of land or fraction thereof in the non-residential development.

3. *Residential density requirements.* Lots less than 10,000 s/f: two, three two-inch caliper shade trees, minimum of eight feet at planting. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree. Lots 10,000 s/f or greater: three, four two-inch caliper shade trees, minimum of eight feet at planting. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree.

NOTE: Street Trees are required to have root barriers. Root barriers shall be approved by the Administrative Official prior to planting.

Definitions:

Root Barrier – Typically used for Street Trees, Root Barriers are structures and/or materials that redirect tree roots down and away from hardscapes, preventing costly root damage while preserving the health and functionality of trees.

Street Tree – A tree that is currently located or proposed for planting along streets or highways. Such tree can be located on private property or on publicly held land. Street trees are typically planted in a linear fashion and provide spatial enclosure as well as other technical and aesthetic benefits (Wildwood Mo.)

**Table 23-421 Permitted Uses**

Background and justification:

- 1.) In order to reduce automobile dependency for short trips, a change to the Permitted Use Chart to allow all new residential developments to provide support non-residential uses within a portion of the development (mixed-use) through the PDP process is proposed. A note is added to ensure that such non-residential uses may be those only consistent with the C-4 Neighborhood Commercial zoning district.
- 2.) In order to open up the city's industrial zones to heavy manufacturing, it is proposed to change Manufacturing – Heavy, from S (special exception use permit), to P (permitted), in the I-1 zoning district.
- 3.) Within the LCI Limited-Commercial zoning district, a district designed to promote a mix of commercial and industrial uses, Staff proposes to allow small grocery or convenience stores, with or without gasoline sales, by right.
- 4.) Allow manufactured home communities through the PDP process only, in residential districts. This provision does not allow individual infill or subdivided lots to place a manufactured home.

**TABLE 23-421 PERMITTED USES AND SPECIAL EXCEPTION USES IN STANDARD ZONING DISTRICTS**

P - Permitted Use S - Special Exception Use PDP - Planned Development Project MDP - Master Development Plan R-1A R-1B R-1C R-1D R-2 R-3 P F PDMU C-1/ C-1A C-2 C-2R C-3 C-4 C-5 1 LCIBPI-1 I-2 CNR

**RESIDENTIAL**

Dwelling: Single-family P P P P P P MDP P P

Dwelling: Two-family P P P MDP P P

Dwelling: Multi-family (up to 12 units on one parcel) P P MDP P P P P P

Dwelling: Multi-family (more than 12 units/parcel) PDP P D P MDP PDP PDPPDPPDP PDP

Dwelling unit for caretaker employed on premises S MDP S S S S S S S SSS

Dwelling, accessory to single-family house\* S S S S S S S MDP P S S S S S

Mixed-use - residential and nonresidential PDPPDP PDPPDP PDP PDP S MDP P P S PDP2 PDP

Manufactured Home Manufactured Home Community PDP PDP PDP PDP PDP PDP

AMUSEMENT ESTABLISHMENTS

Amusement establishment—Indoor MDP S S S P S S S

Amusement establishment— Outdoor MDP S S S S

Indoor shooting ranges MDP P P P PP

Movie theater— Indoor MDP P P P P P AUTOMOTIVE USES\*

Auto and truck rental MDP S P S P S P P

Auto and truck repair MDP S S S S S S S

Auto, truck, or motor cycle dealer MDP S S S P S P P P

Auto parking establishments (principal use) S P P S P S P P PP

Auto service station MDP S S S P S S

Car wash MDP S S P S S S S

Recreational vehicle, mobile home, or boat dealers MDP S S P S P S PP

EDUCATIONAL AND CULTURAL

Club7 S MDP P P S P S S P

Cultural facilities S S S S S S MDP P P P P P P P P P

Day care center3\* P P P P P P MDP P P P P P P

Religious establishment P P P P P P MDP P P P P P P

Schools, athletic or music S MDP S P S P S S P S

Schools, post secondary S S S S S S MDP S S S S S S S

Schools, primary-secondary P P P P P P MDP P P P P P P

Schools, training (other than athletic or music) S MDP P P P P P S P P

FARMING/OTHER AGRICULTURAL

Farming, crop<sup>4</sup> or nursery without retail sales P P P P P P MDP P P P P P P P P P P

Nursery, plant with retail sales MDP P S P S S S PP

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

Bar, wine and beer<sup>7</sup> MDP P - C1- A only

Catering facility MDP S P S P S P S PP Food processing MDP P S PP

Mobile Food Vending/Mobile Food Dispensing Vehicles \* MDP P P P P P P P

Restaurants, eat-in<sup>5</sup>, 7 S MDP P P S P P P P P P

Restaurants, drive-up MDP S P S

Restaurant, outdoor cafe<sup>7</sup> S MDP P P S P P P

Restaurant, take-out<sup>5</sup> MDP P P S P P P S S SP

HEALTH CARE

Health service P MDP S P S P P P P P

Hospitals P MDP S P P S

Medical Marijuana Dispensaries and Treatment Centers \* P MDP P

Medical office (one practitioner) P MDP P P P P P P P P

Nursing care homes\* S S S S S S P MDP S S S P S S

Veterinarian or small animal hospital S MDP P S P P P P P

Animal hospital MDP S P P P S

LODGINGS

Bed and breakfast (accessory to single-family)\* S S S S S S S MDP S S S

Boarding house S S S MDP S S S

Dormitory S S MDP S S S S S

Hotel MDP P P/S S P P/S S P S

Motel MDP S S S S S

INDUSTRIAL USES

Assembly and fabrication MDP S P P PP

Laundry and dry cleaning plants MDP P S PP

Manufacturing—Light MDP S P P PP

Manufacturing—Heavy PS

Warehouse/Distribution MDP S P P PP

PROFESSIONAL AND COMMERCIAL USES\*\*

Artisan Production, small scale MDP S S P S S P P

Artisan Production, large scale MDP P P P

Bank P MDP P P P P P P P P

Bank with drive-up window S MDP S P P P P P P P

Construction support— Light MDP P P P P P P P PP

Construction support— Heavy S S S S SS

Funeral home P MDP P P P P P S P

Kennel MDP S S SS

Laboratory, research S MDP P S P P P PP

Landscaping service MDP S S P S PP

Laundromat\* S MDP S P S P S S P

Mini-storage S S MDP P S P S S P P PP

Office, professional (except medical) P MDP P P P P P P P PP

Personal service S S MDP P P P P P S STORES (See section 23-342 and chapter 5 for regulations on alcoholic beverages.)

Convenience store (incl. groceries, drugs, or liquor) MDP P S S P P P P

Convenience store with gasoline service MDP S S S P S S P S

Outdoor display or sales (as principal or accessory use)<sup>6</sup> MDP S S S S S S S SS

Store, retail — up to 1,500 sq. ft./store MDP P P P P P S P

Store, retail - up to 12,500 sq. ft./store MDP P P P P P P

Store, retail - from 12,500 to 100,000 sq. ft./store MDP S P S P P

Store, retail - from 100,000 to 300,000 sq. ft./store MDP S P S

PUBLIC AND GOVERNMENT

Aircraft establishment PP

Airports, heliports and related aviation facilities S SS

Public facilities and offices\*\* P P P P P P MDP P P P P P P P P P P

Public transportation terminals MDP S S S P S S S PP Solar Power Generation Facility\* S

- Non-residential uses are permitted as a subordinate part of a residential Planned Development Project and are limited to those uses permitted in the C-4 Neighborhood Commercial zoning district.

**TABLE 23-422B DIMENSIONAL AND AREA STANDARDS—NONRESIDENTIAL DISTRICTS\***

*Background and justification:* Table 23-422 guides land development by requiring standard dimensional and area standards, including building height and setbacks, maximum lot coverage, and maximum building coverage. Currently, front building setbacks are determined by one of three factors: what is standard to the zoning district, what is in keeping with the surrounding area (infill development), or the right-of-way width of the roadway on which it fronts.

Current note below the setback table: *The minimum front setback shall be as designated or one-half (&1/2;) the width of the required right-of-way for the street on which the lot fronts, whichever is larger. For infill lots, the administrative official may grant a waiver allowing a reduction of the front yard setback requirement, provided the reduction is compatible with building setbacks in the immediate vicinity.*

Proposed: The minimum front setback shall be as designated or one-half (&1/2;) the width of the required right-of-way for the street on which the lot fronts, whichever is larger. For development fronting on an arterial highway, the minimum front setback shall be 50 feet. For infill lots, the administrative official may grant a waiver allowing a reduction of the front yard setback requirement, provided the reduction is compatible with building setbacks in the immediate vicinity.

Table:

Zoning District PF C-1 C-2 C 2R C-3 C-4 C-5 LCI BP I-1 I-2 CN R

Minimum Principal Building Setbacks (feet)†

Front 1 30 0 2 35 35 35 35 35 35 35 35 35 35

Side - not adjacent to residential district 10 0 10 10 20 10 PDP3 20 20 10 10 10

Side or rear - adjacent to residential district 4 355 355 355 355 35 35 PDP3 355 35 35 355 35 35

Rear - not adjacent to a residential district 4 255 0 255 255 25 25 PDP3 255 25 25 255 35 35

Maximum Building Height 456 457 356 357 356 35 PDP3 356 356 456 357 35 35

Maximum Lot Coverage Maximum Building Coverage 35% 100% 50% 50% 50% 35% PDP3 50% 50% 50% 50% 5% 35%

Maximum impervious surface 65% 100% 75% 75% 75% 75% PDP3 75% 65% 75% 75% 10% 50%

This change primarily affects development on County and State roads where the right-of-way widths are

wider, and change periodically. Currently, US Highway 27 has a (newly increased, without the City's knowledge) right-of-way width of 200 feet; therefore, new development along this corridor would now be subject to a 100-foot front setback. This new setback requirement may potentially create unbuildable vacant commercial lots along our commercial corridors. It also encourages site design where buildings are setback so far, that a sea of asphalt parking is the prominent site feature, rather than street-oriented architecture and landscaping.

### **Sec. 23-443 Residential PDPs**

Background and justification: Staff recommends removal of a code provision which gives developers open space credit for private residential yards, in order to achieve the required 20% minimum site-wide open space. Credit for open space should only be considered in common and public areas of the development.

*Sec. 23-443.1 Minimum design standards—Residential PDPs.* The preliminary plan for a residential PDP shall demonstrate that the site design complies with the minimum design standards of this section.

a. Density. The number of units per acre shall not exceed the maximum as allowed for the classification of the property under the Future Land Use Element of the Comprehensive Plan. Acreage for density calculations shall not include areas of open water or lands within the "Conservation" classification of the Future Land Use Map.

b. Open space. Excluding roadways and parking areas open space shall make up a minimum of twenty (20) percent of the site area. If open space is provided as private yards for individual units, such yards shall make up only fifty (50) percent of the open space required. The remaining fifty (50) percent shall be common open space in the form of recreation area, pedestrian or bicycle paths, or landscaped common areas. The recreation area required under section 23-310 may be included to meet the open space requirement except that recreation buildings and parking areas shall not be included.

**Sec. 23-767 Exemptions** *Background and justification:* Current code provides for the exemption from the payment of impact fees for the redevelopment of sites which have been vacant less than three years. Staff proposes to increase the window of opportunity to five years, which mirror's the County's code provision.

The following shall be exempted from payment of impact fees:

a. Alterations, expansions or replacement of an existing dwelling unit which do not increase the number of families for which such dwelling unit is arranged, designed or intended to accommodate for the purpose of providing living quarters.

b. The alteration or expansion of an accessory building or structure which will not create additional dwelling units or will not increase the usable square footage space associated with the principal building on the land.

c. The replacement of a dwelling unit or building with a new dwelling unit or building of the same size and use and which will not increase the square footage associated therewith; provided that the replacement of a dwelling unit or building which has been destroyed or otherwise rendered uninhabitable must be replaced within three (3) five (5) years of the date it was destroyed or rendered uninhabitable in order to be exempted from the payment of impact fees.

### CODE REFERENCES AND REVIEW CRITERIA

- Sec. 23-303 Streets
- Sec. 23-307 Landscaping
- Table 23-421 Permitted Uses
- Table 23-422B Dimensional and Area Standards

- Sec. 23-443 Residential PDPs

- Sec. 23-767 Exemptions

**FISCAL IMPACT** None

[End Agenda Memo]

Autumn Cochella, Assistant Director of Development Services, reviewed this item.

Deputy Mayor Gibson shared concerns about urban sprawl. We need to exercise some control over developments. We to pick it apart and do the best we can.

James Slaton, City Manager, said we have expert planners on transportation, historic Preservation, urban planners and others that we can reach out to assist us with these concerns.

Ms. Cochella said she will be bringing forth more amendments to update our code to address these concerns.

Deputy Mayor Gibson asked how this fits with the density we are trying to accomplish. Ms. Cochella said it doesn't affect density but does affect open space.

Deputy Mayor Gibson asked about water and sewer impact fees. If its there, you tear down your house and rebuild in 6 years. Ms. Cochella said on average costs are \$17,000. This is to encourage redevelopment within 3 years. Deputy Mayor Gibson said waivers where we want development is important. We want to enforce them in outside areas. Ms. Cochella reviewed waivers already in place.

Mayor Fultz said development has changed a lot during his time as mayor. He commended the due diligence of staff on development issues.

8. Ordinance 2022-05 Annexation – 2nd Reading And Public Hearing 0.16 Acres Of Land North Of Hickory Hammock Road And West Of Nursery Road

[Begin Agenda memo]

**SYNOPSIS:** Ordinance 2022-05 proposes the voluntary annexation of approximately 0.16 acres of land located north of Hickory Hammock Road, west of Nursery Road, and contiguous to the incorporated City limits.

**RECOMMENDATION** Staff recommends adoption after second reading of Ordinance 2022-05 following a public hearing. Public Hearing notice requirements have been met. Commission approved Ordinance 2022-05 at first reading on February 1, 2022. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

**BACKGROUND** Star Lake Inc., owner, petitioned annexation into the corporate city limits of Lake Wales on December 2, 2021. "Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits along its western boundary.

**OTHER OPTIONS** Decline to annex the property.

**FISCAL IMPACT** The annexation will add to the City's tax roll. The property is valued at \$4,495, which would bring in additional property taxes. Additionally, the approval of the annexation would allow the applicant to assemble a tract of land for potential residential development.

[End Agenda Memo]

Autumn Cochella, Assistant Director of Development Services, reviewed this item.

Ms. Cochella said the 2nd reading of the Gardinier annexation was pulled by the applicant.

9. ORDINANCE D2022-01 2nd Reading And Public Hearing Future Land Use For 8.84 Acres Of Land North Of Mountain Lake Cutoff Road And West Of US Highway 27

[Begin Agenda Memo]

**SYNOPSIS:**

Laurent Meyer, authorized agent for owners, request approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan to the above-mentioned parcel totaling approximately 8.84 acres of land.

**RECOMMENDATION** Adoption at second reading, following a public hearing, to re-assign the following land use designation, as recommended by the Planning and Zoning Board at a regular meeting on January 25, 2022: Current Land Use: LCI Proposed Land Use: HDR This was approved by City Commission at first reading on February 1, 2022.

**BACKGROUND** The subject property is located north of Mountain Lake Cutoff Road and west of US Highway 27, just west of the Sizzling Grill. The existing site is known as the Green Gables Inn. Land Use and Zoning amendments have been presented to the Planning & Zoning Board at a regular meeting on January 25, 2022. This parcel will become part of residential redevelopment; however, development plans have not yet been submitted to the City. The redevelopment plans would need to go through the Planned Development Project procedure to be approved. A Future Land Use Designation of HDR – High Density Residential – at 25 units per gross acre is compatible with the surrounding area and will complement the built environment.

**CODE REFERENCES AND REVIEW CRITERIA** The City Commission assigns future Land Use and Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state’s Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City’s Comprehensive Plan.

**FISCAL IMPACT** Re-assignment would enable the redevelopment of this property and the potential increase in property value.

[End Agenda Memo]

Autumn Cochella, Assistant Director of Development Services, reviewed this item.

Deputy Mayor Gibson said this is a good project. This is what we are trying to accomplish.

Deputy Mayor Gibson asked about reclaimed water. Are there plans to expand? James Slaton, City Manager, said there are plans to run lines to Winter Haven Corporation Development. Mayor Fultz asked about Hunt Development if those will get reclaimed water. Mr. Slaton said he will have to check this but they do intend to expand this. Mayor Fultz said this will save more potable water but communities can still have their grass grow. There was discussion about quality developments.

10. ORDINANCE D2022 – 02 2nd Reading And Public Hearing - Zoning For 8.84 Acres Of Land North Of Mountain Lake Cutoff Road And West Of US Highway 27

[Begin Agenda Memo]

**SYNOPSIS:** Laurent Meyer, authorized agent for owners, request approval of City Commission to amend the

Zoning Map, to the above-mentioned parcel totaling approximately 8.84 acres of land.

**RECOMMENDATION** Adoption at second reading, following a public hearing, to re-assign the following zoning designation, as recommended by the Planning and Zoning Board at a regular meeting on January 25, 2022: Current Zoning: LCI Proposed Zoning: R-3 This was approved by City Commission at first reading on February 1, 2022.

**BACKGROUND** The subject property is located north of Mountain Lake Cutoff Road and west of US Highway 27, just west of the Sizzling Grill. The existing site is known as the Green Gables Inn. Land Use and Zoning amendments have been presented to the Planning & Zoning Board at a regular meeting on January 25, 2022. This parcel will become part of residential redevelopment; however, development plans have not yet been submitted to the City. The redevelopment plans would need to go through the Planned Development Project procedure to be approved. A Zoning designation of R-3 is compatible with the surrounding area and will complement the built environment.

**CODE REFERENCES AND REVIEW CRITERIA** The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

**FISCAL IMPACT** Re-assignment would enable the redevelopment of this property and the potential increase in property value.

[End Agenda Memo]

Autumn Cochella, Assistant Director of Development Services, reviewed this item.

#### 11. Board Appointment - Library Board

[Begin Agenda Memo]

**RECOMMENDATION** Staff recommends that the Mayor and Commission make the following appointment as deemed appropriate.

1. Appoint Jodie Schmidt to fill a term on the Library Board to expire July 1, 2026.

**BACKGROUND** The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

Library Board (City Code Sec. 2-26,(b)) – The board consists of five (5) members. Four members must reside in the City, own property in the City or hold a valid business tax receipt issued from by the City. One member shall be a resident of the unincorporated Greater Lake Wales area having a Lake Wales address or a resident of the City of Lake Wales if the Lake Wales Public Library is a member of the Polk County Cooperative and receives operating funds from Polk County Board of County Commissioners (Ordinance 2008-07; 02/19/08). (5-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies, resident & non-resident, due to resignation & expiration of terms

Current Meeting Schedule: 1st Wednesday @ 4:00 p.m.; Lake Wales Library

Primary Duties: Operate the public library; control expenditures of all monies collected or donated to the Library Fund; appoint the library staff and establish rules and regulations for operation and use of the Library subject to the supervision and control of the City Commission.

Current Members: **Chayla Outing, outside 7/1/21 -07/1/26, P+1 resigned**

Imelda Tice, resident 10/20/20 – 07/01/22, P

Michalkiewicz, Brystal, resident 08/04/15 - 07/01/21, P+1

Brandon Alvarado, resident 01/19/21 - 07/01/23, 1

Allison Kapphan, resident 07/01/19 - 07/01/24, P+1

Applying for Appointment: Jodie Schmidt for a term expiring on 7/1/2026

The Library Board recommends her appointment.

**OPTIONS** Do not appoint those that have applied.

**FISCAL IMPACT** None. These are volunteer boards.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

## 12. CITY COMMISSION AND MAYOR COMMENTS

Deputy Mayor Gibson said the discussion about Grove Manor was very productive. James Slaton, City Manager, agreed.

Mayor Fultz reminded everyone of the State of the City address coming up in March. This will be a good opportunity to inform others what is going on.

There was a discussion about increasing incomes and property values in Lake Wales.

Mayor Fultz reminded everyone of the Ridge League of Cities Dinner tomorrow that we are hosted. This was discussed.

## 13. ADJOURN

The meeting was adjourned at 3:17 p.m.

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Mayor

ATTEST:

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City Clerk