

WINTER HAVEN

The Chain of Lakes City

PLANNING COMMISSION MEETING

MONDAY, DECEMBER 4, 2023

6:00 PM

City Hall, John Fuller Auditorium

451 Third Street NW

Winter Haven, FL 33881

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4.A. November 6, 2023 Meeting Minutes

Staff Contact: Jordan Warren, Planning Assistant, jwarren@mywinterhaven.com

[November 6, 2023 Meeting Minutes](#)

5. EXPLANATION OF HEARINGS BY CHAIR

6. HEARINGS - OLD BUSINESS

7. HEARINGS - NEW BUSINESS

7.A. P-24-01 - Request by Rivercard LLC to amend a portion of Planned Unit Development Ordinance O-21-23. General Location: 1911 21st Street, NW. The area covered by this request is 3.3± acres.

Staff Contact: Heather Reuter, Senior Planner, hreuter@mywinterhaven.com

[Summary - Case Number P-24-01](#)

7.B. P-24-02- Administrative request to amend the Capital Improvements Element of the Comprehensive Plan to update the 5-year Schedule of Capital Improvements and to revise Capital Improvements Element Policies 1.1.7 and 1.1.8 relating to the adoption of the Florida Department of Transportation's and Polk County's 2023/2024 through 2027/2028 Transportation Improvement Programs and the Polk County School Board's 2023/2024 through 2027/2028 Facilities Work Program by reference

Staff Contact: Sean Byers, Planning Manager, sbyers@mywinterhaven.com

[Summary - P-24-02
2024-2028 5-Year CIP](#)

7.C. P-24-03 - Administrative request to amend Table 21-32(A) of the Winter Haven Code of Ordinances for the purpose of addressing Commercial- Downtown (C-1) zoning district uses.

Staff Contact: Heather Reuter, Senior Planner, hreuter@mywinterhaven.com

[Summary - Case Number P-24-03](#)
[Proposed Amendment to Table 21-32\(A\)](#)

- 7.D. P-24-04 - Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 5, Section 21-96, Alcoholic Beverage Establishments, and Table 21-32(A) for the purpose of addressing alcoholic beverage establishments.**

Staff Contact: Heather Reuter, Senior Planner, hreuter@mywinterhaven.com

[Summary - Case Number P-24-04](#)
[Proposed Amendment to Section 21-96](#)
[Proposed Amendment to Table 21-32\(A\)](#)

8. OTHER BUSINESS

8.A. Comments from Staff

8.B. Comments from Planning Commissioners

8.C. Comments from the Public

9. ADJOURNMENT

If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based (FS 286.0105). In accordance with the Americans with Disabilities Act and Florida Statutes, Section 286.26, persons with disabilities needing special accommodations to participate in this proceeding, should contact the City Clerk's Office, 451 Third Street, NW, Winter Haven, Florida 33881, in writing, not later than 48 hours prior to the proceeding; if not in writing, then not later than four (4) days prior to the proceeding at (863) 291-5600. Vision or hearing impaired please call (800) 955-8771 for assistance.

**CITY OF WINTER HAVEN
PLANNING COMMISSION MEETING MINUTES
November 6, 2023**

1. **CALL TO ORDER**

Chair Wells called the meeting to order at 6:00 p.m.

2. **ROLL CALL**

Commissioners Present: Chair Colin Wells, Vice-Chair Wendy Venters, David Lane, Elizabeth Davis, Ed Smith, and Tina Summerlin

Commissioners Absent: Craig Fuller, Mario Manago, and Jennifer Fasking

Mrs. Warren confirmed a quorum.

Staff Present:

Eric Labbe, Economic Opportunity & Community Investment Director; Sean Byers, Planning Manager; Heather Reuter, Senior Planner; Chris Young, Senior Planner; Jordan Warren, Planning Assistant; and Brian Yates, City Commissioner Liaison

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation and Pledge of Allegiance led by Chair Wells

4. **APPROVAL OF MINUTES**

Chair Wells asked for a motion to approve the **October 3, 2023 Planning Commission Meeting Minutes**. Motion was made by Commissioner Lane for approval of the **October 3, 2023 Planning Commission Meeting Minutes**; Commissioner Summerlin seconded the motion. Motion carried by a unanimous voice vote. (6:0)

5. **EXPLANATION OF HEARINGS**

Chair Wells provided the explanation of hearings.

6. **HEARINGS**

a. New Business

- A. Case Number P-23-61:** Request by Champions Church, Inc. to amend Planned Unit Development Ordinance O-89-33 and to rezone a portion of a parcel from Commercial-Highway (C-3) zoning district to Planned Unit Development (PUD) zoning district. **General Location:** 1801 Havendale Boulevard. The area covered by this request is 22.3± acres.

Mr. Byers gave an overview of the request via a slideshow presentation. Mr. Byers recommended approval of the request with conditions.

Chair Wells asked the Commissioners if there were any questions for staff, seeing and hearing none, Chair Wells closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Chuck Millar and David Reed of Atwell LLC located at 11770 US Highway 1, Suite 308 East Palm Beach Gardens, FL and hereafter known as the Agent Millar stated the following:

- Thanked the staff for all their work
- Stands for any questions

- Accepts the condition that Mr. Byers presented regarding the limitation on commercial square footage

Commissioner Lane questioned the ownership for the proposed condominiums. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Lave Baz of 2215 Port Road, NW, Winter Haven, FL and hereafter known as Citizen Baz stated the following:

- Asked for a clarification of the amount of residents proposed
- Concerned about the traffic increase on an already busy road
- Concerned about the potential wildlife changes
- Questioned who maintains the lawn adjacent to the western property line of Hartridge Landings

Commissioner Lane questioned the commercial development being owned by the church and if they would be taxed. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record. Hearing and seeing none, Chair Wells closed the public hearing and reopened the regular meeting.

Chair Wells asked if there were any other questions for commissioners. Hearing and seeing none, Chair Wells sought a motion for the case. Motion was made by Vice-Chair Venters to approve Case Number P-23-61 in accordance with the fact sheet and conditions stated. Commissioner Summerlin seconded the motion. Motion carried by a unanimous voice vote. (6:0)

B. Case Number P-23-13-S: Request by RR Heath Investments, LLC for Special Use Approval for personal storage in the Commercial- Highway (C-3) zoning district. **General Location: 1100 Eloise Loop Road.** The area covered by this request is 1.04± acres.

Mrs. Reuter gave an overview of the request via a slideshow presentation. Mrs. Reuter recommended approval of the request.

Chair Wells asked the Commissioners if there were any questions for staff, seeing and hearing none, Chair Wells closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Rennie Heath of 9460 Waterford Oaks Drive, Winter Haven, FL and hereafter known as the applicant stated the following:

- Stands for any questions and is requesting approval

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Michael Smith of 3800 Gaines Drive, Winter Haven, FL and hereafter known as Citizen Smith stated the following:

- This request is on a residential road and doesn't want to see commercial uses on this road
- Questioned how this parcel is zoned C-3

Mr. Labbe addressed the comments made by the public. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Jean Reed of 27 Lake Eloise Lane, Winter Haven, FL and hereafter known as Citizen Reed stated the following:

- Is opposed to this request
- No semi-trucks are allowed on this road
- This is a residential area and is confused on how C-3 uses are permitted
- Questioned who would be using the storage units
- Questioned if this request would then go to City Commission
- Does not think this request should only be heard at Planning Commission

Mrs. Reuter addressed the comments made by the public. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Tara Messieh of 1897 Eloise Loop Road, Winter Haven, FL and hereafter known as Citizen Messieh stated the following:

- The surrounding area is strictly residential
- The concept plan does not show a buffer wall
- Does not support this request

Mr. Labbe addressed the comments made by the public. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Clyde Light of 3806 Gaines Drive, Winter Haven, FL and hereafter known as Citizen Light stated the following:

- Bought property in the County because he likes the country but wanted to be close to the City limits
- Likes that the surrounding area was not highly developed when they purchased their property
- Concerned about commercial uses in a residential area
- Opposed to this request

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Sue Bartel of 1775 Eloise Loop Road, Winter Haven, FL and hereafter known as Citizen Bartel stated the following:

- Does not support this request
- Concerned about the neighboring property value
- Does not like the cookie cutter houses in the surrounding area
- Has traffic concerns

- Does not think this request fits with all the surrounding neighborhoods
- Originally thought the Harmony on Lake Eloise was going to be a park

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Applicant Heath states this request is actually the least amount of impact compared to the other C-3 uses that could be permitted and thanks the staff and Commissioners for their time.

Citizen Smith questioned the annexation timeline for this property. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record. Hearing and seeing none, Chair Wells closed the public hearing and reopened the regular meeting.

Chair Wells asked if there were any other questions for commissioners.

Commissioner Lane stated the City is growing and concerned the public concerns are reasonable. Commissioner Lane stated he thinks we should not take action at this time. Discussion ensued.

Chair Wells questioned what all is needed after the Planning Commission's approval. Discussion ensued.

Chair Wells asked if there were any other questions for commissioners. Hearing and seeing none, Chair Wells sought a motion for the case. Motion was made by Commissioner Summerlin to approve Case Number P-23-13-S in accordance with the fact sheet. Vice-Chair Venters seconded the motion. Motion carried by a voice vote of 5:1 with Commissioner Lane voting against the motion.

C. Case Number P-23-60: Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 2 for the purpose of updating language for consistency with the adopted 2035 Winter Haven Comprehensive Plan.

Mrs. Reuter gave an overview of the request via a slideshow presentation. Mrs. Reuter recommended approval of the request.

Chair Wells asked the Commissioners if there were any questions for staff, seeing and hearing none, Chair Wells closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record. Hearing and seeing none, Chair Wells closed the public hearing and reopened the regular meeting.

Chair Wells asked if there were any other questions for commissioners. Hearing and seeing none, Chair Wells sought a motion for the case. Motion was made by Chair Wells to approve Case Number P-23-61 in accordance with the fact sheet. Vice-Chair Venters seconded the motion. Motion carried by a unanimous voice vote. (6:0)

D. Case Number P-23-62: Administrative Request to amend Planned Unit Development Ordinance O-20-45. **General Location:** Thirteen parcels generally located east and west of Logistics Parkway, approximately 1,300 feet north of Old Bartow Lake Wales Road. The area covered by this request is 932± acres.

Mrs. Reuter gave an overview of the request via a slideshow presentation. Mrs. Reuter recommended approval of the request.

Chair Wells asked the Commissioners if there were any questions for staff, seeing and hearing none, Chair Wells closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.

Butch Maynard of 484 Adriel Avenue, Winter Haven, FL and hereafter known as Citizen Maynard stated the following:

- Concerned about the trees being removed and no buffers between this request and the neighborhood.
- Questions about the ability to connect to City sewage for the surrounding neighborhoods
- Questions about residential properties that might be bought out over time.
- Questioned the CSX expansion
- Run off concerns
- Questioned the completion date

Mr. Labbe addressed the comments made by the public. Discussion ensued.

Chair Wells asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record. Hearing and seeing none, Chair Wells closed the public hearing and reopened the regular meeting.

Chair Wells asked if there were any other questions for commissioners. Hearing and seeing none, Chair Wells sought a motion for the case. Motion was made by Chair Wells to approve Case Number P-23-62 in accordance with the fact sheet and conditions stated. Commissioner Lane seconded the motion. Motion carried by a unanimous voice vote. (6:0)

i. **Other Business**

a. Comments from Staff

- Mr. Byers provided an update on past items
- Mr. Byers discussed the next Planning Commission meeting dates
- Mr. Byers stated there needs to be liaison for the AHAC from the Planning Commissioners as Rick Hemenway no longer serves on the Planning Commission
 - Commissioner Davis was appointed
- Mr. Byers welcomed the new Planning Commissioner Ed Smith

b. Comments from Commissioners – NONE

c. Comments from the Public -- NONE

ii. **Adjournment** – 7:04 p.m.

**CITY OF WINTER HAVEN, FLORIDA
PLANNING COMMISSION**

Chair

ATTEST:

Planning Commission Clerk

CITY OF WINTER HAVEN FACT SHEET
PLANNING COMMISSION MEETING
December 4, 2023

DATE: November 21, 2023

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity & Community Investment Director
Sean Byers, Planning Manager

FROM: Heather Reuter, Senior Planner

SUBJECT: **Case Number P-24-01:** Request by Rivercard LLC to amend a portion of Planned Unit Development Ordinance O-21-23. **General Location:** 1911 21st Street, NW. The area covered by this request is 3.3± acres.

BACKGROUND:

Rivercard, LLC, petitioner, requests the City amend a portion of Planned Unit Development (PUD) Ordinance O-21-23. The property subject to this request is generally located at 1911 21st Street, NW at the northwest corner of the intersection of Havendale Boulevard and 21st Street, NW. The property consists of three (3) commercial buildings totaling 26,000 square feet on 3.3± acres. The western portion of PUD Ordinance O-21-23 will remain and this parcel will be subject to the proposed conditions of PUD Ordinance O-24-01.

Upon development of the commercial portion, the petitioner has noted a need to expand the permitted commercial uses and also address signage requirements. The proposed changes are as follows:

- Permit C-3 uses with the exception of sales, repairs, and/or servicing of automobiles, boats, and/or recreational vehicles; nursery; cemetery; and stand-alone parking lot; and also requiring Special Use Approval for drive-through facilities and banquet halls; and
- Allowing building signage on any elevation of the building.

No other changes are proposed.

As the property is already developed and the maximum development intensity is unchanged by this request, there is no change to public infrastructure demands.

SURROUNDING USES:

Surrounding uses include the EverGreen on Lake Idylwild multi-family community to the north and west; single-family residential and a convenience store with gas across 21st Street, NW to the east; and a truck rental business and vacant commercial across Havendale Boulevard to the south.

COMPREHENSIVE PLAN:

The subject property is designated as Neighborhood Mixed Use Hub Future Land Use on the 2035 Future Land Use Map. The requested PUD amendments are consistent with the Neighborhood Mixed Use Hub Future Land Use.

NOTIFICATION:

All public notification requirements for this request were met.

CONCLUSION:

The proposed expansion of permitted uses and amendment to signage requirements is consistent with the existing development pattern along the Havendale Boulevard corridor. The proposed changes are de minimis in nature and will further support the growth of this Neighborhood Mixed Use Hub.

RECOMMENDATION:

Staff recommends the Planning Commission recommend to the City Commission approval of this requests with the following conditions to be placed on the PUD:

A. Uses shall be limited to any uses permitted in the Commercial- Highway (C-3) zoning district, or its successor zoning district, except the following uses shall be prohibited: sales, repairs, and/or servicing of automobiles, boats, and/or recreational vehicles; nursery; cemetery; and stand-alone parking lot. In addition to uses requiring Special Use Approval in the C-3 zoning district, or its successor zoning district, the following uses shall also require Special Use Approval from the Planning Commission: drive-through facilities and banquet halls.

B. Lot and building requirements shall be as follows:

Lot and Building Requirement		Standard	
Lot Area		Minimum 43,500 square feet	
Lot Width		Minimum 150 feet	
Setbacks	Front (Havendale Boulevard)	Minimum 10 feet; Maximum 125 feet	
	Street Side (21 st Street, NW)	Minimum 20 feet	
	Side yard	Adjacent Commercial Use	Minimum 5 feet
		Adjacent Multi-family Use	Minimum 10 feet
Rear yard		Minimum 10 feet	
Building Height		Maximum 3 floors up to 42 feet above grade	
Maximum Commercial Development Intensity		30,000 square feet	
Impervious Surface Area		Maximum 80 percent	

C. Landscaping.

1. A minimum 5-foot wide buffer shall be installed along Havendale Boulevard and 21st Street, NW. The buffer shall contain, at a minimum, the following plantings:

Planting Type	Minimum Requirement
Overstory Tree	1 per 100 linear feet
Understory Tree	2 per 100 linear feet
Large Shrub	5 per 100 linear feet

Required shrubs may be planted in clusters within the buffer.

2. A minimum 10-foot wide buffer shall be installed between the commercial uses and any adjoining residential use. The buffer shall contain, at a minimum, the following:

Planting Type	Minimum Requirement
Overstory Tree	2 per 100 linear feet
Understory Tree	4 per 100 linear feet
Large Shrub	5 per 100 linear feet
Fence Requirement	6-foot Opaque Fence or Wall

3. Tree canopy coverage of parking and driveway areas in commercial areas.

The developer shall install and maintain tree canopy coverage equal to 40 percent of the impervious driveway and parking areas on site. Tree canopy coverage shall be achieved through the use of a variety of at least 4 different species of trees selected from the table below.

Permitted Tree		Canopy Credit
Common Name	Botanical Name	
Shumard oak	Quercus shumardii	1,250 square feet
Sand live oak	Quercus geminata	500 square feet
Red maple	Acer rubrum	700 square feet
Sweetgum	Liquidambar styraciflua	700 square feet
Florida elm	Ulmus americana var. floridana	700 square feet
Winged elm	Ulmus alata	700 square feet
Crape myrtle	Lagerstroemia indica	125 square feet
Tabebuia	Tabebuia chrysotricha Tabebuia heptaphylla Tabebuia impetiginosa	500 square feet
Longleaf pine	Pinus palustris	500 square feet
Slash pine	Pinus elliottii	500 square feet
Sand pine	Pinus clausa	500 square feet
Bald cypress	Taxodium distichum	500 square feet

4. The use of Florida Friendly plantings shall be required.

D. Architectural standards.

1. The exterior façades of all enclosed buildings shall consist of either: concrete, stucco, split-face masonry, brick, or vinyl/masonry siding mimicking wood siding. Metal components may be used on a building as accent pieces only.
2. On-site parking for commercial out-parcels shall be limited to the following locations:

- a. Within the rear portion of the parcel behind the building;
- b. To the side of the building, rearward of the front building elevation; and
- c. Three (3) rows of parking spaces located between the front property line and the building.

E. Transportation.

1. The developer shall construct a minimum 5-foot sidewalk along the property's frontage with State Road 544 (Havendale Boulevard).
2. Access to the lands subject this ordinance shall be determined by the results of a traffic study and approval by FDOT and/or Polk County. This shall include any requirements by these agencies for off-site roadway improvements.
3. The site shall be developed as to allow for the possibility of future pedestrian connection to the commercial portion of the development. Vehicular cross-access to the commercial area shall be encouraged, but is optional.
4. The developer shall dedicate any additional right-of-way as required by either FDOT or Polk County at the time the property is developed.

F. Signage.

1. Ground Signs. The development shall be limited to one (1) monument sign structure not exceeding 150 square feet in area and 15 feet in height. Maximum sign copy area shall not exceed 100 square feet. The sign shall be limited to the Havendale Boulevard frontage.
2. Building Signs. Exterior building mounted signage for commercial businesses shall be permitted at a ratio of 1.5 square foot per linear foot of storefront fronting Havendale Boulevard; however, signage for a single storefront shall not exceed a maximum of 100 square feet.
3. Electronic Message Center Signs. Electronic Message Center signs shall only be permitted when it is included as part of a standard static sign. Electronic Message Center signs shall be limited to a maximum of 33 percent of the total sign copy area of the sign structure within which it is located. Electronic Message Center signs shall not be animated and shall not change messages more frequently than once every 5 seconds.
4. Directional signs up to 3 square feet in area and window signs not exceeding 33 percent of a storefront's window area shall be exempt from the above maximum sign area limitations.

G. Development shall be in general accordance with the attached conceptual layout of the property; however, deviation from the conceptual site plan, including changes which may impact specific interior lot configuration, to address safety, design, technical, wetland, or permitting issues identified during formal site plan review may be permitted. The shown layout of residential lots and infrastructure is for illustrative purposes.

H. All other code requirements shall be met.

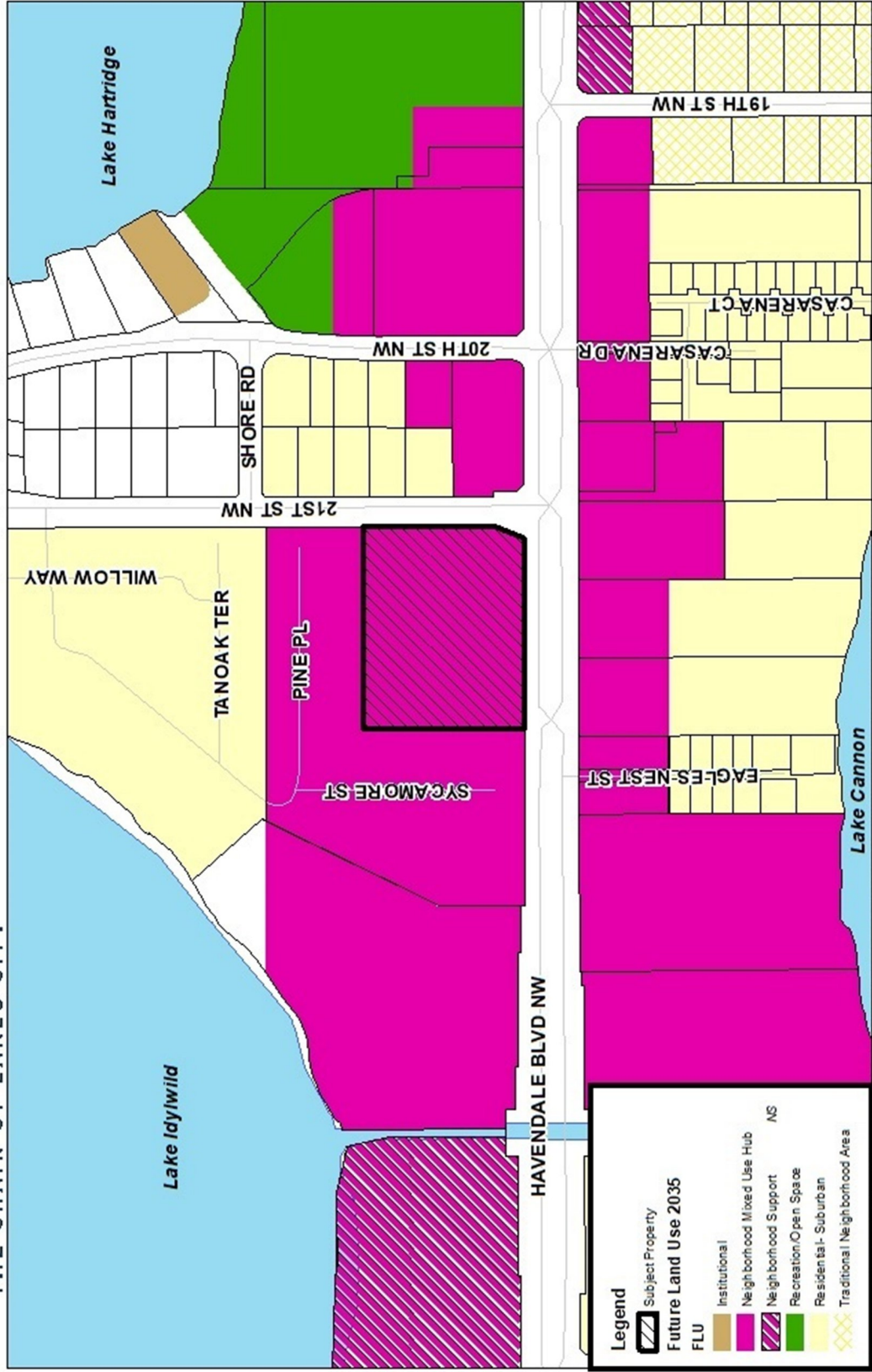
ATTACHMENTS:

Future Land Use Map
Zoning Map
Aerial Map
Conceptual Site Plan

WINTER HAVEN

THE CHAIN OF LAKES CITY

O-24-01
Future Land Use Map

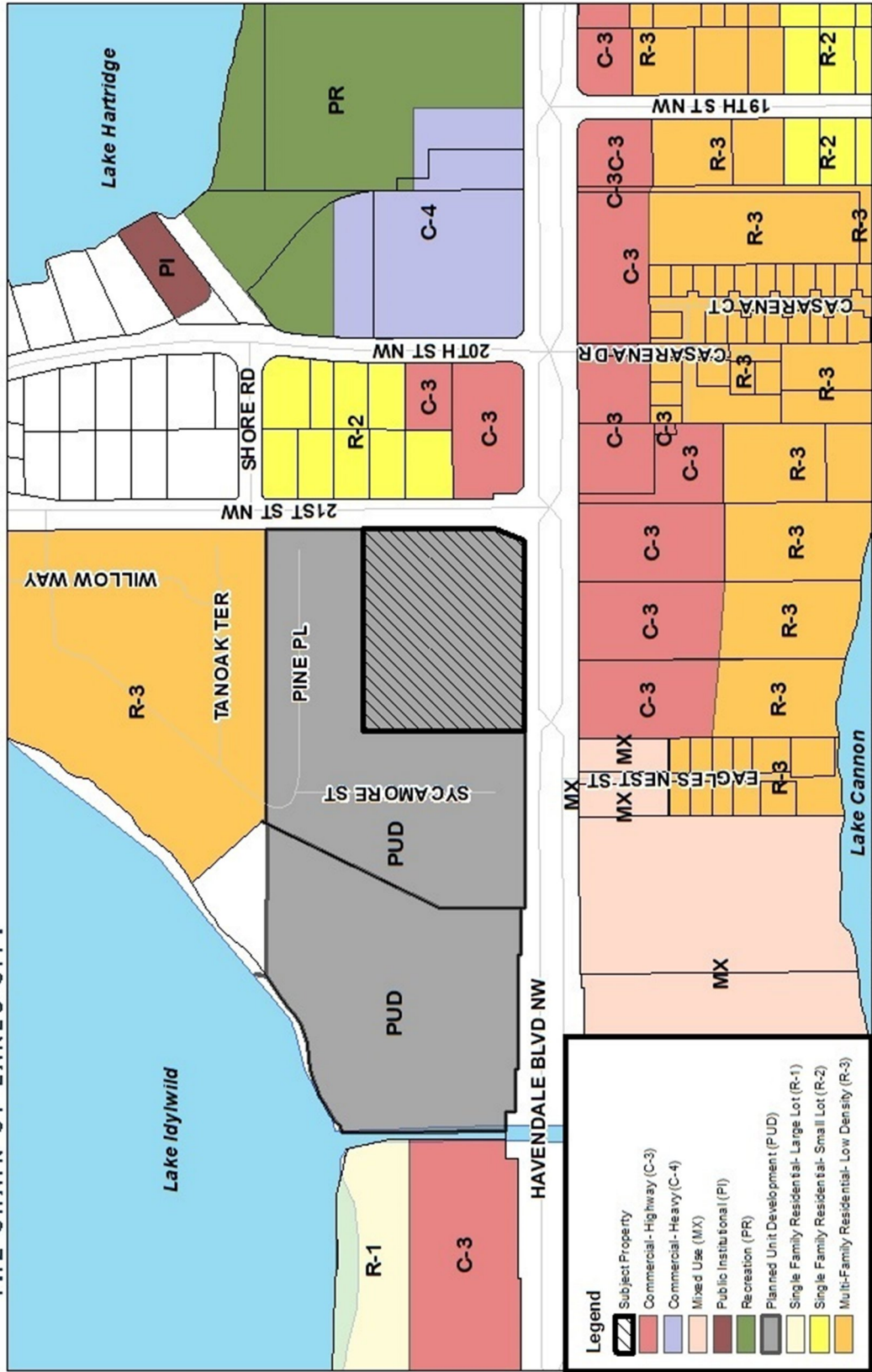


The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

WINTER HAVEN

THE CHAIN OF LAKES CITY

O-24-01
Zoning Map



The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

WINTER HAVEN

THE CHAIN OF LAKES CITY

O-24-01
Aerial Map



Legend

Subject Property

The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

CITY OF WINTER HAVEN FACT SHEET
PLANNING COMMISSION MEETING
December 4, 2023

DATE: November 1, 2023

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity & Community Investment Director

FROM: Sean Byers, Planning Manager

SUBJECT: Case Number P-24-02: Administrative request to amend the Capital Improvements Element of the Comprehensive Plan to update the 5-year Schedule of Capital Improvements and to revise Capital Improvements Element Policies 1.1.7 and 1.1.8 relating to the adoption of the Florida Department of Transportation's and Polk County's 2023/2024 through 2027/2028 Transportation Improvement Programs and the Polk County School Board's 2023/2024 through 2027/2028 Facilities Work Program by reference.

BACKGROUND:

Florida Statutes require all local governments to adopt a 5-year Schedule of Capital Improvements as part of its Comprehensive Plan. This update includes fiscal years 2023/2024 through 2027/2028, and is derived from the City's 2023/2024 Operating Budget adopted by the City Commission September 25, 2023, and projects for which grants will be sought.

The 5-year Schedule of Capital Improvements consists of items identified in the Capital Improvement Program portion of the City's Operating Budget that implement specific objectives and policies contained in the Comprehensive Plan and those future projects for which grant funding will be pursued. Per Capital Improvements Element Policy 1.1.3, only those projects with a minimum cost of \$25,000 and a minimum service life of five (5) years are included.

Total capital spending for the proposed 5-year schedule is approximately \$475 million. Funding is provided from a combination of general and enterprise funds, impact fees, grants, bond revenues, loans, State and County revenue sharing, and private contributions.

Policies 1.1.7 and 1.1.8 formally adopt by reference the current FDOT 5-year Work Program, the Polk County 5-year Transportation Work Program, and the 5-year work program adopted by the Polk County School Board. Adopting these work programs is necessary to fully implement the City's concurrency management system.

NOTIFICATION:

All public notification requirements for this request were met.

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval of this request, and its forwarding to the City Commission for final action.

ATTACHMENTS:

Revised Capital Improvements Element Policy 1.1.7

Revised Capital Improvements Element Policy 1.1.8

Draft FY 2023/2024 through FY 2027/2028 5-year Schedule of Capital Improvements

Revisions to Capital Improvements Policies 1.1.7 and 1.1.8

Old language is ~~stricken through~~ and new language is underlined.

Policy 1.1.7: The City shall adopt by reference, the ~~2022/2023~~ 2023/2024 through ~~2026/2027~~ 2027/2028 Florida Department of Transportation (FDOT) and Polk County Transportation Improvement Programs (TIP), as approved by the Polk Transportation Planning Organization (TPO), as part of the City's Schedule of Capital Improvements.

Policy 1.1.8: The City shall adopt by reference, the Polk School District ~~2022/2023~~ 2023/2024 through ~~2026/2027~~ 2027/2028 Facilities Work Program, as approved by the Polk County School Board, as part of the City's Schedule of Capital Improvements.

Capital Improvements Element

Schedule of Capital Improvements

Fiscal Years 2023/2024 through 2027/2028

Note: Projects contained in Years One through Three as notated in **Red** can be used to meet concurrency requirements.

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
TRANSPORTATION										
Multi-modal										
Avenue C, SE (First Street S to 6th Street SE)	\$1,065,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Transportation Enhancement Grant- \$84,206; Ad Valorem Taxes- \$980,794		\$165,000 (Design)		\$900,000 (Construction)		Proposed improvements will reduce oversized lane widths of a 2-lane collector street into a corridor with an 8-foot sidewalk along the north side of the street, reconstruction of the existing 5-foot sidewalk located along the south side of the street, reducing travel lanes to 11 feet, adding defined on-street parking where space permits, landscaping, and minor drainage improvements.
Avenue D, NW	\$2,000,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants (To be applied for); Ad Valorem Taxes					\$2,000,000 (Design & Construction)	Avenue D, NW is a key east/west collector roadway lying immediately north of downtown. With many pedestrian oriented improvements occurring in the core of downtown along Central Avenue, Avenue D, NW is experiencing increased traffic. The 2015 Winter Haven Downtown Transportation Plan recognizes this and indicated improvements are needed along this corridor.
Avenue K, NE	\$2,236,157	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	Local Funds- \$935,157; FDOT- \$1,301,000	\$2,236,157					Construction of complete street components along Avenue K, NE from East Lake Silver Drive to East Lake Martha Drive
Eighth Street/Avenue L NW	\$1,234,676	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants- \$1,114,676; Ad Valorem Taxes; Trans Impact Fees		\$120,000 (Design)		\$1,114,676 (Construction)		Design and construct complete street improvements to include sidewalks/multi-use path, intersection improvements, and a lane width reduction for Eighth Street, NW and Avenue L, NW between North Lake Howard Drive and Sixth Street, NW (US Highway 17)
Eighth Street SE	\$1,014,377	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants- \$894,377; Ad Valorem Taxes; Trans Impact Fees		\$120,000 (Design)		\$894,377 (Construction)		Design and construct complete street improvements to include sidewalks/multi-use path and intersection improvements between Cypress Gardens Blvd and Avenue K, SE)
Lake Elbert Trail	\$10,916,026	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	NA	Construction Fund- \$3,618,281; Stormwater Fees- \$1,110,031; Transportation- \$442,023; Utilities- \$5,226,491; Dark Fiber- \$222,000	\$10,916,026					Construction of a 7,500±-foot multi-use trail along the eastern and western sides of Lake Elbert. This project is identified in the Sidewalk Pedestrian Multi-modal Infrastructure Access Plan as a priority sidewalk connection.

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
East Lake Howard Trail and Trailhead (Avenue B, NW to Lake Howard/Lake May Canal)	\$675,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	NA	Ad Valorem Taxes	\$100,000 (Design)	\$575,000 (Construction)				Design and construction of a 3,500±-foot multi-use trail and sidewalks along the eastern side of Lake Howard from Avenue B, NW to Lake Howard/Lake May Canal. This trail will provide a connection to neighborhoods in southwest Winter Haven from the Chain of Lakes Trail network. This project is identified in the Sidewalk Pedestrian Multi-modal Infrastructure Access Plan as a priority multi-use trail.
South Lake Howard Trail (Lake Howard/Lake May Canal to 15th Street SW & 15th St SW to Avenue G NW)	\$1,178,525	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	NA	FDOT- Transportation Enhancement Grant- \$428,525; Congressional Appropriation- \$750,000	\$1,178,525 (Const Avenue D SW to 15th St SW)					<ul style="list-style-type: none"> Design and construct a 1,900-foot sidewalk along the southeastern shore of Lake Howard from the Lake Howard/Lake May Canal to 15th Street, SW. This project is identified in the Sidewalk Pedestrian Multi-modal Infrastructure Access Plan as a priority multi-use trail; (15th Street SW to Avenue C, SW): Design and construct a 3,200-foot multi-use trail along the shore of Lake Howard from 15th Street, SW to Avenue C, SW. The trail will aid in providing a connection between downtown and the Lake Howard Nature Park. This project is identified in the Sidewalk Pedestrian Multi-modal Infrastructure Access Plan as a multi-use trail; (Avenue C, SW to Avenue G, NW): Corridor analysis for a trail connection along the western side of Lake Howard between Avenue C, SW and Avenue G, NW. The specific route for this trail has not been finalized. This project is identified in the Sidewalk Pedestrian Multi-modal Infrastructure Access Plan as a priority multi-use trail.
Sixth Street, SW	\$1,142,854	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants- \$793,482; Ad Valorem Taxes- \$350,371; Trans Impact Fees	\$165,000 (Design)			\$977,854 (Construction)		The Sixth Street, SW Complete Street improvements will convert the existing former 4-lane roadway between Avenue C, SW and Avenue G, SW into a corridor with two, 10 to 11-foot travel lanes (existing), a median/center turn lane, landscaping, rain gardens, and an 8-foot sidewalk along the eastern side of the roadway. The project will also provide 5 to 6-foot wide infill sidewalks along Avenue G, SW between Fifth Street, SW and Seventh Street, SW. This project was identified by the 2015 Winter Haven Downtown Transportation Plan.
Motor Pool Road Complete Street	\$900,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	Ad Valorem Taxes	\$900,000					The Motorpool project will convert a two lane street into a multi-modal corridor connecting the Chain of Lakes Trail, Highway 17, Ave Y. NE, and Lake Conine Nature Park.
North Lake Shipp Drive Reconstruction (Avenue Q, SW to CSX RR Tracks)	\$4,000,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	Ad Valorem Taxes- \$150,000; FDOT Grants (To be applied for)	\$150,000				\$3,850,000	A Major focus of this effort is accommodating safer pedestrian movement. Additional improvements include bicycle facilities, drainage improvements, sidewalks,

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Old Helena Road Multi-use Trail	\$693,094	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	NA	Ad Valorem Taxes; FDOT Grant- \$593,094		\$120,000 (Design)		\$593,094 (Construction)		Design and construction of a minimum 8-foot wide, 3,800-foot long multi-use trail along Old Helena Road between Legoland Way and Cypress Gardens Boulevard. This project supports concepts contained in FDOT's 2021 Cypress Gardens Boulevard Corridor Study.
Roselawn Street SW	\$1,650,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants (To be Applied For); Ad Valorem Taxes; Trans Impact Fees			\$150,000 (Design)		\$1,500,000 (Construction)	Design and construction of complete street improvements to include sidewalks and intersection improvements from 15th Street, SW to Avenue O, SW
Third Street, NW (Avenue D, NW to S Lake Silver Dr)	\$1,665,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants- \$766,598; Local Funds- \$733,402	\$165,000 (Design)	\$1,500,000 (Construction)				The 3rd Street NW Complete Street improvements will convert the existing roadway between Avenue D, NW and South Lake Silver Drive into a corridor with two, 10 to 11-foot travel lanes, upgraded parking, landscaping, rain gardens, and a roundabout, and improved pedestrian safety amenities.
West Central Avenue	\$1,650,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants (To be applied for); Local Funds			\$150,000 (Design)		\$1,500,000 (Construction)	Project will improve pedestrian connections between downtown (Sixth Street, SW) and Lake Howard. Expected improvements include, enhanced sidewalks, improved lighting, on-street parking, and intersection improvements.
Neighborhood Sidewalks	\$860,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	General Fund- \$560,000; DT CRA- \$75,000; FV CRA- \$75,000; Transportation Fund- \$150,000	\$250,000	\$250,000	\$120,000	\$120,000	\$120,000	Sidewalk improvement program to address ongoing sidewalk improvements, including construction of infill sidewalks throughout the City.
Roadways										
Cypress Gardens Blvd Congestion Improvements	\$2,600,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	Ad Valorem Taxes- \$2,400,000; Impact Fees- \$200,000	\$2,600,000					Project address congestion along the Cypress Gardens Boulevard corridor between First Street and Ninth Street, SE.
Logistics Parkway Extension	\$4,050,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	Impact Fees- \$1,164,832; PRWC- \$2,885,168	\$2,550,000	\$1,500,000				Project will connect Pollard Road to the existing Logistics Parkway. The project will also include a multi-use trail, sidewalk, and lighting.
Roosevelt Drive Extension (Cypress Gardens Blvd to Register Rd)	\$1,052,935	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	FDOT Grants- \$927,935; Ad Valorem Taxes; Trans Impact Fees	\$125,000 (Design)		\$927,854 (Construction)			Reconstruction and completion of Roosevelt Drive with sidewalks between Cypress Gardens Blvd and Register Rd. This project was identified in FDOT's 2021 Cypress Gardens Boulevard Corridor Study.
Transportation and Sidewalk Improvement Program	\$10,000,000	Transportation Objective 1.3, Objective 1.7, Objective 1.14, Objective 2.2, Objective 2.3; Recreation Objective 1.6	LOS D + 10%	Ad Valorem Taxes	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	Re-paving and sidewalk projects City-wide.
Signalized Intersection Timing Upgrades	\$70,000	Transportation Objective 1.1	LOS D + 10%	Ad Valorem Taxes	\$14,000 (3rd St SW & Ave C SW)	\$14,000 (First St Timing)	\$14,000	\$14,000	\$14,000	Identified upgrades will aid in traffic flow and improve overall level of service of the roadway network.

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Airport										
Airport South Apron	\$4,572,188	Transportation Objective 1.11	NA	FAA Grant- \$3,878,740; FDOT Grant- \$425,467; City- \$267,981	\$4,572,188 (Construction)					Rehabilitation of the South Apron at Winter Haven Regional Airport (GIF)- The base course will be reworked and graded to meet grading and drainage requirements.
Airport Commerce Park	\$1,020,826	Transportation Objective 1.11	NA	City- \$510,413; FDOT Funding- \$510,413	\$1,020,826 (Construction)					Phase I will include the construction of the necessary infrastructure to support the design and construction, including utility connections, roadway and parking system, aircraft apron and connecting taxiway of Phase I in the Northwest Development Area of the airport.
Airport Beacon & Runway 5/23 PAPI	\$535,000	Transportation Objective 1.11	NA	FDOT- \$428,000; City- \$107,000			\$535,000 (Construction)			Installation of a new beacon and PAPIs will help ensure continued reliability and increased safety for users of the airport
Airport Master Plan Update	\$542,000	Transportation Objective 1.11	NA	FAA- \$487,800; FDOT- \$27,100; City- \$27,100			\$317,000	\$225,000		Update of the 2016 Airport Master Plan. The FAA and FDOT recommend updating the Master Plan every 7 to 10 years
Digital Remote Air Traffic Control Tower	\$1,230,000	Transportation Objective 1.11	NA	FDOT- \$1,230,000	\$918,000 (Construction)	\$312,000 (Construction)				Construction of a new remote air traffic control tower to be operated from a control center located at Bartow Executive Airport.
Emergency Generators	\$700,000	Transportation Objective 1.11	NA	FDOT- \$560,000; City- \$140,000	\$700,000 (Construction)					Project will install three generators to power the terminal, fuel farm, and airfield lighting. This project will ensure that the airport is able to operate in times of power outages and be able to accept relief flights and refuel emergency aircraft
T-Hangar Taxi-lane Rehabilitation	\$2,371,000	Transportation Objective 1.11	NA	FAA Grant- \$135,000; FDOT Grant- \$7,500; Ad Valorem Taxes- \$7,500				\$150,000 (Design)	\$2,221,000 (Construction)	Rehabilitate existing taxilanes between t-hangar buildings located in the south quadrant of the airport. The proposed approach includes a mill and overlay of the asphalt
Runway 5 Obstruction Clearing	\$1,844,000	Transportation Objective 1.11	NA	FDOT Grant- \$1,475,000; City- \$368,800		\$1,844,000- Design and Construction				This project would remove the obstructions and bring our Runway 5 approach end back into compliance with the FDOT.
Runway 11/29 PAPIs	\$225,000	Transportation Objective 1.11	NA	FDOT- \$180,000; City- \$45,000				\$225,000 (Construction)		Addition of these navigational aids will enhance safety at airport
Taxiway E Extension	\$2,310,000	Transportation Objective 1.11	NA	FAA- \$2,079,000; FDOT- \$115,500; City- \$115,500		\$210,000 (Design)	\$2,100,000 (Construction)			Design and construct an extension to Taxiway E from midfield to approach end of Runway 29. The extension will help with development of the eastern quadrant of the airport
TOTAL TRANSPORTATION	\$66,003,658				\$30,560,722	\$8,710,000	\$6,313,935	\$7,214,001	\$13,205,000	

SANITARY SEWER										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Treatment Plants										
Wastewater Treatment Plant 2	\$10,700,000	Sanitary Sewer Objectives 1.1 and 1.3; Water Supply Objective 1.1	100.0 gallons /person/ day	Impact fees- \$600,000; Operating Revenues- \$100,000; Grants- \$2,500,000; WIFIA Loan- \$4,900,000; Bonds- \$2,600,000	\$600,000 (Disk Filter)	\$100,000 (Design)	\$3,000,000 (Construction)	\$7,000,000 (Construction)		Wastewater Treatment Plant 2 is reaching the end of its useful life expectancy. This project will design and construct upgrades to the plant.
Wastewater Treatment Plant 3	\$164,000,000	Sanitary Sewer Objectives 1.1 and 1.3; Water Supply Objective 1.1	100.0 gallons /person/ day	WIFIA Loan- \$74,235,000; Grant- \$40,375,000; Impact Fees- \$2,400,000; Operating Revenues- \$600,000; SRF Loan- \$20,000,000; Bonds- \$26,390,000	\$1,600,000	\$32,400,000	\$80,000,000	\$50,000,000		Wastewater Treatment Plant 3 is nearing its permitted capacity. Projects will design and construct improvements to allow the plant's capacity to be increased to 12.0 MGD, make process aeration improvements, addition of a fourth sand filter, and installation of clarifier covers.
Line Extensions/Upgrades										
Harmony Master Lift Station	\$7,000,000	Sanitary Sewer Objective 1.1	100.0 gallons /person/ day	SRF Loan	\$6,000,000	\$1,000,000				Construction of the Harmony Master Lift Station for the transmission of effluent on the new master forcemain for the Eloise/Harmony area.
WWTP 2 Master Lift-station	\$18,450,000	Sanitary Sewer Objective 1.1	100.0 gallons /person/ day	Impact Fees- \$450,000; WIFIA Loan- \$8,820,000; Bonds- \$4,680,000; Grants- \$4,500,000	\$450,000	\$10,000,000	\$8,000,000			Design and construction of new lift-station to allow wastewater pumping to WWTP 3
North Lake Shipp Drive Gravity and Force-mains	\$4,100,000	Sanitary Sewer Objective 1.1	100.0 gallons /person/ day	Operating Revenues- \$1,250,000; Grants- \$2,850,000	\$300,000	\$2,300,000	\$1,500,000			Design and construction of upgraded gravity lines and force-main along the North Lake Shipp Drive corridor. The upgraded line will increase capacity and improve reliability in the southwest portion of the City.
Septic to Sewer Conversions	\$8,000,000	Sanitary Sewer Objective 1.3	100.0 gallons /person/ day	Impact Fees- \$3,725,000; Grants- \$4,275,000	\$1,500,000	\$2,000,000	\$1,500,000	\$1,500,000	\$1,500,000	Design, permit, and construction of wastewater infrastructure to properties presently utilizing septic systems for wastewater disposal. This project will reduce nutrient loading to nearby waterbodies.
Seventh Street SW/South Lake Shipp Drive	\$5,000,000	Sanitary Sewer Objective 1.1	100.0 gallons /person/ day	Impact Fees- \$4,500,000; Operating Revenues- \$500,000			\$1,000,000	\$2,000,000	\$2,000,000	Design and construction of wastewater infrastructure along Seventh Street, SW and South Lake Shipp Drive to provide service to unserved adjacent properties.
US Highway 92 Sewer Lines	\$200,000	Sanitary Sewer Objective 1.1	100.0 gallons /person/ day	Operating Revenues	\$200,000					Design and construction of gravity lines and force-mains along US Highway 92 between Jersey Rd and US Highway 17 in support of FDOT improvements along this roadway.
TOTAL SANITARY SEWER	\$217,450,000				\$10,650,000	\$47,800,000	\$95,000,000	\$60,500,000	\$3,500,000	

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
RECLAIMED WATER										
Reuse Water Main Extensions and Connections	\$4,000,000	Water Supply Objective 1.3, Objective 2.1; Potable Water Objective 1.4; Conservation Objective 1.2	NA	Grants- \$2,760,000; Impact Fees- \$1,240,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000		This project will provide a looped reuse system around the City for the purpose of supplying reuse water for irrigation, aquifer recharge, and wetland restoration.
ASR Wellfield	\$4,000,000	Water Supply Objective 1.3, Objective 2.1; Potable Water Objective 1.4; Aquifer Recharge Objective 2.3	NA	Grants- \$1,882,219; Impact Fees- \$2,117,781	\$1,000,000	\$3,000,000				Construction of aquifer Storage and Recovery (ASR) wells for the recharge, storage and recovery of reclaimed water, stormwater, and fresh water for future use.
Direct Potable Reuse	\$5,800,000	Water Supply Objective 1.3, Objective 2.1; Potable Water Objective 1.4	NA	WIFIA Loan- \$2,695,000; Grants- \$2,950,000; Operating Revenues- \$155,000	\$100,000	\$200,000	\$1,000,000	\$3,000,000	\$1,500,000	Design and construction of the facilities to implement direct potable water reuse.
One Water Demonstration Project	\$900,000	Water Supply Objective 1.3, Objective 2.1; Potable Water Objective 1.4; Aquifer Recharge Objective 2.3	NA	Operating Revenues		\$900,000				Design and construction of a One Water reuse water recharge project.
Rapid Infiltration Basin	\$3,100,000	Conservation Objective 1.2, Objective 2.3; Drainage & Aquifer Recharge Objective 2.3	NA	WIFIA Loan- \$1,470,000; Grants- \$990,000; Impact Fees- \$640,000	\$100,000	\$1,000,000	\$1,000,000	\$1,000,000		Design and construction of a Rapid Infiltration Basin to provide recharge to the aquifer, lakes and wetlands.
CR 653 Reuse Main	\$1,320,000	Conservation Objective 1.2, Objective 2.3; Drainage & Aquifer Recharge Objective 2.3	NA		\$1,320,000					Design and construction of a reuse main along the CR 653 corridor to further the buildout of a looped reclaim distribution system.
TOTAL RECLAIMED WATER	\$19,120,000				\$3,520,000	\$6,100,000	\$3,000,000	\$5,000,000	\$1,500,000	

POTABLE WATER										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Treatment Plants & Storage										
Cypresswood Water Treatment Plant	\$7,300,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.1	350 gallons/unit/day	SRF Loan	\$2,000,000	\$2,500,000	\$2,800,000			Improvements will provide a new water treatment facility on the easterly portion of the Winter Haven service area.
Fairfax Water Treatment Plant	\$6,800,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.1	350 gallons/unit/day	SRF Loan- \$4,000,000; Impact Fees- \$1,450,000; Operating Revenues- \$1,350,000	\$350,000	\$2,450,000	\$2,000,000	\$2,000,000		Improvements will replace HSP # 4, antenna replacement, control building upgrades, and upgrade ground storage tank
Garden Grove Pump Station	\$400,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.1	350 gallons/unit/day	Impact Fees		\$100,000	\$300,000			Existing Garden Grove Water Treatment Plant will be decommissioned and converted to a pumping station.
Inwood Water Treatment Plant	\$5,050,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.1	350 gallons/unit/day	SRF Loan- \$3,000,000; Impact Fees- \$1,050,000; Operating Revenues- \$1,000,000	\$625,000	\$1,425,000	\$3,000,000			Plant upgrades including service pump replacements, motor control room, and electrical upgrades. This also includes replacement of HSP # 1 which increases from 300 gpm to 1,500 gpm
Pollard Road Water Treatment Plant	\$11,500,000	Potable Water Objective 1.1, Objective 1.3; Water Supply Objective 1.1	350 gallons/unit/day	SRF Loan	\$4,000,000	\$4,000,000	\$3,500,000			Design and construction of a new water treatment plant to serve the southern portion of the Winter Haven Water Service area and in support of the ILC.
Line Extensions/Upgrades										
Auburndale/Polk Water Interconnect	\$1,750,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Inter-local Agreement PRWC		\$1,750,000				Project creates a potable water connection to neighboring utilities to allow for sharing future water supply and emergency supply.
Auburndale Interconnect	\$850,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Operating Revenues- \$225,000; Interlocal Agreements- \$625,000		\$550,000	\$300,000			Project creates a potable water connection to neighboring utilities to allow for sharing future water supply and emergency supply.
Dundee Interconnect	\$600,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Impact Fees- \$300,000; Inter-local Agreement- \$300,000	\$600,000					Project creates a potable water connection to neighboring utilities to allow for sharing future water supply and emergency supply.
Eagle Lake Interconnect	\$400,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Impact Fees	\$300,000	\$100,000				Project creates a potable water connection to neighboring utilities to allow for sharing future water supply and emergency supply.
Haines City Interconnect	\$3,000,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Impact Fees- \$1,500,000; Interlocal Agreement- \$1,500,000	\$200,000	\$2,800,000				Project creates a potable water connection to neighboring utilities to allow for sharing future water supply and emergency supply.
Lake Alfred Interconnect	\$600,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Impact Fees- \$300,000; Inter-local Agreement- \$300,000		\$300,000	\$300,000			Project creates a potable water connection to neighboring utilities to allow for sharing future water supply and emergency supply.

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Cypresswood Blvd Water Main	\$8,400,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Impact Fees- \$5,250,000; Operating Revenues- \$2,250,000; Grants- \$900,000	\$125,000	\$2,275,000	\$3,250,000	\$2,750,000		Design and construction of a new water main to support new Cypresswood Water Treatment Plant
Old Bartow/Lake Wales Rd Water Main	\$3,500,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Impact Fees - \$1,500,000; Operating Revenues- \$500,000; Developer Contributions- \$1,500,000	\$250,000	\$250,000	\$1,000,000	\$2,000,000		Design and construction to loop water from Logistics Parkway to CR 653 for water quality and emergency services.
Sixth Street SW Water Main	\$150,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Operating Revenues	\$150,000					Design and construction of distribution mains along Sixth Street, SW between US Highway 17 and Avenue G, SW to accommodate roadway construction.
SR 544 (Havendale Blvd/ Martin Luther King Blvd) Water Main	\$1,865,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Operating Revenues	\$445,000	\$1,420,000				Design and construction of distribution mains along SR 544 between First Street North and 42nd Street NW in multiple phases to accommodate roadway construction.
SR 544 (Lucerne Park Rd) Water Main	\$1,500,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Operating Revenues	\$200,000	\$1,300,000				Design and construction of distribution mains along SR 544 between Martin Luther King Blvd and US Highway 27 in multiple phases to accommodate roadway construction.
Water Main Transmission Projects	\$7,000,000	Potable Water Objective 1.1, Objective 1.2; Water Supply Objective 1.3, Objective 1.4	350 gallons/unit/day	Operating Revenues		\$3,000,000	\$1,000,000	\$1,500,000	\$1,500,000	Design and construction of water mains in new areas of growth, existing communities, and system looping.
Water Supply Projects										
One Water Peace Creek Projects-Bradco Farms Property	\$28,500,000	Water Supply Objective 1.1; Potable Water Objective 1.1	NA	WIFIA Loan- \$13,475,000; Impact Fees- \$1,000,000; Bonds- \$5,865,000; Grants- \$8,160,000	\$250,000	\$9,750,000	\$14,500,000	\$2,000,000	\$2,000,000	The Bradco Property project will consist of a wetland recharge area, and ASR well, recreational trail amenities, and a site for Utilities administration facility.
Automated Meter Infrastructure	\$800,000	Water Supply Objective 1.1; Potable Water Objective 1.1	NA	Impact fees	\$300,000	\$200,000	\$100,000	\$100,000	\$100,000	Automated Meter Infrastructure will automate the City's water meter data collection. Automated meters will allow customers to view in real time water consumption, with the goal of improving conservation.
TOTAL POTABLE WATER	\$89,965,000				\$9,795,000	\$34,170,000	\$32,050,000	\$10,350,000	\$3,600,000	

SOLID WASTE										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Fleet Expansion	\$4,725,000	Solid Waste Policy 1.1.2	4.5 Pounds/person/day	Solid Waste Fund	\$1,700,000	\$1,700,000	\$575,000	\$375,000	\$375,000	Fleet needs to expand with a new collection route (one refuse and one recycling vehicle) for every 750 homes. Additionally over the 5-year period 4 junk and brush vehicles will need to be added. Investments in additional equipment need to be made prior to homes being built as this service is expected the first week residents move in.
TOTAL SOLID WASTE	\$4,725,000				\$1,700,000	\$1,700,000	\$575,000	\$375,000	\$375,000	
DRAINAGE										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Rain Garden Watershed Improvement	\$660,000	Drainage & Aquifer Recharge Objective 1.2, Objective 1.5, Objective 2.2, Objective 2.3; Conservation Objective 1.2, Objective 2.3	NA	Stormwater Fees- \$540,000; SWFWMD Grant- \$120,000	\$620,000 (Construction)	\$40,000 (Design)				Siting, design, and construction of swales, rain gardens, and percolation ponds throughout the City to treat stormwater and aid in aquifer recharge.
Lake Howard Watershed Enhancement	\$1,460,000	Drainage & Aquifer Recharge Objective 1.2, Objective 1.5, Objective 2.2, Objective 2.3; Conservation Objective 1.2, Objective 2.3; Recreation Objective 3.1, Objective 3.2	NA	Stormwater Fees- \$610,000; Local Funds- \$200,000; FRDAP- \$200,000; Heartland Headwaters- \$450,000	\$1,460,000					Design and construction for the expansion of the Lake Howard Nature Park.
Stormwater Assessment & Improvement Projects	\$12,569,262	Drainage & Aquifer Recharge Objective 1.2, Objective 1.5, Objective 2.2, Objective 2.3; Conservation Objective 1.2, Objective 2.3	NA	Stormwater Fees- \$6,284,631; Grants- \$6,284,631			\$6,450,378 (Ware Ave NE Area & Ave C, SE Area)	\$3,482,852 (Ave K, SE Area)	\$2,636,032 (South Lake Howard Drive Area)	Series of projects to improve drainage in priority areas of the City where flooding and pollutant loading can be addressed simultaneously. The six priority areas are: Ware Avenue NE; Mirror Terrace, NW; Avenue C, SE; Avenue K, SE; High Point Avenue; and South Lake Howard Drive.
TOTAL DRAINAGE	\$14,689,262				\$2,080,000	\$40,000	\$6,450,378	\$3,482,852	\$2,636,032	
CONSERVATION										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Nature Center	\$2,300,000	Conservation Objective 1.1, Objective 1.2; Potable Water Objectives 1.1 and 1.3; Water Supply Objective 1.1	NA	Grants- \$40,000; WIFIA Loan- \$1,107,400; Bonds- \$1,152,600		\$2,300,000				Design and construction of a nature center.
TOTAL CONSERVATION	\$2,300,000					\$2,300,000				

RECREATION										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Chain of Lakes Park	\$17,820,200	Recreation Objective 1.1, Objective 2.1	Ballfields 1/5000	Bond Proceeds-\$5,000,000; TDC Contribution-\$5,000,000; Construction Fund-\$7,820,200	\$17,820,200 (Construction)					Renovation of 5 ballfields including drainage, fencing, lighting, spectator amenities, and support facilities.
Diamondplex	\$2,152,447	Recreation Objective 1.1, Objective 2.1	Ballfields 1/5000	Ad Valorem Taxes		\$1,000,000	\$1,152,447			The facility was originally constructed in 1998, and requires upgrades and replacements to the field and installation of energy efficient LED field lighting.
Garden Center	\$264,000	Recreation Objective 1.1, Objective 2.1	6 acres/ 1,000 residents	Ad Valorem Taxes	\$264,000 (Construction)					Capital Renovations to recently acquired City facility.
Lake Maude Recreation Complex/Park	\$3,286,190	Recreation Objective 1.1, Objective 1.6	Ballfields- 1/5,000; Park land-6acres/ 1,000 residents	Bond Proceeds-\$1,800,000; Impact Fees-\$1,209,075; Florence Villa CRA-\$150,000; Dark Fiber-\$58,240; Utilities-\$27,240; Public Works-\$33,600; Construction Fund-\$8,035	\$3,286,190 (Construction)					Design and construction of new multi-purpose athletic fields, parking, and playground upgrade.
Lions Park	\$2,200,000	Recreation Objective 1.1, Objective 2.1	Playground- 1/5,000; Picnic shelter- 1/5,000	Ad Valorem Taxes-\$2,000,000; Parks & Recreation Fees-\$200,000		\$200,000 (Park Renovation Design)	\$2,000,000 (Park Renovation Construction)			The City purchased the Lions Park property on the southern shore of Lake May in 2007. Evaluation of the park property has found that the park is out of date and needs renovation to include: parking, picnic areas, playground, bridges, and walkways.
Martin Luther King Park/ Skate Park	\$200,000	Recreation Objective 1.1, Objective 2.1	6 acres/ 1,000 residents	Parks and Recreation Impact Fees		\$200,000				It is anticipated that within two to four years of operation, the skate park will need upgrades for obstacles and infrastructure due to use. These funds will help ensure the continued safety and enjoyment of the facility
"Rowdy" Gaines Olympic Pool	\$2,400,000	Recreation Objective 1.1, Objective 2.1	Swimming Pool- 1/25,000	Ad Valorem Taxes	\$2,000,000	\$300,000	\$100,000			General renovation and upgrades to the pool and pool deck along with the installation of additional shade sails.
Rotary Park	\$195,000	Recreation Objective 1.1, Objective 2.1	6 acres/ 1,000 residents	Ad Valorem Taxes	\$75,000	\$40,000	\$80,000			Construction of park improvements including: horseshoe courts in FY 2024, building renovations in FY 2025, and skate park and site repurpose in FY 2026.
Sertoma Park Redesign	\$2,000,069	Recreation Objective 1.1, Objective 2.1	Ballfields- 1/5,000; Park land-6acres/ 1,000 residents	Ad Valorem Taxes				\$1,335,069	\$665,000	Renovation of facility to including parking improvements, football field, concession facilities, lighting, and spectator amenities.
Winter Haven Recreational and Cultural Center	\$18,697,680	Recreation Objective 1.1, Objective 2.1	Basketball- 1/5,000; Swimming Pool- 1/25,000; Playground 1/5,000	Ad Valorem Taxes-\$200,000; Construction Fund-\$18,497,680	\$18,497,680 (Complete redevelopment)	\$50,000 (Library Technology)	\$50,000 (Library Technology);	\$50,000 (Library Technology)	\$50,000 (Library Technology)	Complete renovation including branch library, technology area, ADA upgrades, updated mechanical systems, building security, building flow, and community accessibility.

PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Winter Haven Senior Adult Center	\$193,000	Recreation Objective 1.1, Objective 2.1	6 acres/ 1,000 residents; Playground 1/5,000	Parks and Recreation Fees	\$13,000 (Construction)	\$15,000 (Construction)	\$15,000 (Construction)	\$150,000 (Construction)		General upgrades to facility and adjoining shuffleboard courts.
Women's Club Building/ Heritage Park	\$400,000	Recreation Objective 1.1, Objective 2.1	NA	Ad Valorem Taxes-\$250,000; Grant-\$100,000; Donation-\$50,000	\$50,000	\$350,000				General improvements to preserve a historic facility constructed in 1923, including parking lot improvements, climate control, weatherproofing, and roof repairs.
Park Enhancements Program	\$1,980,000	Recreation Objective 1.1, Objective 2.1	6 acres/ 1,000 residents; Playground 1/5,000	Ad Valorem Taxes	\$480,000	\$500,000	\$500,000	\$500,000		City-wide upgrades and enhancements to park facilities.
TOTAL RECREATION	\$51,788,586				\$42,486,070	\$2,655,000	\$3,897,447	\$2,035,069	\$715,000	

OTHER PROJECTS IMPLEMENTING POLICIES IN THE COMPREHENSIVE PLAN										
PROJECT	TOTAL PROJECT COST	COMPREHENSIVE PLAN POLICY IMPLEMENTATION	LEVEL OF SERVICE STANDARD	FUNDING SOURCE	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	FISCAL YEAR 2025/2026	FISCAL YEAR 2026/2027	FISCAL YEAR 2027/2028	COMMENTS
Public Safety Complex 4	\$4,430,000	Future Land Use Objective 1.4	NA	Bond Proceeds; Construction Funds	\$4,430,000					Design and construction of a 11,000 square foot multi-purpose public service building on City-owned property on Fairfax Street, NE. The facility is intended to serve the northeast and will house a new fire engine and personnel to staff three shifts.
Public Safety Complex 5	\$4,500,000	Future Land Use Objective 1.4	NA	Bond Proceeds		\$4,500,000				Design and construction of a 11,000 square foot multi-purpose public service building on City-owned property on 20th Street, NW. This facility is designed to serve the northwest portion of the City.
TOTAL OTHER	\$8,930,000				\$4,430,000	\$4,500,000	\$0	\$0	\$0	
TOTAL ALL ELEMENTS	\$474,971,506				\$105,221,792	\$107,975,000	\$147,286,760	\$88,956,922	\$25,531,032	
Note: FDOT projects, Polk County transportation projects, and Polk County School Board projects are adopted by reference by Capital Improvements Element Policies 1.1.7 and 1.1.8.										

**CITY OF WINTER HAVEN FACT SHEET
PLANNING COMMISSION MEETING
December 4, 2023**

DATE: November 17, 2023

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity & Community Investment Director
Sean Byers, Planning Manager

FROM: Heather Reuter, Senior Planner

SUBJECT: **Case Number P-24-03:** Administrative request to amend Table 21-32(A) of the Winter Haven Code of Ordinances for the purpose of addressing Commercial-Downtown (C-1) zoning district uses.

BACKGROUND:

Chapter 21, Article II, Table 21-32(A), Table of Land Uses, which was originally adopted in 2000, establishes the types of uses permitted within the City’s 18 zoning districts. Other than a few minor changes, the Commercial- Downtown (C-1) zoning district’s uses have not been reviewed and amended since the establishment of the district in 2000.

With the revitalization of the City’s downtown core, including a growing number of residential units, a more defined vision for this area has been imagined. This request is an effort to align the C-1 uses with this vision by permitting certain uses which are more accustomed to a walkable downtown, and requiring Special Use for other uses where review by Planning Commission to consider potential impacts is more appropriate. The following significant changes are proposed:

Use	Current	Proposed
Child Care Facility	Permitted	Special Use
Assisted Living Facility	Permitted	Not Permitted
Funeral Home/Mortuary	Special Use	Not Permitted
Artisan Production, Small Scale	Special Use	Permitted
Personal Storage Units	Not Permitted	Accessory Special Use
Package Stores	Special Use	Permitted

COMPREHENSIVE PLAN:

Properties designated as Commercial- Downtown (C-1) zoning district are designated as Primary Mixed Use Hub Future Land Use by the 2035 Future Land Use Map. The Primary Mixed Use Hub Future Land Use should consist of an area with a rich intensity mixing of uses including retail sales and services, offices, medium to high density residential, and recreation. The Primary Mixed Use Hub serves as a center of commerce and destination for all residents of the City and nearby. This request is consistent with the City’s Comprehensive Plan.

NOTIFICATION:

All public notification requirements for this request were met.

CONCLUSION:

This request is consistent with the long-term goals to grow the social, cultural, and business core of the City; and will further support the vision for a vibrant, walkable downtown.

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval of this request, and its forwarding to the City Commission for final action.

ATTACHMENT:

Proposed Amendment to Table 21-32(A), Table of Land Uses

Table 21-32(A)
Table of Land Uses

Category/Use																		
Key to Table: P = Permitted Use; A = Accessory Use; S = Special Use approval required; C = Conditional Use approval required																		
Single Family Detached and Auxiliary uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Single family, std. construction	P	P	P	P	P	P			P	DBD								
Single family, modular home	P	P	P	P	P	P			P									
Single family, manufactured home	P							P										
Agricultural uses with house	P																	
Caretaker's Cottage															P	P	P	
Fruit stand	P	P																
Accessory Residential Unit	P	P	P	P	P	P			P									
Home Occupation/Home-based Business	P	P	P	P	P	P	P	P	P									
Limited agricultural uses with house	P	P																P
Manufactured home park								P										
Private stable, one horse per acre, limited to two horses	P	P																
RV park								S										
Servants Quarters	P	P	P															
Multiple Family Residential	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Multi-unit Residential Building					P	P	P		P	P		P						
Zero Lot Line House					P	S												
Dormitory						P	P		P							P		
Duplex, twin house					P	P			P									
Garden Apartment, atrium house					P													
Patio house					P	P			P									
Rooming House/Boarding House						S	S											
Townhouse					P	P			P	P								
Group Care Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Adult family care home, Family day care home, Family foster home		P	P	P	P	P		P	S	DBD								
Special needs facility					S	S	P		P	P	P	P				P		
Child care facility					S	S	AS		S	PS	P	P				P		

Adult day care center					S	S	AS		P	P	P	P					P		
Assisted living facility					S	P	P		P	P	P	P					P		
Foster care facility					S	S	P		P	P	P	P					P		
Group home facility					S	S	P		P	P	P	P					P		
Hospice residential unit					S	S	P		P	P	P	P					P		
Nursing Home							P		P										
Transitional Housing							S												
Lodging	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Bed and breakfast	P	P	P	P	P	P			P	P	P	P	P	P					
Hotel/motel							S		S	P		P	P	P					
RV campground								S					P	P					
Offices/Services	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Business office						S			P	P	P	P	P	P					
Clubs, community/fraternal									P	P	P	P	P	P					
Crematorium													P	P	P				
Funeral home/mortuary									S	S	S	P	P	P					
Medical/Health-care/Dental Office							AS		P	P	P	P	P						
Personal Services							AS		P	P	P	P	P	P					
Professional Office						S	S		P	P	P	P	P	P					
Retail Commercial, No Outdoor Storage or Activities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Antique shops									P	P	P	P	P						
Bake shop									P	P	P	P	P	P	P				
Bakery plant													P	P	P				
Convenience store									S	P	P	P	P	P	P				
Convenience store, with gas												P	P	P	P	P			
Dry cleaning drop-off site									P			P	P	P	P				
Gas station													P	P	P	P			
Laundromat—Self Service						A	AS		P			P	P	P	P				
Medical Marijuana Dispensing Facility										S	S	P	P						
Minor repair shop													P	P	P	P			
Pet services, no outdoor activities									S	P	P	P	P						
Pharmacy										S	S	P	P						

Recreation, indoor, commercial											P	P	P					
Restaurant—Conventional Sit-down.									P	P	P	P	P	P				
Cafeterias						A	A		P	P	P	P	P	P				
Delicatessens						A	P		P	P	P	P	P	P				
Restaurant—Short-order; min. seating for 20									S	P	P	P	P	P				
Restaurant—Drive-in, drive-thru or walk-up; and short-order with seating for less than 20										S	S	P	P	P				
Retail sales											P		P	P				
Retail shops							AS		P	P	P	P	P	P				
Repair shop for small appliances									P	P	P	P	P					
Shopping center less than 20,000 s.f.												P	P	P	P			
Shopping center small, 20,000—50,000 s.f.												S	P	P				
Shopping center large, more than 50,000 s.f.													P	P				
Retail Commercial Outdoor Storage and Displays Allowed	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Agricultural roadside stand	P													P	P			
Artisan production, small scale									S	SP	S	S	P	S				
Artisan production, large scale												S	P	P				
Automotive paint/body shop													P	P	P			
Boat and water craft sales, service and light repair													P	P	P			
Farm equipment sales														P	P			
Major automotive repairs														P	P	P		
Manufactured home sales and/or RV sales														P	P	P		
Marinas						A	A							P	P			
Mobile Food Vending									S	P	S	P	P	P	P	P	P	
Nursery with outdoor displays/storage													P	P	P			
Parking lot - Stand alone			S	S	S	S	S		S	S	S	P	P	P				
Pet services: indoor/outdoor													P	P	P			
Private club: indoor/outdoor													P	P	P			
Recreation, outdoor, commercial													P	P	P			
Recreational vehicle sales and accessory servicing													P	P	P			
Recycling center (outdoor)															P	P		
Rental of motor scooters, motorcycles, automobiles or any other self-propelled conveyance													P	P	P			
Retail sales, outdoor activities													P	P	P			

Retail services, outdoor activities													P	P	P				
Vehicle dealership, except RVs													P	P	P				
Vehicle sales, used													P	P	P				
Vehicle repair shop														P	P				
Non-retail or Service Commercial	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Contractor storage yard														P	P	P			
Heavy equipment sales/repair														P	P	P			
Personal Storage Units										AS		S		P	P	P			
Mini-warehouse														P	P	P			
Petroleum, bulk, storage and distribution															P	P			
Radio and television studios and offices									P	P	P	P	P	P	P	P			
Recreation vehicle repair, assembly or overhaul														P	P	P			
Septic tank storage/service															P	P			
Boat repair, overhaul and assembly														P	P	P			
Warehouse															P	P			
Wholesale distributor <50,000 sq. ft.															P	P	P		
Wholesale distributor 50,000+ sq. ft.															P	P			
Alcoholic Beverage Establishments	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.a.)										P		P	P	P	P				
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.b.)										S		S	S	S	S				
Large Scale Drinking Establishment/Nightclub (See Sec. 21-96(f)2.i.a.)										S		S	S	S	S				
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.a.)										PS		P	P	P	P				
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.b.)										S		S	S	S	S				
Package Stores										SP	S	P	P	P	P				
Light Industry	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Airports/aviation uses														C	C	C			
Food processing/packaging														P	P				
Freight/trucking terminal														P	P				
Light industrial park														P	P				

Manufacture of finished products														P	P	P			
Printing/publishing														P	P	P			
Propane gas														P	P	P			
Research and development facilities									S	S	S	P	P	P	P	P			
Heavy Industry	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Auto/vehicle salvage																P			
Citrus processing plant	P															P			
Cold storage and frozen food lockers														P	P				
Communication towers									S	S	S	S	S	S	S	S	S		
Antennas						A	A		A	S	S	S	S	S	S	S	S		
Concrete plant																P			
Crate and pallet plant																P			
Dairy	P													P	P				
Dry cleaning plant																P			
Industrial park																P			
Junkyard, general																P			
Junkyard for vehicles																P			
Laundry plant														P	P				
Manufacturing																P	P		
Mining	C															C			
Storage of sand/gravel/blocks																P	P		
Truck/vehicle repair for large vehicles/trucks														P	P	P			
Truck stop														P	P	P			
Public Service Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Public buildings and grounds/public facilities									P	P	P	P	P	P	P	P	P	P	P
Power substation/utility buildings	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P
Education and Cultural Facilities/Institutional Uses/Recreation Uses/Conservation Uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Cemetery	S	S	S	S	S	S						P	P			P	P		
Church/religious meeting place		S	S	S	S	S	P	S	S	P	P	P	P	P	P	P	P		
Golf course	P	P	P	P	P	S		P				P	P	P	P	P	P		
Hospital												P	P			P			
Private school (Preschool—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P		

Park/open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public school (K—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P	P	
Recreation, indoor, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation, outdoor, public	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P	P	P
Social centers/museums		S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	
Vocational/technical school												P	P	P	P	P			
University/college, small scale									S			P	P	P	P	P			
University/college, large scale												P	P	P	P	P			

**CITY OF WINTER HAVEN FACT SHEET
PLANNING COMMISSION MEETING
December 4, 2023**

DATE: November 17, 2023

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity & Community Investment Director
Sean Byers, Planning Manager

FROM: Heather Reuter, Senior Planner
Tanya Ayers, Safe Neighborhoods Manager
David Brannan, Police Chief

SUBJECT: Case Number P-24-04: Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 5, Section 21-96, Alcoholic Beverage Establishments, and Table 21-32(A) for the purpose of addressing alcoholic beverage establishments.

BACKGROUND:

Chapter 21, Article II, Division 5, Section 21-96, Alcoholic Beverage Establishments, was adopted in May 2017. This section of Code provides standards and criteria for alcoholic beverage establishments to include small-scale drinking establishments, large-scale drinking establishments, banquet halls, bottle clubs, and package stores. Table 21-32(A), Table of Land Uses, establishes the types of uses, including alcoholic beverage establishments, permitted within the City’s 18 zoning districts.

Currently, banquet halls located more than one hundred fifty (150) feet from property zoned AG, RE, R-1, R-2, or RM zoning districts, or within a shopping center, are permitted by right in the C-1, C-3, C-4, I-1, and I-2 zoning districts. Likewise, banquet halls located within one hundred (150) feet of property zoned AG, RE, R-1, R-2, or RM zoning districts, and not inside a shopping center, shall be reviewed by the Planning Commission as a special use within the C-1, C-3, C-4, I-1, and I-2 zoning districts.

This request proposes banquet halls, regardless of location, follow the same approval process of large-scale drinking establishments by using the following criteria:

Approval Required	Permitted Zoning Districts	Criteria
Special Use	C-1, C-3, C-4, I-1, I-2	More than 150 feet from AG, RE, R-1, R-2, or RM or within a shopping center
Special Use	C-1, C-3, C-4, I-1, I-2	Within 150 feet from AG, RE, R-1, R-2, or RM, if within a shopping center
Not Permitted	N/A	Within a 150 feet from AG, RE, R-1, R-2, or RM, and not within a shopping center

Section 21-531 provides definitions to pertinent terms within Chapter 21 of the Winter Haven Code of Ordinances. Per 21-531, a banquet hall shall mean “an establishment, excluding restaurants and hotels, that provides facilities for wedding receptions, meetings, banquets, celebrations and other similar events as its primary business operation. The use of the establishment is restricted to those groups or individuals who have contracted for the use of the facilities and their invitees. The consumption of food and beverages, including alcoholic beverages are likely to occur at these establishments.”

The City’s Police Department and Code Compliance Division have noted an increase in businesses operating under the definition of a banquet hall, but creating impacts expected of a large-scale drinking establishment. These proposed amendments to the approval process will help mitigate impacts by allowing the use to be more closely examined for compatibility at a particular location and provide the Planning Commission an opportunity to impose appropriate conditions to lessen impacts of the use.

Any legally established banquet hall presently operating will be allowed to continue operating after the effective date of this proposed change; however, any expansion or cessation of the use would require the pre-existing banquet hall to apply for a special use.

NOTIFICATION:

All public notification requirements for this request were met.

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval of this request, and its forwarding to the City Commission for final action.

ATTACHMENT:

Proposed Amendment to Section 21-96
Proposed Amendment to Table 21-32(A)

Sec. 21-96. Alcoholic beverage establishments.

- (a) *Intent.* It is the intent of this section to regulate alcoholic beverage establishments, as defined in Article IX of the Unified Land Development Code (ULDC), which the City Commission finds have the potential for impacts that may be injurious to surrounding land uses and to the general public if not so regulated.
- (b) *Applicability.*
- (1) The provisions of this section shall not apply to manufacturers, distributors, or importers of alcoholic beverages as governed by any State of Florida licensing and permitting requirements.
 - (2) Where conformance to the *required separation from certain uses*, set forth in subsection (e) of this section, would cause unnecessary hardship, the Development Special Magistrate may issue a variance, in accordance with the procedure outlined in section 21-422 of the ULDC, provided however that, in order to issue such a variance, the Development Special Magistrate must find the existence of all of the facts and conditions identified in subsections 21-422(a), 21-422(c), 21-422(d), 21-422(e) and 21-422(f) of the ULDC, and must find that the variance, if granted, will not cause a substantial adverse impact to the certain uses in question.
 - (3) The provisions of this section, except subsection 21-96(d), shall not apply to restaurants, as defined in Article IX of the ULDC. For the purpose of determining if an establishment meets this definition, the owner of the establishment shall maintain records on the premises which accurately document the gross sales of food and non-alcoholic beverages and the gross sales of alcoholic beverages for each calendar year. Upon request, the owner shall make such records available to the growth management department.
 - i. Section 21-96(b), (c) and (d) notwithstanding, any use that engages in activities consistent with a bar or nightclub, as defined in Article IX of the ULDC, and is not a legally non-conforming use of the land consistent with section 21-433, shall be considered an alcoholic beverage establishment and subject to the provisions of this section.
 - (4) The provisions of this section, except subsection 21-96(d), shall not apply when the sales or consumption of alcoholic beverages is accessory to a permitted principal use, conducted indoors, and without direct ingress and egress to a public street. Examples of typical principal uses with accessory alcohol sales or consumption include, but are not limited to: Bowling alleys, restaurants, golf courses, hotels, bed and breakfasts, performance theaters (excluding adult entertainment), civic centers and airports.
 - i. Section 21-96(b), (c) and (d) notwithstanding, any use that engages in activities consistent with a bar or nightclub, as defined in Article IX of the ULDC, and is not a legally non-conforming use of the land consistent with section 21-433, shall be considered an alcoholic beverage establishment and subject to the provisions of this section.
 - (5) The provisions of this section, except subsection 21-96(d), shall not apply to special events permitted by the City on property owned by the City.
 - (6) The provisions of this section, except subsection 21-96(d), shall not apply to legally non-conforming and/or legally established alcoholic beverage establishments existing at the time of the adoption of this ordinance. The forgoing notwithstanding, any legally

established alcoholic beverage establishment, subject to special use approval as established by this section and pursuant to sections 21-411 through 21-418 of the ULDC, as applicable, may apply for approval pursuant to this section.

- (7) The provisions of this section, except subsection 21-96(d), shall not apply to the expansion of legally non-conforming and/or legally established alcoholic beverage establishments provided said expansion constitutes ten (10) percent or less of the existing floor or site area.
 - (8) The provisions of this section shall apply to any legally non-conforming or legally established alcoholic beverage establishment that seeks to modify or obtain a different license under State law for the service or sale of intoxicating liquor. Such a change shall require approval under the provisions of this section.
- (c) *Definitions.* The definitions in the state alcoholic beverage code, codified in F.S. ch. 561 are hereby adopted. To the extent of any inconsistencies between the definitions in Chapter 561 and in this ULDC, the definitions in this ULDC shall control.
- (d) *Hours for sale or service.* Alcoholic beverages may be sold, consumed, served, or permitted to be served in any place holding a license issued by the division of alcoholic beverages and tobacco and provided such a use is a legally permitted use and/or a legally non-conforming use within the appropriate zoning district(s) within the City during the following hours.
- Monday 7:00 a.m. until 2:00 a.m. Tuesday next.
 - Tuesday 7:00 a.m. until 2:00 a.m. Wednesday next.
 - Wednesday 7:00 a.m. until 2:00 a.m. Thursday next.
 - Thursday 7:00 a.m. until 2:00 a.m. Friday next.
 - Friday 7:00 a.m. until 2:00 a.m. Saturday next.
 - Saturday 7:00 a.m. until 2:00 a.m. Sunday next.
 - Sunday 7:00 a.m. until 2:00 a.m. Monday next for the sale of beer and wine for off premises consumption only otherwise Sunday 12:00 noon until 12:00 midnight Sunday for the sale and service of alcoholic beverages including but not limited to liquor, beer and wine on premises.

In the event that New Year's Eve shall fall on Sunday, the hours for sale of alcoholic beverages for on-the-premises consumption as provided above shall be extended until 2:00 a.m. Monday next.

- (e) *Required separation from certain uses.* This provision shall not in any way affect businesses licensed on the effective date of this ordinance.
- (1) It shall be unlawful for any person to operate any alcoholic beverage establishment, either in person or by agent, within four-hundred (400) feet of any church or school without first having obtained approval via a variance from the Development Special Magistrate in accordance with the procedure outlined in section 21-422 of the ULDC, provided however that, in order to issue such a variance, the Development Special Magistrate must find the existence of all of the facts and conditions identified in subsections 21-422(a), 21-422(c), 21-422(d), 21-422(e), and 21-422(f) of the ULDC, and must find that the variance, if granted, will not cause substantial adverse impact to the certain uses in question and meet any other applicable rules, regulations and requirements pertaining thereto.

- (2) For the purpose of administering the separation distance, the term "school" used herein means any public, private or parochial school, elementary, middle, junior high, or high school which is accredited or registered with the Florida Department of Education.
 - (3) This distance shall be measured by following the shortest route of ordinary and legal pedestrian travel along a public thoroughfare, in the case of a church from the main entrance of the alcoholic beverage establishment to the main entrance of the church, and in the case of a school from the main entrance of the alcoholic beverage establishment to the nearest point of the school property.
- (f) *Standards for all zoning districts.* All alcoholic beverage establishments shall obtain approval from the City in accordance with the following requirements and procedures:
- (1) Small-scale drinking establishment (all distances in this section are measured property line to property line).
 - i. *Location and approval.*
 - a. Small-scale drinking establishments located more than one hundred fifty (150) feet from property zoned AG4, RE, R-1, R-2 or RM zoning districts, or within a shopping center, shall be permitted within the C-1, C-3, C-4, I-1 and 1-2 zoning districts.
 1. In addition to the requirements for site plans contained in the ULDC, owners and/or agents of small-scale drinking establishments shall submit a written security plan acceptable to the Chief of Police or his designee.
 - b. Small-scale drinking establishments located within one hundred fifty (150) feet of property zoned AG4, RE, R-1, R-2 or RM zoning districts, and not inside a shopping center, shall be reviewed by the planning commission as a special use within the C-1, C-3, C-4, I-1 and 1-2 zoning districts pursuant to sections 21-411 through 21-418 of the ULDC.
 - c. In addition to the requirements for a special use contained in the ULDC, the application shall include, at a minimum, the following additional information:
 - Name of drinking establishment owner and operator;
 - Name of alcoholic beverage license owner;
 - Total square footage including patios, courtyards, restrooms, offices, storage and similar areas;
 - A written security plan that will be acceptable to the Chief of Police or his designee;
 - Identification of any outdoor seating area or space for entertainment;
 - Interior floor plan of the proposed building(s), including occupancy loading and use classification, and proposed seating; and
 - Other information as determined necessary by the City to evaluate the proposed property usage impacts.
 - ii. *Minimum design and operation criteria.*
 - a. Unless otherwise exempt by this code and/or applicable law, a minimum of one (1) off-street parking space per seventy (70) square feet of gross floor

area shall be provided either on-site or within three hundred (300) feet as measured by way of ordinary and legal pedestrian travel utilizing sidewalks and marked crosswalks. Parking spaces shall meet the standards contained in Article III of the ULDC.

- b. No outside seating or entertainment areas shall be located within one hundred (100) feet of property zoned AG4, RE, R-1, R-2 or RM zoning districts.
 - c. No outside seating or entertainment areas shall be located within fifty (50) feet of property zoned R-3, R-4 or R-5 zoning districts.
 - d. Outside seating or entertainment areas located more than fifty (50) feet but less than one hundred (100) feet of property zoned R-3, R-4 or R-5 zoning districts shall be permitted subject to the following:
 1. A buffer consisting of a minimum six-foot fence, or wall, with appropriate landscaping as determined on a case by case basis is provided;
 2. There shall be no amplified outdoor entertainment.
 - e. Outside music or entertainment shall be limited to the hours of 12:00 noon until 12:00 a.m.; and shall comply with the City's noise requirements contained in Chapter 12, Article II of this Code of Ordinances.
 - f. Televisions may be located in outdoor seating areas provided that they are not oriented toward the public rights-of-way.
 1. Televisions shall not be considered amplified outdoor entertainment and may be located in approved and/or permitted outdoor seating areas pursuant to this ULDC and/or Code provided the sound volume level is plainly audible for the convenient hearing of voluntary listeners on the premises and not unreasonably loud, raucous, jarring, disturbing, or a nuisance.
- (2) Large-scale drinking establishments/nightclubs (all distances in this section are measured property line to property line).
- i. *Location and approval.*
 - a. Large-scale drinking establishments/nightclubs located more than one hundred fifty (150) feet from property zoned AG4, RE, R-1, R-2, or RM zoning districts, or within a shopping center, shall be reviewed by the planning commission as a special use in the C-1, C-3, C-4, I-1 and I-2 zoning districts pursuant to sections 21-411 through 21-418 of the ULDC.
 - b. Large-scale drinking establishments/nightclubs shall not be located within one hundred fifty (150) feet of property zoned AG4, RE, R-1, R-2, or RM zoning districts, unless within a shopping center, in which case they shall be reviewed by the planning commission as a special use in the C-1, C-3, C-4, I-1 and I-2 zoning districts pursuant to sections 21-411 through 21-418 of the ULDC.
 - c. In addition to the requirements for a special use contained in the ULDC, the application shall include, at a minimum, the following information:
 - Name of drinking establishment owner and operator;
 - Name of alcoholic beverage license owner;

- Total square footage including patios, courtyards, restrooms, offices, storage and similar areas;
 - Number of employees;
 - A written security plan that will be acceptable to the Chief of Police or his designee;
 - Identification of any outside seating area or space for entertainment;
 - Interior floor plan of the proposed building(s), including occupancy loading and use classification and proposed seating; and
 - Other information as determined necessary by the City to evaluate the proposed property usage impacts.
- ii. *Minimum design and operation criteria.*
- a. Unless otherwise exempt by this code and/or applicable law, a minimum of one (1) off-street parking space per seventy (70) square feet of gross floor area shall be provided either on-site or within three hundred (300) feet as measured by way of ordinary and legal pedestrian travel utilizing sidewalks and marked crosswalks. Parking spaces shall meet the standards contained in Article III of the ULDC; and
 - b. No outside seating or entertainment areas shall be located within one hundred fifty (150) feet of property zoned AG⁴, RE, R-1, R-2 or RM zoning districts.
 - c. No outside seating or entertainment areas shall be located within one hundred (100) feet of property zoned R-3, R-4 or R-5 zoning districts.
 - d. Outside seating or entertainment areas located more than one hundred (100) feet but less than one hundred fifty (150) from property zoned R-3, R-4 or R-5 zoning districts shall be permitted subject to the following:
 1. A buffer consisting of a minimum six-foot fence or wall with appropriate landscaping as determined on a case by case basis is provided;
 2. There shall be no amplified outdoor entertainment;
 - e. Outside music or entertainment shall be limited to the hours of 12:00 noon until 12:00 a.m.; and shall comply with the City's noise requirements contained in Chapter 12, Article II of the Municipal Code of Ordinances.
 - f. Televisions may be located in outdoor seating areas provided that they are not oriented toward the public rights-of-way.
 1. Televisions shall not be considered amplified outdoor entertainment and may be located in approved and/or permitted outdoor seating areas pursuant to this ULDC and/or Code provided the sound volume level is plainly audible for the convenient hearing of voluntary listeners on the premises and not unreasonably loud, raucous, jarring, disturbing, or a nuisance.
- (3) Bottle clubs and banquet halls (all distances in this section are measured property line to property line).
- i. *Location and approval.*

- a. Bottle clubs and banquet halls located more than one hundred fifty (150) feet from property zoned AG~~4~~, RE, R-1, R-2 or RM zoning districts, or within a shopping center, shall be permitted reviewed by the planning commission as a special use within the C-1, C-3, C-4, I-1 and I-2 zoning districts pursuant to sections 21-411 through 21-418 of the ULDC.

~~1. In addition to the requirements for site plans contained in the ULDC, owners and/or agents of bottle clubs and banquet halls shall submit a written security plan acceptable to the Chief of Police or his designee.~~

- b. Bottle clubs and banquet halls shall not be located within one hundred fifty (150) feet of property zoned AG~~4~~, RE, R-1, R-2 or RM zoning districts, and not inside unless within a shopping center, in which case they shall be reviewed by the planning commission as a special use within the C-1, C-3, C-4, I-1 and I-2 zoning districts pursuant to sections 21-411 through 21-418 of the ULDC.

- c. In addition to the requirements for a special use contained in the ULDC, the application shall include, at a minimum, the following information:

- Name of drinking establishment owner and operator;
- Name of alcoholic beverage license owner (if applicable);
- Total square footage including patios, courtyards, restrooms, offices, storage and similar areas;
- Number of employees;
- A written security plan that will be acceptable to the Chief of Police or his designee;
- Identification of any outside seating area or space for entertainment;
- Interior floor plan of the proposed building(s), including occupancy loading and use classification and proposed seating; and
- Other information as determined necessary by the City to evaluate the proposed property usage impacts.

- ii. *Minimum design and operation criteria.*

- a. Bottle clubs and banquet halls shall adhere to the minimum design and operation criteria, established herein, for either small scale or large scale drinking establishments/nightclubs, based upon their comparable size and intensity.

(4) Package store.

- i. *Location and approval.*

- a. Package stores shall be permitted within the C-1, C-3, C-4, I-1 and I-2 zoning districts.
- b. Package stores located within the C-1 and/or C-2 zoning districts shall be reviewed by the planning commission as a special use pursuant to sections 21-411 through 21-418 of the ULDC.

(g) *Security plan.* Where required herein, a written security plan approved by the chief of police, or his designee as part of a special use and/or a site plan submission shall be maintained on-site and available to employees at all times. The chief of police or his designee may rescind the approval of a security plan at any time. Any approved security plan may only be amended with the written approval of the chief of police, or his designee. A security plan shall include, but is not limited to, the following:

- Name and contact information for the owner and manager/proprietor;
- An emergency evacuation plan consisting of a diagram/layout showing at a minimum building exits, parking areas and property boundaries;
- Total allowed maximum occupancy per the Florida Fire Prevention Code and City of Winter Haven Fire Marshal;
- The contact information for insured/bonded security companies/officers;
- Procedures for inspection of identification so as to not allow underage consumption;
- Exit plan for a gradual staged exit prior to, and at closing time, to establish and maintain order inside and outside the premises;
- When security staff is utilized, the location of security staff inside and outside the establishment;
- Number and locations of security cameras;
- Depiction of signage displaying a patron code of conduct or statement of enforcement of the rules of conduct, including a statement to be respectful of neighbors (especially nearby residential) when they leave the establishment;
- Procedures for the following:
 - Rendering aid/calling 911 for injuries or illness;
 - Interacting with and/or removing disorderly patrons;
 - Response to physical and/or verbal altercations;
 - Response to weapons;
 - Mitigation of noise off-site;
 - Mitigation of loitering in parking areas during or after hours of operations;
 - Reporting of drug use;
 - Reporting of underage drinking.

(h) *Expiration.* The special use approval for any alcoholic beverage establishment shall expire and be null and void if the following conditions are found:

- (1) If a permit for construction or renovation work has not been obtained within one hundred eighty (180) consecutive days from the date of the rendering of an order granting a special use approval; or
- (2) If construction or renovation has commenced and is abandoned for more than one hundred eighty (180) consecutive days; or
- (3) If the use has not commenced within one hundred eighty (180) consecutive days from the date of the rendering of an order granting a special use approval; or

- (4) If the use commenced but has since been abandoned or ceased for one hundred eighty (180) consecutive days.
- (i) *Revocation.* The planning commission may revoke a special use approval if the alcoholic beverage establishment violates the provisions and conditions of any applicable special use approval; or if it is determined that the owner of the licensed property, or the operator of the establishment, their agents or employees, have been convicted of, or have allowed, or caused or permitted to exist, one (1) or more of the grounds for revocation. However, the existence of one (1) or more of the grounds for revocation does not require revocation.
- (1) *Grounds for revocation:* The activities described herein must be directly traceable to the particular establishment against whom action is being taken and also must be verified by law enforcement or code enforcement officers, depending on the activity.
- i. The alcoholic beverage establishment receives notice of five (5) or more City of Winter Haven Code Enforcement cases attributed to the establishment in any twelve-month period as result of the violation of any provisions of the City's Code of Ordinances or condition(s) of approval;
 - ii. The alcoholic beverage establishment receives notice of five (5) or more reported incidents and/or calls for service to/from law enforcement, attributed to the establishment in a given twelve-month period. Under these circumstances, the City may consider the following factors:
 - a. Whether the need for law enforcement involvement was the result of the alcoholic beverage establishments failure or inability to maintain proper order and control;
 - b. Complaints verified by law enforcement, arising from adverse effects of the alcoholic beverage establishments operation upon neighboring properties, including excessive noise, parking, vandalism, or loitering by intoxicated persons; and
 - c. Failure to establish and implement the approved security plan.
 - iii. Failure to comply with any of the provisions of the fire prevention code after having received reasonable notice to eliminate or correct any condition existing on the property upon which an alcoholic beverage establishment is being operated;
 - iv. Failure to comply with any of the provisions of the health and sanitation ordinances of the City or laws of the state after having received reasonable notice to eliminate or correct any condition existing on the property upon which an alcoholic beverage establishment is being operated;
 - v. Failure to maintain appropriate licensing;
 - vi. Conviction for knowingly and willfully giving, selling or permitting to be served alcoholic beverages to persons under, or suspected to be under, twenty-one (21) years of age or permitting a person under twenty-one (21) years of age to consume alcoholic beverages on the premises upon which an alcoholic beverage establishment is being operated; or
 - vii. Documented instances of encouraging, promoting or allowing public nudity and exposure of certain specified body parts as defined by chapter 9, section 9-252 of the Winter Haven Code of Ordinances, by employees, independent contractors, or patrons of the alcoholic beverage establishment.

- (2) Any action taken to revoke a special use approval shall be placed on the appropriate planning commission agenda to consider the revocation of a permit.
 - i. Such agenda item shall be publically advertised in accordance with requirements established by Article VIII, Division 7, of the ULDC, and written notice of the charges against the alcoholic beverage establishment shall be provided to the legal owner in advance of the hearing.
 - ii. After consideration of the matter and allowing the alcoholic beverage establishment representative to be heard, the planning commission may take no action, add conditions, place on probation, suspend, or revoke the special use approval as deemed appropriate.
 - iii. The planning commission may require compliance with any reasonable condition(s) determined to be necessary to mitigate or eliminate the adverse effects.
- (3) Any alcoholic beverage establishment that has an approval revoked cannot avoid the consequences of the City's action by changing the name or corporate status. Upon a showing to the planning commission that there has been a legitimate change in ownership at the location affected by the City's action, then the planning commission may consider approval of a new application for a special use permit, as provided under this code, subject to applicable conditions, if any, to prevent a recurrence of the harms that caused the prior action.
 - i. Any alcoholic beverage establishment owner who has had their special use approval revoked, shall not be permitted to apply for a new special use approval for one (1) year from the date the previous special use approval was revoked.

Table 21-32(A)
Table of Land Uses

Category/Use																		
Key to Table: P = Permitted Use; A = Accessory Use; S = Special Use approval required; C = Conditional Use approval required																		
Single Family Detached and Auxiliary uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Single family, std. construction	P	P	P	P	P	P			P	DBD								
Single family, modular home	P	P	P	P	P	P			P									
Single family, manufactured home	P							P										
Agricultural uses with house	P																	
Caretaker's Cottage															P	P	P	
Fruit stand	P	P																
Accessory Residential Unit	P	P	P	P	P	P			P									
Home Occupation/Home-based Business	P	P	P	P	P	P	P	P	P									
Limited agricultural uses with house	P	P																P
Manufactured home park								P										
Private stable, one horse per acre, limited to two horses	P	P																
RV park								S										
Servants Quarters	P	P	P															
Multiple Family Residential	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Multi-unit Residential Building					P	P	P		P	P		P						
Zero Lot Line House					P	S												
Dormitory						P	P		P							P		
Duplex, twin house					P	P			P									
Garden Apartment, atrium house					P													
Patio house					P	P			P									
Rooming House/Boarding House						S	S											
Townhouse					P	P			P	P								
Group Care Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Adult family care home, Family day care home, Family foster home		P	P	P	P	P		P	S									
Special needs facility					S	S	P		P	P	P	P				P		
Child care facility					S	S	AS		S	P	P	P				P		

Adult day care center					S	S	AS		P	P	P	P				P		
Assisted living facility					S	P	P		P	P	P	P				P		
Foster care facility					S	S	P		P	P	P	P				P		
Group home facility					S	S	P		P	P	P	P				P		
Hospice residential unit					S	S	P		P	P	P	P				P		
Nursing Home							P		P									
Transitional Housing							S											
Lodging	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Bed and breakfast	P	P	P	P	P	P			P	P	P	P	P	P				
Hotel/motel							S		S	P		P	P	P				
RV campground								S					P	P				
Offices/Services	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Business office						S			P	P	P	P	P	P				
Clubs, community/fraternal									P	P	P	P	P	P				
Crematorium													P	P	P			
Funeral home/mortuary									S	S	S	P	P	P				
Medical/Health-care/Dental Office							AS		P	P	P	P	P					
Personal Services							AS		P	P	P	P	P	P				
Professional Office						S	S		P	P	P	P	P	P				
Retail Commercial, No Outdoor Storage or Activities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Antique shops									P	P	P	P	P					
Bake shop									P	P	P	P	P	P	P			
Bakery plant													P	P	P			
Convenience store									S	P	P	P	P	P	P			
Convenience store, with gas											P	P	P	P	P			
Dry cleaning drop-off site									P		P	P	P	P				
Gas station												P	P	P	P			
Laundromat—Self Service						A	AS		P		P	P	P	P				
Medical Marijuana Dispensing Facility										P	S	P	P					
Minor repair shop												P	P	P	P			
Pet services, no outdoor activities									S	P	P	P	P					
Pharmacy										P	S	P	P					

Recreation, indoor, commercial												P	P	P					
Restaurant—Conventional Sit-down.									P	P	P	P	P	P					
Cafeterias						A	A		P	P	P	P	P	P					
Delicatessens						A	P		P	P	P	P	P	P					
Restaurant—Short-order; min. seating for 20									S	P	P	P	P	P					
Restaurant—Drive-in, drive-thru or walk-up; and short-order with seating for less than 20										S	S	P	P	P					
Retail sales											P		P	P					
Retail shops							AS		P	P	P	P	P	P					
Repair shop for small appliances									P	P	P	P	P						
Shopping center less than 20,000 s.f.												P	P	P	P				
Shopping center small, 20,000—50,000 s.f.												S	P	P					
Shopping center large, more than 50,000 s.f.													P	P					
Retail Commercial Outdoor Storage and Displays Allowed	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Agricultural roadside stand	P													P	P				
Artisan production, small scale									S	S	S	S	P	S					
Artisan production, large scale												S	P	P					
Automotive paint/body shop													P	P	P				
Boat and water craft sales, service and light repair													P	P	P				
Farm equipment sales														P	P				
Major automotive repairs														P	P	P			
Manufactured home sales and/or RV sales														P	P	P			
Marinas						A	A							P	P				
Mobile Food Vending									S	P	S	P	P	P	P	P	P		
Nursery with outdoor displays/storage													P	P	P				
Parking lot - Stand alone			S	S	S	S	S		S	S	S	P	P	P					
Pet services: indoor/outdoor													P	P	P				
Private club: indoor/outdoor													P	P	P				
Recreation, outdoor, commercial													P	P	P				
Recreational vehicle sales and accessory servicing													P	P	P				
Recycling center (outdoor)															P	P			
Rental of motor scooters, motorcycles, automobiles or any other self-propelled conveyance													P	P	P				
Retail sales, outdoor activities													P	P	P				

Retail services, outdoor activities													P	P	P				
Vehicle dealership, except RVs													P	P	P				
Vehicle sales, used													P	P	P				
Vehicle repair shop														P	P				
Non-retail or Service Commercial	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Contractor storage yard														P	P	P			
Heavy equipment sales/repair														P	P	P			
Personal Storage Units												S		P	P	P			
Mini-warehouse														P	P	P			
Petroleum, bulk, storage and distribution															P	P			
Radio and television studios and offices									P	P	P	P	P	P	P	P			
Recreation vehicle repair, assembly or overhaul														P	P	P			
Septic tank storage/service															P	P			
Boat repair, overhaul and assembly														P	P	P			
Warehouse															P	P			
Wholesale distributor <50,000 sq. ft.														P	P	P			
Wholesale distributor 50,000+ sq. ft.															P	P			
Alcoholic Beverage Establishments	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.a.)										P		P	P	P	P				
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.b.)										S		S	S	S	S				
Large Scale Drinking Establishment/Nightclub (See Sec. 21-96(f)2.i.a.)										S		S	S	S	S				
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.a.)										PS		P	P	P	P				
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.b.)										S		S	S	S	S				
Package Stores										SP	S	P	P	P	P				
Light Industry	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Airports/aviation uses														C	C	C			
Food processing/packaging														P	P				
Freight/trucking terminal														P	P				
Light industrial park														P	P				

Manufacture of finished products														P	P	P			
Printing/publishing														P	P	P			
Propane gas														P	P	P			
Research and development facilities									S	S	S	P	P	P	P	P			
Heavy Industry	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Auto/vehicle salvage																P			
Citrus processing plant	P															P			
Cold storage and frozen food lockers														P	P				
Communication towers									S	S	S	S	S	S	S	S	S		
Antennas						A	A		A	S	S	S	S	S	S	S	S		
Concrete plant																P			
Crate and pallet plant																P			
Dairy	P													P	P				
Dry cleaning plant																P			
Industrial park																P			
Junkyard, general																P			
Junkyard for vehicles																P			
Laundry plant														P	P				
Manufacturing															P	P			
Mining	C															C			
Storage of sand/gravel/blocks															P	P			
Truck/vehicle repair for large vehicles/trucks														P	P	P			
Truck stop														P	P	P			
Public Service Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Public buildings and grounds/public facilities									P	P	P	P	P	P	P	P	P	P	P
Power substation/utility buildings	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P
Education and Cultural Facilities/Institutional Uses/Recreation Uses/Conservation Uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1 DBD	C-2	C-3	C-4	I-1	I-2	PI	PR	CON	
Cemetery	S	S	S	S	S	S						P	P			P	P		
Church/religious meeting place		S	S	S	S	S	P	S	S	P	P	P	P	P	P	P	P		
Golf course	P	P	P	P	P	S		P				P	P	P	P	P	P		
Hospital												P	P			P			
Private school (Preschool—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P		

Park/open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public school (K—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P	P	
Recreation, indoor, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation, outdoor, public	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P	P	P
Social centers/museums		S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	
Vocational/technical school												P	P	P	P	P			
University/college, small scale									S			P	P	P	P	P			
University/college, large scale												P	P	P	P	P			