

**CITY OF WINTER HAVEN FACT SHEET
CITY COMMISSION MEETING
April 27, 2015**

DATE: April 13, 2015

TO: Honorable Mayor and City Commissioners

VIA: Deric C. Feacher, City Manager *DF*
Merle Bishop, Growth Management Director *MB*
Erin CK Tilghman, Planning Manager *ET*

FROM: Sean Byers, Senior Planner *SB*

SUBJECT: Ordinance O-15-17: Request to amend the 2025 Winter Haven Comprehensive Plan's Future Land Use Element Policies 1.2.2 and 1.3.4 for the purpose of revising the residential development intensity allowed within areas mapped as Primary Activity Center and Regional Activity Center on the Future Land Use Map.

BACKGROUND:

In August 2011, the City adopted the 2025 Winter Haven Comprehensive Plan, replacing the original Comprehensive Plan which dated to 1991. One of the main components of the current Comprehensive Plan is promotion of mixed uses within relatively compact activity centers. As a result, three activity center designations were created to allow for various levels of commercial and residential development intensity at specific locations within the City. These designations are Primary Activity Center (most intense activity center which includes downtown and surrounding areas), Regional Activity Center (typically located at major roadway intersections in conjunction with major attractors), and Neighborhood Activity Center (least intense activity center generally located at significant intersections near residential neighborhoods).

As adopted, the current maximum residential densities permitted in the Primary Activity Center and Regional Activity Center are 35 dwelling units per gross acre and 20 dwelling units per gross acre, respectively. On larger parcels, this translates into a significant number of dwelling units; however, on small parcels, such as those less than one-half acre, the number of permitted residential units can be small, as illustrated in the table below.

Parcel Size	Permitted Density	Total Potential Units
0.10 acres	35	4
0.25 acres	35	9
0.50 acres	35	18
0.75 acres	35	26
1.0 acres	35	35
3.0 acres	35	105
5.0 acres	35	175
10.0 acres	35	350

Nearly all parcels designated as Primary Activity Center are less than 5 acres in area, with a majority of parcels less than one-half acre in area. As a result, typical parcels and buildings in the downtown can only accommodate a few residential units, even though multiple-floor buildings are permitted, desired, and capable of supporting higher densities.

Proposed changes to Primary Activity Center create a sliding scale for residential density based on parcel size, with the highest density permitted on the smallest parcels and lower densities permitted on larger parcels, as provided in the table below. Other changes to Primary Activity Center include revisions to the mixed-use intensity table required to reflect changes to maximum permitted density, and the addition of a provision supporting creation of land development regulations addressing parking reductions where transit, bicycle, and pedestrian facilities are present. This proposed change will increase the total number of potential units; however due to the sliding density scale, the number and relatively small size of parcels located in the Primary Activity Center, and assigned zoning; the overall increase will likely be fewer than 500 dwelling units.

Density Tier	Parcel Size	Maximum Permitted Density
1	Up to 0.35 acres	200 units/ gross acre
2	0.36 acres to 0.50 acres	150 units/ gross acre
3	0.51 acres to 0.75 acres	100 units/ gross acre
4	0.76 acres to 1.00 acre	50 units/ gross acre
5	Greater than 1.00 acre	40 units/ gross acre

Proposed changes to Regional Activity Center involve increasing the maximum density from 20 units per gross acre to 28 units per gross acre. This is to match the maximum density permitted in the Residential-High Density Future Land Use and reinforce the intent of the activity centers as being the locations for the highest development intensity. As a result of this change, there will be an increase in the maximum number of potential residential units; however, due to the modest increase in permitted density and acreage available for development, the increase will likely be fewer than 1,000 dwelling units. This number will be further reduced by the assigned zoning on a particular parcel and development of more highly desired commercial uses within areas designated as Regional Activity Center.

These text amendments require transmittal to the Florida Department of Economic Opportunity (DEO) and other State and local agencies for review. Following review by DEO and other agencies, final adoption of these amendments is expected this summer.

NOTIFICATION:

All public notification requirements were met.

FINANCIAL IMPACT:

There is no cost to the City for this request.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission, at its April 7, 2015 regular meeting, unanimously voted to recommend approval of this request. No members of the public spoke during the public hearing for this request.

RECOMMENDATION:

Staff recommends the City Commission approve Ordinance O-15-17 on first reading and its transmittal to DEO and other State and Local agencies for review.

ATTACHMENT:

Ordinance O-15-17

ORDINANCE NO. O-15-17

AN ORDINANCE AMENDING ORDINANCE 11-03, THE 2025 WINTER HAVEN COMPREHENSIVE PLAN, BY REVISING FUTURE LAND USE ELEMENT POLICIES 1.2.2 (PRIMARY ACTIVITY CENTER FUTURE LAND USE) AND 1.3.4 (REGIONAL ACTIVITY CENTER FUTURE LAND USE) TO REVISE PERMITTED RESIDENTIAL DENSITIES AND ADDITIONAL LANGUAGE IN SUPPORT OF THIS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a proposed amendment to the 2025 Winter Haven Comprehensive Plan text has been studied, documented, advertised, and heard by the Winter Haven Planning Commission; and

WHEREAS, the proposed amendment has been transmitted to, and returned from, the State of Florida in accordance with Chapter 163 of the Florida Statutes; and,

WHEREAS, the City Commission of the City of Winter Haven, Florida, deems it appropriate to amend the Comprehensive Plan in order to further the public interest and the general welfare of the citizens of the City of Winter Haven.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER HAVEN, FLORIDA, AS FOLLOWS:

1. That Policy 1.2.2 of the Future Land Use Element of the Comprehensive Plan of the City of Winter Haven, Florida, is hereby amended to read as follows:

New language is underlined and deleted language is ~~stricken through~~.

Policy 1.2.2: *Primary Activity Center.* The historic cultural, commercial, and industrial area of Winter Haven shall be mapped on the Future Land Use Map as the Primary Activity Center of the City. Within this area, a is a high rich intensity mixing of uses including ~~uses~~ retail sales and services, offices, government offices, institutional ~~uses~~, medium to high density residential ~~uses~~, and both active and passive recreation ~~uses~~. The Primary Activity Center serves as the local center of commerce and a destination for all residents of the City, surrounding unincorporated utility service area, and other nearby cities and towns. The following criteria shall apply to development within the Primary Activity Center:

- A. The development intensity for all retail, office, institutional or recreational land uses shall be based on a maximum Floor Area Ratio (FAR). Maximum FARs for the Primary Activity Center designation shall be as follows:

Parcel Size	Adopted FAR
0.5 acres or less	6.0
More than 0.5 acres	3.0

- B. Maximum Residential densities for parcels abutting an arterial roadway or collector roadway, or within 1,320 feet (1/4 mile) of a transit route, or 2,640 feet (1/2 mile) of a transit terminal, shall be ~~35 dwelling units per acre as follows:-~~ Existing residential uses shall be permitted up to 200 dwelling units per acre.

<u>Density Tier</u>	<u>Parcel Size</u>	<u>Maximum Permitted Density</u>
<u>1</u>	<u>Up to 0.35 acres</u>	<u>200 units/ gross acre</u>
<u>2</u>	<u>0.36 acres to 0.50 acres</u>	<u>150 units/ gross acre</u>
<u>3</u>	<u>0.51 acres to 0.75 acres</u>	<u>100 units/ gross acre</u>
<u>4</u>	<u>0.76 acres to 1.00 acre</u>	<u>50 units/ gross acre</u>
<u>5</u>	<u>Greater than 1.00 acre</u>	<u>40 units/ gross acre</u>

When a parcel located in a higher density tier is permitted fewer total dwelling units than a parcel in a lower density tier, the property owner of that parcel may apply to allow a total number of units equal to the maximum number permitted in the lower tier.

The maximum residential density for parcels located on a local street, and not also abutting an arterial or collector roadway, or within 1,320 feet (1/4 mile) of a transit route, or within 2,640 feet (1/2 mile) of a transit terminal, shall be 15 dwelling units per acre with existing residential uses being permitted up to ~~200~~100 dwelling units per acre.

- C. For parcels containing residential uses, the minimum residential density shall be four (4) dwelling units per acre.
- D. For parcels developed with both residential and commercial uses, the breakdown of residential and commercial intensities shall be as follows:

<u>Maximum Residential Density</u>	<u>Maximum Commercial Square Footage</u>
<u>4.0 to 1225.0 units/acre</u>	<u>10080% of FAR</u>
<u>1225.01 to 2050.0 units/acre</u>	<u>8070% of FAR</u>
<u>2050.01 to 2875.0 units/acre</u>	<u>60% of FAR</u>
<u>2875.01 to 350100.0 units/acre</u>	<u>4050% of FAR</u>
<u>100.01 to 150 units/acre</u>	<u>40% of FAR</u>
<u>150.01 to 200 units/ acre</u>	<u>30% of FAR</u>

- E. Existing industrial uses may continue to operate, and may be expanded, provided that the total Floor Area Ratio does not exceed 0.25.

- F. The maximum impervious surface ratio for parcels shall be as follows:
 - Parcels located within the Downtown (bounded by Lake Silver/Avenue I, NW on the north, Avenue G, SW on the south, Second Street NE/SE on the east, and Sixth Street NW/SW on the west): 100%
 - Parcels located outside of Downtown: 80%
 - Areas of high aquifer recharge (sandy soils): 75%
 - Waterfront parcels: 60%
- G. Only parcels located within the Central Urban Core, as established on the Future Land Use Map, shall be mapped as a Primary Activity Center.
- H. In keeping with the high intensity/high density nature of the Primary Activity Center, uses with large parking needs are encouraged to utilize structured parking.
- I. To incentivize the use of pedestrian, bicycle, and public transit facilities, provide land development regulations that reduce the number of required off-street vehicular parking spaces for uses located in proximity to existing or proposed pedestrian, bicycle, or public transit facilities.

2. That Policy 1.3.4 of the Future Land Use Element of the Comprehensive Plan of the City of Winter Haven, Florida, is hereby amended to read as follows:

New language is underlined and deleted language is ~~stricken through~~.

Policy 1.3.4: *Regional Activity Center.* High intensity retail, restaurant, office, tourist, residential, and institutional areas with a market radius extending beyond the Winter Haven Area, shall be mapped as a Regional Activity Center on the Future Land Use Map.

- A. The maximum Floor Area Ratio for all retail, office, tourist, institutional, or recreational land uses shall be as follows:

Parcel Size	Adopted FAR
Less than 1.0 acres	2.0
1.01 to 5.0 acres	1.0
More than 5.0 acres	0.50
Adjacent to or within 1,320 feet (1/4 mile) of an existing or proposed transit route or within 2,640 feet (1/2 mile) of a transit terminal	2.0

- B. Residential densities shall range between 7 and ~~20~~28 dwelling units per acre.

- C. For parcels developed with both residential and commercial uses, the breakdown of residential and commercial intensities shall be as follows:

Maximum Residential Density	Maximum Commercial Square Footage
7.0 to 10.0 units/acre	90% of FAR
10.01 to 13 units/acre	80% of FAR
13.01 to 17 units/acre	70% of FAR
17.01 to 20 units/acre	60% of FAR
<u>20.01 to 24 units/acre</u>	<u>50% of FAR</u>
<u>24.01 to 28 units/acre</u>	<u>40% of FAR</u>

- D. The maximum impervious surface ratio for parcels shall be as follows:

- Non-waterfront parcels: 80%
- Areas of high aquifer recharge (sandy soils): 75%
- Waterfront parcels: 60%

- E. Regional Activity Centers shall only be located along existing or proposed arterial or collector streets, adjacent to or within 2,500 feet of intersections with other arterial or collector streets. Additionally, all Regional Activity Centers shall be served by existing or proposed fixed transit routes.

3. This ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Commission.
4. All ordinances in conflict herewith are hereby repealed.
5. The effective date of this plan amendment shall be: the date a final order is issued by the State Land Planning Agency (Department of Economic Opportunity's Community Planning and Development Office) finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

INTRODUCED on first reading this 27th day of April, 2015.

PASSED on second reading this _____ day of _____, 2015.

CITY OF WINTER HAVEN, FLORIDA

MAYOR-COMMISSIONER

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY