

# Hardee County

## 2030 Comprehensive Plan



Amended through  
November 2014



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# Hardee County

## 2030 Comprehensive Plan



**Future Land Use Element**

**Amended through November 2014**

## FUTURE LAND USE ELEMENT

**GOAL L1:** PROVIDE THE FOUNDATION FOR LAND USE DECISION-MAKING AND REGULATIONS TO ACHIEVE AND MAINTAIN A HIGH QUALITY HUMAN, NATURAL AND AGRICULTURAL ENVIRONMENT. IT IS THE DESIRE TO ACHIEVE AND MAINTAIN A WELL-PLANNED MIX OF COMPATIBLE LAND USES THAT PROMOTE THE PUBLIC'S HEALTH, SAFETY, MORALS AND WELFARE AND PROVIDE FOR THE REDUCTION OF GREENHOUSE GAS EMISSIONS.

**OBJECTIVE L1:** NEW OR AMENDED USES OF LAND SHALL BE CONSISTENT WITH THE FUTURE LAND USE DESIGNATIONS AS DESCRIBED IN THIS ELEMENT AND AS DEPICTED ON THE HARDEE COUNTY FUTURE LAND USE MAP. THE FUTURE LAND USE DESIGNATIONS ARE INTENDED TO: A) COORDINATE LAND USE WITH THE NATURAL ENVIRONMENT, INCLUDING SOILS, TOPOGRAPHY, AND OTHER RESOURCES, B) APPROPRIATELY MIX AND DISTRIBUTE RESIDENTIAL, COMMERCIAL, INDUSTRIAL, RECREATION, PUBLIC AND MINING LAND USES, C) ENCOURAGE AN EFFICIENT PATTERN OF DEVELOPMENT AND DISCOURAGE SPRAWL AND D) PROMOTE ENERGY EFFICIENCY AND THE REDUCTION OF GREENHOUSE GAS EMISSIONS. THE HARDEE COUNTY FUTURE LAND USE MAP SERIES, AS PART OF THIS PLAN, SHALL BE APPLIED ONLY IN CONJUNCTION WITH THE POLICIES OF THIS ELEMENT AND OTHER ELEMENTS OF THIS PLAN.

*Measure: Reduce the number of parcels developed inconsistent with the Future Land Use Map and supporting goals, objectives and policies.*

**Policy L.1.1:** Hardee County's land development regulations shall be consistent with the following future land use categories: Town Center, Highway Mixed Use, Commerce Park, Industrial, Residential Mixed Use, Rural Center, Residential High, Residential Medium, Residential Low, Rural Village, Residential Estate, Agricultural, Conservation, Public/Institutional, and Recreation. Land Development Regulations shall also include provisions that permit or require a variety of land development techniques to discourage sprawl while protecting natural resources, including:

1. Implementation of mixed use future land use categories in the Hardee County Comprehensive Plan to provide residential, commercial and employment opportunities in close proximity;

2. The clustering of development to protect natural resources, open space and agricultural uses, provide for access management to arterial or collector roadways, provide for appropriate buffering, and make efficient use of public facilities and services;
3. The establishment of guidelines or incentives to encourage infill development. These may include:
  - Exceptions to the densities or intensities of use for infill parcels served by adequate public facilities and services, particularly if proposed residential development includes an affordable housing component;
  - Consideration of exceptions to requirements such as minimum lot sizes, minimum setbacks or minimum parking requirements to provide for residential, affordable residential and economically viable commercial opportunities;
  - Coordination with existing municipal and privately operated potable water, sanitary sewer and drainage facilities to develop regional public supply facilities, and require compatibility of privately operated facilities;
  - The direction of public expenditures to areas of higher intensities and densities of use and therefore encourage development to locate where public facilities are more readily and more economically available; or
  - Coordination of municipal, county and state transportation facilities to provide adequate levels of service that support higher densities and intensities of development within or adjacent to currently developed areas.
4. The County shall consider the establishment of a transfer of development right program to transfer development rights from natural areas protected through conservation easements or other means of long-term protection to other lands suitable for development.

**Policy L1.2:**

The **Town Center** category accommodates a mix of higher densities and intensities of land uses appropriate to some areas of unincorporated Hardee County. The widest range and highest densities and intensities of land uses are intended. Residential, commercial, industrial, recreational, public, and other uses are intended to be developed in close proximity to maintain or

reduce distance between residences, employment areas, commercial areas and entertainment areas.

1. Residential development is permissible at a density not to exceed 12 dwelling units per gross acre for any single parcel. Recreational Vehicle parks may be permitted to a maximum density of 15 units per gross acre for any single parcel, subject to all applicable local regulations.
2. General Commercial and Neighborhood Commercial development is permissible. Such development shall not create or contribute to strip or disorganized patterns of commercial development, shall best utilize existing and planned transportation routes, shall adhere to programs of access management to regulate direct access to arterial or collector roadways, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 2.0, shall not exceed impervious lot coverage of 70%, and shall not exceed 40% of the total area of a Town Center.
3. Industrial development is permissible. Such development shall not create or contribute to strip or disorganized patterns of development, shall best utilize existing and planned transportation routes, shall adhere to programs of access management to regulate direct access to arterial or collector roadways, shall be located near existing industrial land uses or otherwise be compatible with surrounding land uses, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 1.0, shall not exceed impervious lot coverage of 90%, and shall not exceed 20% of the total area of a Town Center.
4. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.

**Policy L1.3:**

The **Highway Mixed Use** category accommodates a mix of higher densities and intensities of land uses that best utilize primary transportation corridors. Residential, commercial, industrial, recreational, public, and other uses are intended to be developed in close proximity to maintain or reduce distance between residences, employment areas, commercial areas and entertainment areas. An access management program will be developed to regulate access to primary transportation corridors. Transportation levels of service will be monitored and enforced, pursuant to policies of the Traffic Circulation Element to ensure the continued vitality of Hardee County.

1. Residential development is permissible at a density not to exceed 12 dwelling units per gross acre for any single parcel. Residential development shall adhere to a program of access management to regulate direct access to arterial roadways. Recreational Vehicle parks may be permitted to a maximum density of 15 units per gross acre for any single parcel, subject to all applicable local regulations.
2. General Commercial and Neighborhood Commercial development is permissible. Such development shall not create or contribute to disorganized patterns of commercial development, shall best utilize existing and planned transportation routes, shall be subject to an access management program, including regulating the number of and distance between arterial access points, and the use of frontage roads, shared driveways and access roads, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 2.0, shall not exceed impervious lot coverage of 70%, and shall not exceed 40% of the total area of a Highway Mixed Use area.
3. Industrial development is permissible. Such development shall not create or contribute to disorganized patterns of development, shall best utilize existing and planned transportation routes, shall be subject to an access management program, including regulating the number of and distance between arterial access points, and the use of frontage roads, shared driveways and access roads, shall be located near existing industrial land uses or otherwise be compatible with surrounding land uses, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 1.0, shall not exceed impervious lot coverage of 90%, and shall not exceed 15% of the total area of a Highway Mixed Use area.
4. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.

**Policy L1.4:**

The **Commerce Park** category accommodates a mix of land uses that promote employment centers supported by limited commercial and residential areas. An access management program will be developed to regulate access to primary transportation corridors. Transportation levels of service will be monitored and enforced, pursuant to policies of the Traffic Circulation Element to ensure the continued vitality of Hardee County.

1. Residential development is permissible at a density not to exceed 12 dwelling units per gross acre for any single parcel. Residential development shall adhere to a program of access management to regulate direct access to arterial roadways. Residential development shall be limited to a maximum of 10% of the total Commerce Park area.
2. General Commercial and Neighborhood Commercial development is permissible. Such development shall not create or contribute to disorganized patterns of commercial development, shall best utilize existing and planned transportation routes, shall be subject to an access management program, including regulating the number of and distance between arterial access points, and the use of frontage roads, shared driveways and access roads, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 0.50, shall not exceed impervious lot coverage of 75%, and shall not exceed 10% of the total area of a Commerce Park area.
3. Employment center development is permissible. Such development may include light-assembly, manufacturing within enclosed structures, warehousing, distribution, showroom, and local and non-local office uses. Such development shall not create or contribute to disorganized patterns of development, shall best utilize existing and planned transportation routes, shall be subject to an access management program, including regulating the number of and distance between arterial access points, and the use of frontage roads, shared driveways and access roads, shall be located near existing industrial land uses or otherwise be compatible with surrounding land uses, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 1.00, shall not exceed impervious lot coverage of 75%, and shall not exceed 50% of the Commerce Park.
4. Mining activities shall only be potential uses in the Commerce Park located at the intersection of SR 62 and CR 663. Mining shall only be a potential use if the Mining Overlay is extended over the Commerce Park.
5. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.
6. Landfills shall not be an allowed use within the Commerce Park Future Land Use category.

**Policy L1.5:** The **Industrial** category accommodates light and heavy industrial uses. An access management program will be developed to regulate access to primary transportation corridors. Transportation levels of service will be monitored and enforced, pursuant to policies of the Traffic Circulation Element to ensure the continued vitality of Hardee County.

1. Light and Heavy Industrial development is permissible. Such development may include mining, converting or processing raw materials, the manufacture, assembly, production, or repair of durable goods; wholesale commerce; warehousing or storage operations; distribution and shipment of cargo; corporate functions in association with industrial operations.
2. Mining activities are potential uses if the Mining Overlay is extended over the Industrial Land Use.
3. Such development shall not create or contribute to disorganized patterns of development, shall best utilize existing and planned transportation routes, shall be subject to an access management program, including regulating the number of and distance between arterial access points, and the use of frontage roads, shared driveways and access roads, shall be located near existing industrial land uses or otherwise be compatible with surrounding land uses, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 1.00, and shall not exceed impervious lot coverage of 75%.
4. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.
5. Landfills shall not be an allowed use within the Industrial Future Land Use area south of the Polk/Hardee County Line, north of SR 62.

**Policy L1.6:** The primary purpose of **Residential Mixed Use** category, as designated on the Future Land Use Map, shall be to provide a transition between urban and rural land uses where medium density residential development with public water and sewer is encouraged in combination with the maintenance of agriculture and open space. Supporting neighborhood commercial uses are permitted.

1. Residential development is permissible, not to exceed an overall density of 12 dwelling units per gross acre for any single parcel. Recreational Vehicle parks may be permitted to a maximum density of 15 units per gross acre for any single parcel, subject to all applicable local regulations. Residential development shall not exceed 45% of total land uses.

The Residential Mixed Use area located to the east of Wauchula in Sections 2, 11, 14 of Township 34 South, Range 25 East shall be limited to a maximum residential density of 6 dwelling units per acre until such time as central water and sewer service is available. Once central water and sewer service is made available, the density may increase to 12 dwelling units per acre.

2. In a Residential Mixed Use category, the lowest order of commercial goods and services which serve the daily needs of nearby residents may be permitted only on arterial or collector roads, and at locations which are compatible with the character of the area and do not create strip and disorganized patterns of commercial development. Commercial areas in a Residential Mixed Use area shall be limited to neighborhood commercial uses, and shall be buffered from adjacent land uses by a setback of at least 50 feet. Such commercial uses shall not exceed 5 acres in size, shall not exceed impervious surface lot coverage of 70 percent, and shall be located within 500 feet of the intersection of an arterial or a collector and another public roadway, and shall be consistent with the access management policies contained in this Plan and the procedures adopted by the Florida Department of Transportation. Commercial Uses shall not exceed 5% of total land uses.
3. Industrial uses shall not be permissible.
4. New Agricultural uses within a Residential Mixed Use area shall be allowed. Such agricultural uses shall be regulated by land development regulations to mitigate any adverse effects of agricultural uses on surrounding residential land uses. New Agricultural uses shall not exceed 50% of total land uses.

**Policy L1.7:**

The **Rural Center** category recognizes the existence of, and need for, small scale rural clusters of mixed use development. Residential, commercial, light industrial, public, recreational and other uses are intended to be maintained to preserve and enhance these communities.

1. Residential development is permissible, not to exceed an overall density of 12 dwelling units per gross acre for any single parcel. Recreational Vehicle parks may be permitted to a maximum density of 15 units per gross acre for any single parcel, subject to all applicable local regulations.
2. Commercial development is permissible. Such development shall support the shopping or employment needs of the residents of the area, shall not create or contribute to strip or disorganized patterns of commercial development, shall best utilize existing and planned transportation routes, shall adhere to programs of access management to regulate direct access to arterial or collector roadways, shall be buffered from adjacent land uses as appropriate, shall not exceed a floor area ratio of 1.5, shall not exceed impervious lot coverage of 70%, and shall not exceed 15% of the total area of a Rural Center.
3. Light industrial uses are permissible. Such uses shall not create strip or disorganized patterns of development, shall best utilize existing and planned transportation routes, shall adhere to programs of access management to regulate direct access to arterial or collector roadways, shall be located near existing industrial land uses or otherwise be compatible with surrounding land uses, shall be buffered as appropriate from adjacent land uses, shall not exceed a floor area ratio of 1.0, shall not exceed 90% impervious lot coverage, and shall not exceed 15% of the total area of a Rural Center.
4. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.

**Policy L1.8:**

The **Residential High** category is to depict those areas of the County that are now developed or appropriate to be developed in an urban, high density manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with urban areas where adequate infrastructure and employment opportunities are located.

1. Residential development is the primary use, not to exceed overall gross densities of 12 dwelling units per acre.
2. No use other than residential is anticipated; however, it is recognized that there may be a circumstance where very limited commercial use may be appropriate to serve only the immediate residents. Such commercial use may be considered, provided that

such site shall not exceed 3 acres in size or 10% of the site, whichever is greater, and shall not exceed a floor area ratio (FAR) of 0.30, nor an impervious surface area ratio (ISR) of 0.60. Commercial uses in the Residential High Future Land Use category shall be demonstrated to be of an intensity and scope commensurate with the provision of services to residents in the immediate proximity.

3. This category is generally appropriate in urban areas served by adequate infrastructure and located in proximity to employment and commerce centers. These areas are to be served and accessed from minor roadways which connect to collector and minor arterial roadways.
4. Central water and wastewater service shall be required regardless of gross density.
5. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.

**Policy L1.9:**

The **Residential Medium** category is to depict those areas of the County that are now developed or appropriate to be developed in a more urban, medium density manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with transitioning or bridging between Residential Low and Residential High or mixed use land use categories and uses that are consistent with natural resource characteristics of such areas.

1. Residential development is the primary use, not to exceed overall gross densities of 8 dwelling units per acre.
2. No use other than residential is anticipated; however, it is recognized that there may be a circumstance where very limited commercial use may be appropriate to serve only the immediate residents. Such commercial use may be considered, provided that such site shall not exceed 3 acres in size or 10% of the site, whichever is greater, and shall not exceed a floor area ratio (FAR) of 0.30, nor an impervious surface area ratio (ISR) of 0.60. Commercial uses in the Residential Medium Future Land Use category shall be demonstrated to be of an intensity and scope commensurate with the provision of services to residents in the immediate proximity.

3. This category is generally appropriate in areas serving as a transition from, or a bridge between Residential Low and Residential High or mixed use land use categories. These areas are to be served and accessed from minor roadways which connect to collector and minor arterial roadways.
4. Central water and wastewater service shall be required regardless of gross density.
5. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.

**Policy L1.10:**

The **Residential Low** category is to depict those areas of the County that are now developed or appropriate to be developed in a suburban, low density manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with transitioning or bridging between more urban, high density categories and uses that are consistent with non-intensive qualities and natural resource characteristics of such areas.

1. Residential development is the primary use, not to exceed overall gross densities of between 1 dwelling unit per acre and 4 dwelling units per acre.
2. No use other than residential is anticipated; however, it is recognized that there may be a circumstance where very limited commercial use may be appropriate to serve only the immediate residents. Such commercial use may be considered, provided that such site shall not exceed 3 acres in size, shall not exceed a floor area ratio (FAR) of 0.30, nor an impervious surface area ratio (ISR) of 0.60. Additionally, such use will be clearly demonstrated, through data and analysis, that other locations for commercial activity in proximity to the land use category cannot be supported.
3. This category is generally appropriate in areas serving as a transition from, or a bridge between more urban and rural land use categories. These areas generally bound or exist between higher density land use categories and are generally served and accessed from minor roadways which connect to collector and minor arterial roadways.

4. Central water service shall be required where densities exceed 2 units per gross acre; and shall be required regardless of gross density where available. Availability means parcels within 500 feet of an existing service.

**Policy L 1.11:**

The **Rural Village** category is comprised of an appropriate mix of residential and nonresidential land uses that are physically and functionally integrated. Residential, commercial, office, light industrial, public, recreational and other uses are permitted. The plan category mandates that, at a minimum, two (2) land use types - residential, including but not limited to multifamily residential and a non-residential component - are included. It is envisioned that this category will encourage a "live-work" relationship whereby development within the category would have the opportunity for employment within the non-residential components of the developments.

1. A minimum land area of 500 acres of gross developable land is required for designation to ensure that a village-scale community environment is created.
2. The equivalent of at least fifteen (15) percent of the total developable acres must be devoted to a residential use with a density of at least 6 dwelling units per developable acre.
3. The maximum residential density including Recreational Vehicle parks shall not exceed twelve (12) dwelling units per total gross developable acres. Recreational vehicle parks shall not exceed the equivalent of fifteen (15) percent of the total developable acres.
4. The equivalent of at least five (5) percent of the total developable acres must be devoted to non-residential use (retail, office, and/or industrial) with a minimum floor area ratio (FAR) of 0.10.
5. The maximum non-residential use (retail, office and/or industrial) intensity shall not exceed the equivalent of forty (40) percent of the total developable acres with a maximum floor area ratio (FAR) of 0.25.
6. Vertical integration of uses (e.g., residential above retail and/or office use) is strongly encouraged.
7. A minimum of ten (10) percent of the developable land must be devoted to recreation open space.

8. Locational factors:
  - i. The proposed development site must be located adjacent to and have direct connection to a major collector roadway;
  - ii. Fire protection must be available within a five-minute response time and the proposed development site shall be located on or near regular sheriff patrol routes; and
  - iii. Schools and public/semi-public uses must be readily accessible by way of collector or arterial streets or location within the development site.
9. Development within this category shall require the filing of a site plan controlled zoning application utilizing the Hardee County Planned Unit Development (PUD) zoning district. The requirements of the Rural Village category shall take precedence over any conflicting provisions within the PUO zoning district regulations. Zoning approval for a proposed development shall ensure a compact pedestrian friendly environment and provide guidelines or standards for the compatibility of permitted uses.
10. Any portion of the perimeter of a proposed development that abuts lands designated Agricultural shall contain extensive setbacks and/or buffering and screening components to ensure a transition between the proposed Rural Village land use and the lower density/intensity land uses.
11. Areas of the Rural Village site with topographic relief, tree cover, and scenic views should be utilized in site design to add scenic amenities and diversity to development within the land use category.
12. Development Standards:
  - i. The centers and edges of a Rural Village shall be well defined. Public or civic space or civic use shall be an organizing element around which other components within the development are located.
  - ii. Development shall be organized along a density and intensity gradient suitable to the site and integrated with surrounding land uses.

- iii. The design shall include a pedestrian circulation system to connect the proposed uses. Primary pedestrian routes and bikeways shall coincide with the internal street system or other public spaces such as parks or squares, and should avoid routes through parking lots.
  - iv. On-street parking may be allowed with landscaping that affords traffic calming and produces a comfortable and safe pedestrian environment.
  - v. Parking structures and parking lots shall be screened from streets, sidewalks, and open spaces, and shall be designed to maintain or enhance the street edge.
13. A Rural Village may only be approved through a map amendment to the Comprehensive Plan. A Rural Village may also be established through the Development of Regional Impact process or the Florida Quality Development Program, pursuant to Chapter 380, F.S., as amended.
  14. Landfills shall not be an allowed use within the Rural Village Future Land Use designation.

**Policy L1.12:**

The **Residential Estate** category is to depict those areas of the County that are now developed or appropriate to be developed in a more rural, low density manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with transitioning or bridging between more suburban density categories and agricultural land uses.

1. Residential development is the primary use, not to exceed overall gross density of 1 dwelling unit per 2.5 acres.
2. No use other than residential is anticipated; however, it is recognized that there may be a circumstance where very limited commercial use may be appropriate to serve only the immediate residents. Such commercial use may be considered, provided that such site shall not exceed 3 acres in size or 10% of the site, whichever is greater, shall not exceed a floor area ratio (FAR) of 0.30, nor an impervious surface area ratio (ISR) of 0.60. Commercial uses in the Residential Estate Future Land Use category shall be demonstrated to be of an intensity and scope commensurate with the provision of services to residents in the immediate proximity.

3. This category is generally appropriate in areas serving as a transition from, or a bridge between suburban areas and agricultural areas and rural land use categories.
4. County-maintained roadways shall access this land use. This land use shall be located no further than two miles from existing high density land uses and/or incorporated boundaries.
5. Existing agricultural land uses are permissible. The expansion of agricultural uses is permissible provided that such uses are compatible with and appropriately buffered from surrounding land uses.

**Policy L1.13:**

The primary functions of **Agricultural** areas, as designated on the Future Land Use Map, shall be to protect and encourage agricultural activities, while providing for low density residential use, and to protect unique native habitats and maintain open space.

1. Residential development in an Agricultural area shall not exceed a maximum density of one dwelling unit per five gross acres.
2. In an Agricultural area, the lowest order of commercial goods and services which serve the daily needs of nearby residents may be permitted only on arterial or collector roadways. Commercial areas in an Agricultural area shall be appropriately buffered, shall not exceed 3 acres in size, shall not exceed impervious surface lot coverage of 70 percent, and shall be no less than 2 miles from other commercial development in an Agricultural area or in other future land use categories.
3. Industrial uses within an Agricultural area may be permitted only when such activity is related to the extraction or processing of minerals; or when related to agriculture; or is of a scale and nature that would not be acceptable in a Town Center. Other industrial uses, such as power plants or manufacturing or processing facilities may be permitted, and shall have access to a collector or arterial roadway, shall meet all local regulations, and shall be appropriately buffered from surrounding land uses, including agricultural uses.
4. Within an Agricultural area, the approval of residential development shall acknowledge that the protection of agricultural lands is a primary function of an Agricultural area, and that land management activities associated with agricultural uses may be incompatible with residential development. However, such management activities are considered to be an essential element of the protection of successful

operations on agricultural lands and the continuation of such activities shall take precedence.

5. The following planning controls shall guide development within Agricultural areas:

- Development of 20 units or more shall retain a minimum of 80 percent of the project site as open space, and shall be clustered or otherwise developed as suitable for the site to protect agricultural areas, wetlands, native vegetative communities and wildlife habitats;
- Developments in excess of 4 units but less than 20 units shall retain a minimum of 50 percent of the project site as open space, and shall be clustered or otherwise developed as suitable for the site to protect agricultural areas, wetlands, native vegetative communities and wildlife habitats;
- Developments of 4 units or less are not required to retain open space except as otherwise required in this comprehensive plan or land development regulations;
- Developments in excess of 4 units shall be subject to access management guidelines regarding direct access and number of access points to collector or arterial roadways and, where appropriate, shall be buffered from the roadway;
- New development shall: provide buffering to prevent conflicts between agricultural and non-agricultural activities; protect natural resources; allow no ancillary uses detrimental to agriculture; require that post-development conditions for stormwater run-off equal pre-development conditions; and shall require the appropriate contribution from the developer to pay for off-site as well as on-site costs associated with the impacts of the development.
- Developments of 20 units or more are encouraged to provide commercial areas to support the residents of the development, subject to the criteria established for commercial development in Agricultural areas;
- Hardee County promotes the following guidelines for the conversion of lands in agricultural production to non-agricultural uses: that the proposed non-agricultural use is appropriately buffered from adjacent land uses, maintains the

viability of continued agricultural uses on adjacent lands, contains suitable soils, is compatible with existing site-specific land characteristics, will have available the necessary public facilities and services concurrent with the impacts of anticipated development, and will avoid the extension of higher density land use categories that would create enclaves, pockets or finger areas.

- Policy L1.14:** The **Recreation** category is to recognize public or private lands utilized as recreation or open space, and accessible to the general public. The intensity of development of recreation facilities shall not exceed 5% lot coverage.
- Policy L1.15:** The **Public/Institutional** category is to accommodate existing land and facilities recognized as serving the public. This includes lands and facilities publicly owned, or owned by private or non-profit entities and intended for public, educational or institutional use. Impervious surfaces shall not exceed 85 percent of the site for new public building development. Schools shall be limited to not more than 65 percent impervious surface. When land surrounding a municipally owned public supply potable water well is designated as Public Buildings and Grounds, development shall be limited to facilities associated with the pumping or treatment of water only.
- Policy L1.16:** **Conservation** category is to preserve and protect the unique natural resources of Hardee County, and to maintain public ownership of certain properties. A "Conservation" area is further defined as an area vital to the maintenance of environmental quality, least tolerant to changes caused by development, and vital to the ecological integrity of the region. Commercial and industrial development shall be prohibited in Conservation areas. Appropriate structures and facilities, including residential development at a density not to exceed 1 unit per 20 acres for park rangers, security and/or necessary maintenance personnel, are permissible, provided that they further the intent of a conservation area, and are necessary for the public appreciation of such areas.
- Policy L1.17:** The **Mining Overlay District** is to identify areas of Hardee County where mining has, is or is planned to occur. This overlay shall serve as an atlas of pre and post mining geographical conditions including but not limited to soil types, hydrological features, topographical features and land use suitability indices. It shall also identify land use features during the mining process in 5-year intervals until reclamation is complete. Lands within this overlay district not subject to mining may still be included due to off-site mitigation potential, settling pond locations and other mine related impacts. A restrictive mining corridor in which accelerated reclamation of re-contoured

overburden only shall be established to maintain the integrity of the "Development Corridor" generally along U.S. 17 and the Peace River in Central Hardee County. This "Development Corridor" will be more specifically defined through amendments to the Hardee County Mining Ordinance.

**Policy L1.18:** Residential development in any land use category must demonstrate that floor elevations are above the 100-year flood elevation, as designated on Federal Emergency Management Agency Flood Insurance Rate Maps, and do not alter the functions or quality of the natural resources in a flood prone area.

**Policy L1.19:** In order to protect the natural function of the 100-year floodway of the Peace River, Horse Creek, Charlie Creek and Payne Creek, a setback from the banks of the waterways is hereby established, in which only pasturing of livestock and residential development at a density of not more than one dwelling unit per twenty gross acres are permitted. The Board of County Commissioners may grant an exception to said gross density for a lot of record, established and recorded in the public records of Hardee County prior to the effective date of this policy; provided however, that the maximum gross density permitted on any such lot of record shall not be greater than one dwelling unit per five acres. Structures must be flood-proofed and the floor level shall be at least one foot above the 100-year flood elevation.

The setback shall be 500 feet on each side of the river and creeks or the width of the 100-year floodway as shown on the FEMA flood map, whichever is less. In considering such an exception for a lot of record, the Board shall review the proposed exception for consistency with the review criteria established for Variances in the Hardee County Unified Land Development Code and shall further require additional mitigation measures to protect the waterbodies, such as the creation of a conservation easement over the floodway and associated wetlands on the lot. In addition, the primary structure, drainfield and driveway must be located on the least environmentally-sensitive portion of the lot as determined by the Planning Director after consultation with a professional biologist or hydrologist from Hardee County, the Florida Department of Environmental Protection, or the Southwest Florida Water Management District.

**Policy L1.20:** Land uses which are potentially incompatible either due to type of use or intensity of use shall be buffered from one another.

**Policy L1.21:** The development of institutional, governmental, transportation, educational, and/or recreational uses within all Future Land Use classifications, except for Conservation, shall be permitted, when such development provides regional

services, or serves the existing needs of the immediate area in which it is located. The scale of such facilities should be related to surrounding land uses, shall be appropriately buffered, and should be designed to preserve the character of residential neighborhoods, when so located. Within the Conservation Future Land Use, resource based or passive recreational activities, such as hiking, bicycling, nature study, boating/canoeing, fishing, hunting, and similar activities shall be permitted provided they do not significantly alter or damage the natural resource.

**Policy L1.22:** Exceptions to the minimum lot size for residential development in the Agricultural future land classification for subdivision of land to be transferred to immediate family members, and to serve as their primary residence is permitted. This exception is limited to immediate family members defined as persons related by blood, marriage or adoption, such as grandparents, grandchildren, parents, spouses, siblings or children. Such an exception may not be granted more than one time for each immediate family member.

**Policy L1.23:** Hardee County shall maintain land development regulations that contain specific provisions to implement the adopted Comprehensive Plan. The land development regulation process shall focus on efficiency and effectiveness through a streamlining of procedures. An assessment shall be made of integrating all appropriate Land Development Regulations into a single Ordinance. Land development regulations shall, at a minimum:

1. Regulate the subdivision of land. The existing subdivision ordinance shall be reviewed and updated in order to reflect consistency with the comprehensive plan.
2. Regulate areas subject to seasonal and periodic flooding and continue to enforce the County's stormwater management ordinance.
3. An element of the County's concurrency management system shall be a program to bring planned, permitted and zoned development capacity into alignment with existing and programmed capital improvements capacity. The program of aligning development capacity with capital improvements capacity shall provide for the recognition and protection of vested property rights. As required pursuant to Chapter 9J-5, FAC, all development, including development of land with vested rights, except for land vested because of a development permit issued prior to the original adoption of the Hardee County Comprehensive Plan on April 11, 1991, shall be subject to the requirements of concurrency.

4. Regulate signage. The regulation of signs shall be addressed as a provision of the land development regulations.
5. Ensure safe and convenient on-site traffic flow and vehicle parking through the adoption and continued enforcement of design standards for new construction.
6. Protect environmentally sensitive lands and provide for open space by including in the County's site plan review process provisions for the protection of environmentally sensitive lands identified in the conservation element of this Plan, and a definition of appropriate open space.

**Policy L1.24:** The County shall strictly enforce building height requirements around the Wauchula Municipal Airport pursuant to FAA regulations and the County zoning ordinance.

**Policy L1.25:** The County shall protect the Wauchula Municipal Airport from the encroachment of incompatible land uses through appropriate zoning and other land development regulations.

**Policy L1.26:** Public schools shall be a permitted use in all Future Land Use categories, except in Industrial and Conservation, subject to coordination between the Hardee County School Board and the Hardee County Board of County Commissioners. The coordination shall include but not be limited to:

- a. Location, siting and development/redevelopment of school facilities
- b. Development proposals adjacent to existing or proposed schools
- c. Provision and availability of utilities

Public schools shall be located in Agricultural Future Land Use categories when no feasible site exists in non-agricultural categories, due to prohibitive land costs or lack of available sites, and when necessary to service student populations in rural areas that primarily located in agricultural areas. If no feasible site exists in non-agricultural categories, then a school should be located in a portion of the Agricultural Future Land Use category that is as close as possible to urbanized residential areas and the land use on the site should be changed to Public/Institutional Future Land Use category. This Policy intent is to provide for the location of new schools as close to urbanized residential areas as practical, preferably within walking and/or bicycling distance of the primary residential area to be served. Schools are to be located in Agricultural Future Land Use categories only when no feasible site exists in a non-

agricultural category, or when necessary to serve student populations in rural areas mainly located in agricultural areas.

**Policy L.1.21:** The County shall coordinate future land uses by encouraging the elimination or reduction of uses that are inconsistent with any interagency hazard mitigation report recommendations that the County determines to be appropriate.

**Policy L.1.22:** Electric distribution substations are allowed in all land use classifications, but not in historic neighborhoods or overlay districts. Land development regulations shall be adopted to establish compatibility standards, including setback and buffering standards, and to establish procedures for the review of applications for locating electric substation sites. [163.3208, F.S.]

**OBJECTIVE L5:** **HARDEE COUNTY SHALL ENCOURAGE THE USE OF INNOVATIVE LAND DEVELOPMENT REGULATIONS IN ORDER TO MORE EFFECTIVELY MANAGE FUTURE GROWTH AND DEVELOPMENT ACTIVITIES AND TO REDUCE GREENHOUSE GAS EMISSIONS AND PROMOTE ENERGY EFFICIENCY.**

*Measure: Increase number of development projects that utilize innovative development techniques.*

**Policy L5.1:** The County shall incorporate in its Land Development Regulations the use of incentives such as those associated with Planned Unit Developments to implement the County Comprehensive Plan.

**OBJECTIVE L8:** **IN ALL FUTURE LAND USE CATEGORIES, DENSITIES AND INTENSITIES OF LAND USES MAY BE EVALUATED AND CONSIDERED AT LESS THAN MAXIMUM DENSITIES/INTENSITIES ESTABLISHED IN THE FUTURE LAND USE CATEGORIES WHEN ACCOMPANIED BY A SPECIFIC DEVELOPMENT PLAN AND/OR DATA AND ANALYSIS ATTRIBUTABLE TO A SPECIFIC DEVELOPMENT PROPOSAL.**

**Policy L8.1: Site Specific Developments:**

Developments possessing specific attributes raising specific issues requiring specific solutions are individually provided for by this plan.

The development phasing of the Hardee County Amendment Cycle 10-2ER (Ordinance 2010-07) shall be controlled by the total density and intensity of all amendments. Individual amendments may not exceed the individual amendment density and intensity phasing limit for development established in the site specific conditions for that amendment during a phasing period. Upon achieving the individual amendment's maximum

density or intensity allotted in the phasing period, the individual amendment development must stop until the next phasing period or until such time as the Capital Improvements Element and 5-Year Schedule of Capital Improvements are revised to provide for central water and wastewater services, paved roads, and public school facilities to accommodate the increased need and development potential associated with these sites. At such time, this policy shall be amended to provide for increased development potential consistent with the Future Land Use designations of the sites, analysis supporting need, and the capacities of the aforementioned systems to serve identified need.

Mandatory provision of central potable water and central sanitary sewer, as required in Policies L8.1.1 through L8.1.10 may be waived by the Board of County Commissioners under specific conditions for non-residential uses only. Preference shall be given to economic development opportunities and employment centers.

**Policy L8.1.1: Vandolah Estates:**

The 582 acres located in Sections 10, 11, and 14, Township 348, Range 24E, generally located north of Vandolah Road and east of C.R 663 shall be designated "Rural Center" on the Future Land Use Map and shall be developed with central potable water and sanitary sewer facilities at a density of not more than 215 units per acre, shall require interconnectivity between other Rural Center designated parcels, and shall be subject to other applicable land development regulations within the County. (Ordinance 2007-06, June 21, 2007)

**Policy L8.1.2: Florida Institute of Neurological Research (FINR):**

The 872 acres located in Sections 4, 5, 8, 9 and 16, Township 34S, Range 24E generally located north of Vandolah Road and east of C. R. 663 shall be designated "Rural Center" on the Future Land Use Map and shall be developed with central potable water and sanitary sewer and will be developed with mixed land uses including an additional 1,030 beds within the Rehabilitation Center, 900 multi-family dwelling units, 60,000 square feet of general commercial, 200-room hotel, 200-bed hospital and 175,000 square feet of office. Interconnectivity between other Rural Center designated parcels shall be required and the land use shall be subject to other applicable land development regulations within the County (Ordinance 2007-14, December 13 2007)

**Policy L8.1.3: E.L Davis:**

The 609 acres located in Sections 8, 9, 16, and 17, Township 34S, Range 24E, generally located north of Vandolah Road and east of CR663 shall be designated "Rural Center" on the Future Land Use Map and shall be developed with central potable water and sanitary sewer and will be developed with mixed land uses including 90 acres of Light Industrial, or 1.8 million square feet, 160,000 square feet of Commercial Office, 225,000 square feet of Commercial Retail/Services and 1,000 multi-family residential dwelling units. Additionally, the development schedule of this land use designation will limit the development of the residential component to the last one-third of the twenty-year buildout schedule. Interconnectivity between other Rural Center designated parcels shall be required and the land use shall be subject to other applicable land development regulations within the County. (Ordinance 2008-02, December 13, 2007, transmittal).

**Policy L8.1.4: Little Cypress:**

The 96 MOL acres located in Sections 28 and 29, Township 34S, Range 25E, generally located south of S.R 64 and west of South Florida Avenue shall be designated "Rural Center" on the Future Land Use Map and shall be developed with central potable water and sanitary sewer and will be developed with mixed land uses limited to a maximum of 500 residential dwelling units and 564,000 square feet of non-residential development. Land use shall be subject to other applicable land development regulations within the County. (Ordinance 2008-03, June 19, 2008, adopted)

**Policy L8.1.5: Ten Fold Talents:**

The 134.07+/-acres located in Sections 21 and 28, Township 34S, Range 25E; generally located north of State Road 64E and East and West of South Florida Avenue shall be designated "Highway Mixed Use" on the Future Land Use Map; shall be developed with central potable water and sewer and shall be limited to a residential density not to exceed five units per acre; and shall be subject to other applicable land development regulations within the County. (Ordinance 2008-09, June 19, 2008, *transmittal*)

**Policy L8.1.6: Hardee Industrial Park:**

Hardee County Commerce Park: The 129.81+/-acres located in Section 29, Township 33S, Range 25E; generally located south of State Road 62 and East and South of US Highway 17 shall be designated "Highway Mixed Use" on the Future Land Use Map; shall be developed with central potable

water and sewer and shall be limited to an industrial floor to area ratio of 0.5 or 2.8 million square feet; and shall be subject to other applicable land development regulations within the County. (Ordinance 2008-17, December 4, 2008, adoption)

**Policy L8.1.7: Site 1 of 2010 EAR Amendments (West of Bowling Green):**

Site 1 shall be designated as 463 acres of ‘Highway Mixed Use’, 670 acres of ‘Residential Low’, and 274 acres of ‘Conservation’ on the Future Land Use Map; shall be developed with central potable water and wastewater; and shall be limited to 500,000 square feet of non-residential uses and 500 dwelling units. Development shall be limited to the upland areas of the Site and shall be consistent with all policies of the Comprehensive Plan. Development shall be subject to other applicable land development regulations within the County. (Ordinance 2010-07, October 21, 2010, adoption)

**Policy L8.1.8: Site 2 of 2010 EAR Amendments (CR 663 at Hardee/Polk County Line):**

Site 2 shall be designated as 3,340 acres of ‘Industrial’ and 492 acres of ‘Conservation’ on the Future Land Use Map; shall be limited to 5 million square feet of industrial uses. The ‘Industrial’ Future Land Use on this site recognizes an existing Power Generation Facility and Mulch Plant. The site shall utilize multi-modal methods of transportation. Development shall be limited to the upland areas of the Site and shall be consistent with all policies of the Comprehensive Plan. Development shall be subject to other applicable land development regulations within the County. (Ordinance 2010-07, October 21, 2010, adoption)

**Policy L8.1.9: Site 3 of 2010 EAR Amendments (North of SR 62, West of CR 663):**

Site 3 shall be designated as 2,085 acres of ‘Rural Village’ and 610 acres of ‘Conservation’ on the Future Land Use Map; shall be developed with central potable water and wastewater; shall require interconnectivity within the Site with east/west roadway connections; shall be limited to 600 dwelling units; shall be limited to 1 million square feet of non-residential uses. Development shall be limited to the upland areas of the Site and shall be consistent with all policies of the Comprehensive Plan including Policy L1.11. Development shall be subject to other applicable land development regulations within the County. (Ordinance 2010-07, October 21, 2010, adoption)

**Policy L8.1.10: Site 5 of EAR Amendments (West of CR 663, North of SR 64):**

Site 5 shall be designated as 1,536 acres of “Industrial” on the Future Land Use Map; shall be limited to 500,000 square feet of industrial uses. Development shall be limited to the upland areas of the Site and shall be consistent with all policies of the Comprehensive Plan. Development shall be subject to other applicable land development regulations within the County. (Ordinance 2010-07, October 21, 2010, adoption)

**Policy L8.1.11: Wetlands and Floodplains specific to Sites 1, 2, 3, and 4 of the 2010 EAR Amendments and Site 1 of the 14-5ESR amendment (Ordinance 2014-13)**

Floodways, river and stream corridors, drainage ways, wetlands, and cutthroat seeps may only be crossed by roads and utilities where such crossings are unavoidable. Such impacts may only be considered to allow for: access to site; internal traffic circulation where other alternatives do not exist for purposes of public safety; or pre-treated storm-water management. Such impacts, when mitigated consistent with all permitting requirements, are subject to the following limitations:

1. Pre-development volume, direction, distribution and surface water hydro-period shall be maintained by culverting or bridging the crossing.
2. Impacts to the area are minimized.
3. Travel movements by wildlife known to be in the area are accommodated.
4. All local, state and federal permits are obtained.

**Policy L8.1.12: Site 1 of the 14-5ESR Amendment (West of Bowling Green):**

The site shall be designated as “Rural Village” with approximately 125.5 acres of “Conservation” following the Little Payne Creek on the Future Land Use Map. The site shall be developed with central potable water and wastewater, with development limited to the upland areas of the Site. Development of the site shall be limited to:

- 1,463 residential dwelling units including single-family, multi family, and recreational vehicle park units;
- A minimum of 623 residential dwelling units will be active adult/age-restricted.

- 360,000 square feet of non-residential uses including 20,000 square feet of office, 40,000 square feet of retail, and 300,000 square feet of light industrial use; and
- Recreation open space and other open space/public uses, to specifically include an EMS/Fire facility.

Site development shall be consistent with all policies of the Comprehensive Plan and subject to other applicable Land Development Regulations within the County. If the project approaches Development of Regional Impact (DRI) thresholds, the applicant will be notified of the DRI application process and coordination will begin with the Florida Department of Economic Opportunity and the Central Florida Regional Planning Council. (Ordinance 2014-13, November 6, 2014, adoption).

**OBJECTIVE L9:**        **HARDEE COUNTY SHALL CONSIDER ESTABLISHING A CONSERVATION DEVELOPMENT PROGRAM TO ENCOURAGE THE EFFICIENT USE OF LAND, CONSERVE NATURAL RESOURCES, AND MAXIMIZE OPEN SPACE, AND REDUCE THE COST OF PROVIDING INFRASTRUCTURE.**

**Policy L9.1:**        The purpose of the Conservation Development Program is to conserve land and natural resources by establishing policies that incentivize and result in:

1.     The preservation of natural and historic resources;
2.     The connectivity to adjacent open spaces supporting wildlife corridors;
3.     The clustering of development to permanently preserve and integrate open space into neighborhoods;
4.     The creation of usable, accessible open space and passive recreational areas; and
5.     The more efficient use of land, streets, and utilities.

**Policy L9.2:**        By December 2011, the details of the Conservation Development Program shall be provided in the County's Unified Land Development Code. The Program shall be incentive-based and voluntary. It shall be applicable to new residential construction and limited commercial uses as may be needed to serve the residents of a Conservation Development.

**Policy L9.3:** The Conservation Development Program shall incorporate conservation planning principles to include, at a minimum, the following requirements:

1. The permanent preservation of at least 50% of the land area as open space (natural resource or conservation-compatible land);
2. A collaborative process for the applicant to work with County staff to identify potential conservation areas and areas most suitable for development; and
3. The submission of Conservation Site Plans.

**Policy L9.4:** A Conservation Site Plan prepared under the Conservation Development Program shall identify property and parcel boundaries and include data on:

1. Wetlands, floodplains, and existing water bodies;
2. Known land cover, habitat or ecological linkages;
3. Species listed for protection by the USFWS or FFWCC;
4. Historic sites listed on the State Master Site Files; and
5. The location of significant attractive features such as scenic views or potential linkages to open space or multi-use trail networks.

**Policy L9.5:** Parcels Contiguous to Environmental Lands

The Conservation Development Program shall include incentives to encourage the use of conservation planning principles on parcels contiguous to public or privately-owned environmental lands. It shall provide an attractive alternative to large lot subdivisions in order to minimize fragmentation of wildlife habitat. The program incentives shall also encourage the use of other sustainable development practices such as Low Impact Development, Dark Skies, WaterStar or Firewise.

# Hardee County

## 2030 Comprehensive Plan



**Transportation Element**

**Amended through August 2014**

## TRANSPORTATION ELEMENT

**GOAL T1:** HARDEE COUNTY WILL ASSURE AVAILABILITY OF A SAFE, CONVENIENT, AND EFFICIENT TRANSPORTATION SYSTEM TO SERVE ALL RESIDENTS AND VISITORS OF HARDEE COUNTY.

**OBJECTIVE T1:** HARDEE COUNTY SHALL PROVIDE A SAFE, CONVENIENT, AND EFFICIENT MOTORIZED AND NON-MOTORIZED TRANSPORTATION SYSTEM BY ESTABLISHING OPERATING CRITERIA AND MINIMUM LEVEL OF SERVICE STANDARDS FOR THE FUNCTIONING OF THE COUNTY'S HIGHWAY SYSTEM. HARDEE COUNTY SHALL SEEK TO REDUCE THE NUMBER OF ACCIDENTS ON THE HIGHWAY SYSTEM.

*Measure: Maintain level of service standards; annual recording of number of accidents.*

**Policy T1.1:** Hardee County establishes the following peak hour level of service standards for each listed facility type:

- |    |                     |     |
|----|---------------------|-----|
| 1. | Principal Arterials | "D" |
| 2. | Minor Arterials     | "D" |
| 3. | Major Collectors    | "D" |
| 4. | Minor Collectors    | "D" |

**Policy T1.2:** The County shall continue to maximize the efficient location and number of access points to major thoroughfares. Access lanes, deceleration lanes, shared driveways, or use of side roads for access to arterials, among other techniques, will be analyzed and applied as appropriate. Particular attention will be given to facilities currently operating below the adopted level of service. The County concurrency management system and other Land Development Regulations will be developed to limit further degradation of such facilities within the LOS standards as stated in Policy T1.1.

**Policy T1.3:** Roadways in high accident areas will be analyzed to determine necessary improvements in signage, signalization, or design features.

**Policy T1.4:** Standards providing sufficient parking and safe and convenient on-site traffic flow will be maintained in Land Development Regulations.

**Policy T1.5:** Transportation projects to increase safety in Hardee County will include consideration of bicycle and pedestrian facilities as additions to roadway expansion projects or new roadway construction.

- Policy T1.6:** Because it is used by through or regional traffic, and because local land use decisions have little bearing on such traffic, Hardee County has requested, and will continue to request the widening of U.S. 17 to a minimum divided four-lane highway throughout Hardee County, and will express this desire to the Florida Department of Transportation.
- Policy T1.7:** Hardee County shall continue to develop strategies to facilitate local traffic to use alternatives to the Strategic Intermodal System for local trips.
- OBJECTIVE T2:** **HARDEE COUNTY SHALL COORDINATE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, THE CITIES OF BOWLING GREEN AND WAUCHULA, AND THE TOWN OF ZOLFO SPRINGS TO MONITOR AND MITIGATE TRAFFIC AND CAPACITY IMPACTS ON STATE OR COUNTY OWNED ROADWAYS.**
- Measure: Maintain adopted level of service standards.*
- Policy T2.1:** Hardee County shall, as needed and as appropriate, discuss and coordinate with the cities of Wauchula and Bowling Green and the Town of Zolfo Springs any necessary changes to or expansions of the county road system within the affected limits of each respective municipality.
- Policy T2.2:** Hardee County shall maintain its Land Development Regulation (LDR) provisions that require development applications be accompanied with a traffic study which identifies the impacts the development will create.
- The County Engineer or designee shall use the Concurrency Management System procedures to evaluate traffic impacts associated with the proposed project.
- OBJECTIVE T3:** **HARDEE COUNTY WILL PROTECT EXISTING AND PROPOSED RIGHTS-OF-WAY FROM BUILDING ENCROACHMENT.**
- Measure: Miles of right-of-way required for future road construction.*
- Policy T3.1:** In coordination with the Florida Department of Transportation, the County shall, by December 2011, develop and, by amendment, incorporate into the Hardee County Comprehensive Plan, a Long-Range Transportation Plan (LRTP) for Hardee County. The LRTP shall identify existing and future rights-of-way that, based on state statutes and case law, can legally be protected from building encroachment. Locally designated existing and future rights-of-way on the state highway system shall be protected by local regulation, where possible.

**OBJECTIVE T4:**       **HARDEE COUNTY SHALL EXPAND MODES OF TRANSPORTATION AVAILABLE TO RESIDENTS, VISITORS AND BUSINESSES, AS INTENDED TO CONSERVE ENERGY CONSUMPTION AND PROVIDE ALTERNATIVE MEANS OF MOBILITY.**

*Measure:*       *Increase the number of viable transportation modes for people and goods.*

**Policy T4.1:**       Hardee County shall investigate ways to serve as an intermodal hub for people and goods throughout the surrounding region. Possibilities include, but are not limited to, a new airport/intermodal hub.

**Policy T4.2:**       To provide for energy efficiency and savings, alternative modes of transportation shall be accommodated to create communities and developments that are not solely reliant on the automobile for all transportation trips. At a minimum, this will address conceptual designs to accommodate: transit, pedestrians, bicycles, and alternative vehicles (e.g., electric vehicles, etc.) Hardee County shall consider providing bicycle or pedestrian facilities on public new road construction or reconstruction, where feasible; also, encourage the contribution of bicycle and pedestrian facilities in private developments.

# Hardee County

## 2030 Comprehensive Plan



**Housing Element**

**Amended through August 2014**

## HOUSING ELEMENT

**GOAL H1:** HARDEE COUNTY WILL PLAN FOR THE ADEQUATE PROVISION OF DECENT, SAFE, AFFORDABLE, AND SANITARY HOUSING OF APPROPRIATE TYPE, SIZE, LOCATION, AND COST, AND WITH ADEQUATE SUPPORTING PUBLIC FACILITIES TO MEET THE CURRENT AND FUTURE NEEDS OF ALL RESIDENTS OF UNINCORPORATED AREAS OF THE COUNTY.

**OBJECTIVE H1:** ON AN ONGOING BASIS, HARDEE COUNTY WILL ASSIST THE PRIVATE SECTOR AND OTHER PUBLIC AGENCIES IN PROVIDING ADEQUATE AND AFFORDABLE HOUSING, SUPPORTED BY ADEQUATE PUBLIC FACILITIES, FOR EXISTING AND FUTURE POPULATIONS. THIS WILL INCLUDE MAINTENANCE OF A STANDARD-CONDITION HOUSING STOCK WHICH MEETS DOCUMENTED CURRENT AND PROJECTED RANGES OF HOUSEHOLD SIZE, INCOME, TENURE, AND SPECIAL NEED (SUCH AS ELDERLY AND FARMWORKER HOUSING).

*Measurement: The County shall continue to seek ways to reduce the substandard housing stock by 10 percent.*

**Policy H1.1:** Continue to restrict issuing permits for new residential development unless such development is located where facilities and services such as roads, sewage disposal, and potable water are available and adequate, or where such facilities and services will be available concurrent with the impacts of the development.

**Policy H1.2:** The County will provide incentives to the private and non-profit sectors as a means of encouraging the production of a range of affordable housing. Such incentives may include: the use of cluster development and mixed use projects; permitting density bonuses for projects that include affordable housing; coordinating with providers of public facilities and services to extend public facilities and services to areas in need of redevelopment or to encourage affordable housing; or offering assistance to groups in identifying or applying for affordable housing funds.

**Policy H1.3:** Hardee County officials will assess and improve, as necessary, the County's regulatory and permitting process for residential development in conjunction with scheduled evaluations and appraisals of the Comprehensive Plan, or as otherwise required. The County will provide for:

- a) a reduction of processing fees for projects that include affordable housing or provide for other special housing needs;
  - 1. Expediting permitting process for projects utilizing State Housing Initiative Program (SHIP) funds, Community Development Block Grant (CDBG) funds and/or Hurricane Housing Recovery Program (HHRP) funding or other funding provided through Hardee County Office of Community Development. Permitting process should be fast tracked and completed within three (3) business days for these projects.
  - 2. All permitting fees shall be charged on a step scale based on income as follows: Extremely-low to Very-low income families would be \$0, Low income families would pay 25% of actual cost and Moderate income families would pay 50% of the actual cost.
  - 3. A total waiver of impact fees for projects utilizing State Housing Initiative Program (SHIP) funds, Community Development Block Grant (CDBG) funds and/or Hurricane Housing Recovery (HHRP) funding or any other funding provided through Hardee County Office of Community Development.
- b) permitting cluster and zero lot line development
- c) minimizing the timeframe for review and public hearings.

**Policy H1.4:** Hardee County's Land Development Regulations shall continue to promote adequate farmworker housing within the Agricultural Land Use category.

**Policy H1.5:** Hardee County shall enforce its fair housing ordinance to permit opportunity in housing selection and prohibit discrimination in the sale or rental of a dwelling.

**Policy H1.6:** The criteria for guiding the location and provision of farmworker housing shall be: to permit farmworker housing in Agriculture areas; to grant density bonuses to encourage the provision of farmworker housing in Agriculture areas; and to review and maintain Land Development Regulations to provide minimum standards for farmworker housing.

**OBJECTIVE H2:** HARDEE COUNTY WILL CONTINUE TO DEVELOP PROGRAMS OR ACTIVITIES TO IDENTIFY, PREVENT, AND REDUCE SUBSTANDARD HOUSING CONDITIONS.

*Measurement: The County shall continue to seek ways to reduce its substandard housing stock by 10 percent.*

**Policy H2.1:** Hardee County shall enforce its housing code to be applied to rehabilitation of existing substandard housing units which incorporates housing quality standards not less than those of the federal Section 8 Existing Housing Program. The Minimum Housing Code shall establish minimum standards for safe and healthful occupancy and does not replace or modify standards otherwise established for construction, replacement, or repair of buildings, except as are contrary to the provisions of the housing code.

**Policy H2.2:** Hardee County shall identify areas of substandard housing in need of rehabilitation or demolition and identify, apply for, and utilize federal and state funding for the demolition or rehabilitation of substandard housing.

**Policy H2.3:** Hardee County shall continue to enforce its Building Code for new construction, replacement, or repair of buildings, except as are contrary to the provisions of the County's Minimum Housing Code.

**OBJECTIVE H3:** HARDEE COUNTY SHALL CONSERVE ITS STANDARD-CONDITION HOUSING STOCK, AND IMPROVE, AS NECESSARY, THE STRUCTURE AND AESTHETICS OF EXISTING HOUSING. HISTORICALLY SIGNIFICANT UNITS WILL BE IDENTIFIED AND GIVEN SPECIAL CONSIDERATION. LAND DEVELOPMENT REGULATIONS, ONGOING CODE ENFORCEMENT ACTIVITIES, AND TECHNICAL ASSISTANCE SHALL BE UTILIZED TO IMPLEMENT THIS OBJECTIVE.

*Measurement: Reduce number of housing code violations for existing structures.*

**Policy H3.1:** Owners/landlords of housing units shall maintain their property in standard condition. The County shall have a code enforcement program based, at a minimum, on response to citizen complaints.

**Policy H3.2:** The principles for guiding conservation, rehabilitation, and demolition of housing units in Hardee County shall be to provide technical assistance to homeowners, renters, landlords and public, private, or non-profit entities to: encourage property owners to make repairs before serious problems develop within the housing stock; reduce blight and decay of neighborhoods;

maintain the value of housing and the quality of life in the county; encourage investment in residential areas; identify, apply for, and utilize federal or state funds to conserve, rehabilitate, or demolish and replace substandard housing.

**Policy H3.4:** The conservation, rehabilitation, or demolition of documented historic housing units shall be carried out in cooperation with recognized historic preservation organizations.

**Policy H3.3:** By September 1, 2012, Criteria for local designation of sites or structures of historical or archeological significance will be included in the County's Land Development Regulations. All sites listed in the Florida Master Site File or National Register shall be considered for local designation. Local designation, and authorization for the alteration or demolition of locally designated sites or structures, shall be by the Board of County Commissioners. This procedure does not replace or diminish established procedures for the alteration or demolition of structures or sites in the County, but is an additional safeguard to protect structures and sites designated by the Board of County Commissioners as historically or archaeologically significant.

**OBJECTIVE H4:** **LAND DEVELOPMENT REGULATIONS, INCLUDING PROVISIONS FOR ZONING, CLUSTERING, AND OTHER DEVELOPMENT TECHNIQUES SHALL ALLOW FOR ADEQUATE SITES FOR HOUSING FOR EXTREMELY LOW, VERY LOW, LOW, AND MODERATE INCOME FAMILIES AND FOR MOBILE HOMES.**

*Measurement: Increase the number of sites available for very low/low/moderate income housing.*

**Policy H4.1:** The principles and criteria for siting extremely low, very-low, low, and moderate income housing shall be to: require developers of very-low/low/moderate income housing to provide adequate public facilities and services; reduce concentrations of extremely low, very-low/low/moderate income housing in the County; allow adequate sites for very-low/low/moderate income housing based on projections and demand for such housing; allow for mixed use Future Land Use classifications to encourage the provision of affordable housing near employment and shopping opportunities; allow a range of residential densities in zoning classifications; allow for smaller lot size and minimum structure size requirements; permit residential use accessory structures adjacent to single-family housing; or consider density bonuses for residential developments that include affordable housing.

**Policy H4.2:** The principles and criteria for siting mobile homes, recreational vehicles, and park model recreational vehicles shall be: to allow for adequate sites for mobile homes, recreational vehicles, and park model recreational vehicles based on projections and demand for such housing; to require recreational vehicles and park model recreational vehicles to be located only in recreational vehicle parks of a total parcel size of not less than 20 acres; to allow mobile homes in mobile home parks or subdivisions of at least 20 acres in size, provided that they are anchored or attached to permanent foundations, meet safety codes and all other applicable requirements of the County's land development regulations; to require developers of such parks or subdivisions to provide adequate public facilities and services; to allow mobile homes in residential future land use classifications provided that they are anchored or attached to permanent foundations, meet safety codes and all other applicable requirements of the County's Land Development Regulations; to allow an affordable housing type to residents of the County.

**Policy H4.3:** Developers of new mobile home, recreational vehicle, or park model recreational vehicle projects shall provide public shelter space sufficient to meet the needs of the development's estimated hurricane season population, based on consultations with the County Building Department, state and county emergency management staff, and the American Red Cross.

**OBJECTIVE H5:** **HARDEE COUNTY SHALL ALLOW FOR ADEQUATE SITES FOR COMMUNITY RESIDENTIAL HOMES LICENSED TO SERVE THE CLIENTS OF THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES IN ACCORDANCE WITH CHAPTER 419, F.S.**

*Measurement: Number of community residential homes located in the County.*

**Policy H5.1:** The principles and criteria for siting community residential homes, as defined in Chapter 419, F.S., licensed to serve clients of the Florida Department of Children and Family Services, shall be: to permit community residential homes in residential Future Land Use classifications, subject to applicable local and state regulations; that zoning shall not be used to prohibit such facilities of a residential scale in areas of residential character; and to require the provision of adequate public facilities and services.

**Policy H5.2:** The County shall amend its Unified Land Development Code to provide that group care facilities of four (4) or fewer residents shall be permitted in residential zoning districts based upon the following general siting guidelines:

- Appropriate distribution of group care facilities throughout the County
- Adequate site size to accommodate the group care facility and associated uses
- Appropriate utilities and roads to serve the group care facility

**OBJECTIVE H6:** AS PART OF ITS EFFORTS TO REVITALIZE AND STABILIZE RESIDENCES AND NEIGHBORHOODS, HARDEE COUNTY SHALL ASSURE THAT SUCH EFFORTS DO NOT CAUSE DISPLACEMENT OR HOMELESSNESS. AS A PROVISION OF RECEIVING FEDERAL GRANTS, HARDEE COUNTY SHALL ENSURE THAT FEDERALLY FUNDED REHABILITATION OR RENEWAL ACTIVITIES THAT CAUSE A TEMPORARY OR PERMANENT DISPLACEMENT SHALL INCLUDE PROVISIONS FOR RELOCATION.

*Measurement: The number of households displaced without relocation assistance.*

**Policy H6.1:** Hardee County shall abide by the mandates of the federal Uniform Relocation Act, ensuring that anyone who will be temporarily or permanently displaced, as a result of federal actions or programs regarding housing conservation, rehabilitation, or demolition, will be provided adequate relocation housing.

**OBJECTIVE H7:** HARDEE COUNTY SHALL CONTINUE TO DEVELOP AND IMPLEMENT PROGRAMS TO ASSIST IN THE PROVISION OF AFFORDABLE HOUSING.

*Measurement: Reduce the deficit of affordable housing needs compared to existing levels.*

**Policy H7.1:** Hardee County officials shall meet, jointly or individually, on a periodic basis with local residents, representatives of developers, builders, contractors, non-profit providers of housing, growers, and other private and non-profit sector representatives to assess and improve the production of housing for all County residents.

- a) The Hardee County Affordable Housing Advisory Committee shall be notified of all affordable housing projects presented to Building and Planning departments to allow committee to have preliminary review of said projects.
- b) All potential changes to any policies, procedures, ordinances, regulations or plan provisions pertaining to housing that could affect

affordability of housing in Hardee County shall be presented to the Hardee County Affordable Housing Advisory Committee for review prior to board preparation and/or approval.

- c) Hardee County will negotiate inter-local agreements with each of the incorporated areas, City of Wauchula, City of Bowling Green and Town of Zolfo Springs, to encourage them to also adopt the recommendations for fee waivers and reductions in regards to affordable housing projects for the wellbeing of the county as a whole.

**Policy H7.2:** In its efforts to ensure adequate and affordable housing for its residents, County officials shall identify, apply for and utilize appropriate federal, state, and private funding or assistance. Such assistance should offset the costs of County housing efforts, return tax revenue to the community, provide local employment, and/or leverage private-sector investment in residential areas.

**Policy H7.3:** The County through its existing housing program will investigate new and innovative techniques to promote home ownership.

- a) Any county owned public lands suitable for affordable housing shall be made available to Hardee County Office of Community Development for possible affordable housing projects, prior to general public availability.

**Policy H7.4:** For sites specifically identified by the County as suitable for very low and low income families, the County shall continue to implement zoning regulations which provide inducements to increase the supply of affordable housing including density bonuses and the consideration of accessory dwelling units. No additional density shall be granted that exceeds the maximum density of the Future Land Use designation without a corresponding Future Land Use Amendment.

**OBJECTIVE H8:** **THE COUNTY SHALL SUPPORT ENERGY EFFICIENCY AND THE USE OF RENEWABLE ENERGY RESOURCES IN EXISTING HOUSING AND IN DESIGN AND CONSTRUCTION OF NEW HOUSING.**

**Policy H8.1:** The County shall support residential construction that meets the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or another nationally recognized, high performance green building rating system as recognized by the Florida Department of Management Services. The County shall promote that the construction of

new development use energy efficient processes to reduce greenhouse gas emissions.

**Policy H8.2:** The County shall encourage the strategic placement of landscape materials to reduce energy consumption.

**Policy H8.3:** The County shall, through the Future Land Use Map and Future Land Use Categories, encourage a higher concentration of densities, pedestrian-oriented urban neighborhoods where the mix of activity provides access to a full range of residential services and amenities, and opportunities for people to live within walking distance of employment.

**Policy H8.4:** The County shall maintain its Future Land Use categories that promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed-land use areas.

**Policy H8.5:** The County shall provide educational materials on the strategic placement of landscape materials to reduce energy consumption.

**Policy H8.6:** The County may consider the following incentives to encourage vertical mixed-use development:

1. Reduced and shared parking standards under specified conditions;
2. Minimum and/or incentivized FARs/Density;
3. Expedited review; and
4. Alternative urban infill code compliance standards.

# Hardee County

## 2030 Comprehensive Plan



**Infrastructure Element**

**Updated October 2010**

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**INFRASTRUCTURE ELEMENT:  
SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER  
AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT**

**GOAL S1:** HARDEE COUNTY WILL PROVIDE, OR REQUIRE THE PROVISION OF, NEEDED FACILITIES IN A MANNER THAT CORRECTS EXISTING DEFICIENCIES, PROTECTS INVESTMENTS IN EXISTING FACILITIES, AND PROMOTES COMPACT AND ORDERLY GROWTH. HARDEE COUNTY WILL: ENSURE THAT ADEQUATE STORMWATER DRAINAGE WILL BE PROVIDED TO ENSURE REASONABLE PROTECTION FROM FLOODING AND PREVENT DEGRADATION OF RECEIVING WATER QUALITY; TAKE ACTIONS NECESSARY TO ASSURE THAT THE FUNCTION OF NATURAL GROUNDWATER RECHARGE AREAS WITHIN THE COUNTY WILL BE PROTECTED; AND, ENSURE AN ADEQUATE SUPPLY OF POTABLE WATER FOR PRESENT AND FUTURE DEMANDS WITHOUT ADVERSELY AFFECTING THE QUANTITY AND QUALITY OF THE COUNTY'S ENVIRONMENTAL RESOURCES.

**LEVEL OF SERVICE**

**OBJECTIVE S1:** HARDEE COUNTY WILL CONTINUE TO IMPLEMENT LAND DEVELOPMENT REGULATIONS TO ENSURE THAT FACILITIES ARE AVAILABLE, OR WILL BE AVAILABLE, CONCURRENT WITH THE IMPACTS OF DEVELOPMENT AT OR ABOVE THE LEVEL OF SERVICE ESTABLISHED BY THE COUNTY.

*Measurement: Maintain level of service at or above adopted standards.*

**Policy S1.1:** Hardee County establishes the following level of service standards to be used to determine the availability of facility capacity and the demand generated by new development:

Facility	Level of Service
Solid Waste Facilities (County-wide)	Average Solid Waste Generation * 4.12 pounds per capita per day
Drainage Facilities (County-wide)	<p>Stormwater facilities shall be designed to accommodate the 25-year, 24-hour design storm to meet the water quality and quantity standards that follow:</p> <p>a: Water Quantity</p> <p>Peak post-development runoff shall not exceed peak pre-development runoff rates.</p> <p>b: Water Quality</p> <p>Treatment of stormwater runoff shall be required for all development, redevelopment and, when expansion occurs, existing developed areas. The stormwater treatment system or systems can be project specific, serve sub-areas within the County or be a system to serve the entire County. Regardless of the area served and in accordance with Chapter 40D-4 F.A.C., and the Southwest Florida Water Management District Basis of Review for ERP Applications, the stormwater treatment systems must provide a level of treatment for the runoff from the first one (1) inch of rainfall for projects in drainage basins of 100 acres or more, or as an option, for projects or project subunits with drainage basins less than 100 acres, the first one-half (1/2) inch of runoff, from the design storm in accordance with— the Southwest Florida Water Management District Basis of Review for ERP Applications in order to meet the receiving water quality standards of 62-302, F.A.C. Stormwater discharge facilities shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions</p>
Sewage Treatment	Public Sanitary Sewer * 100 gallons per unit per day
Potable Water	Public Supply Water Treatment * 150 gallons per capita per day * Storage capacity sufficient to meet DEP requirements * Water pressure of 20 psi

**Policy S1.2:** Hardee County's concurrency management system shall establish criteria for levels of service for public supply potable water and sanitary sewer facilities, based on specific types of use, such as a single-family dwelling, recreational vehicle, or neighborhood commercial store.

**Policy S1.3:** Hardee County will ensure that all improvements for replacement, expansion, or increase in capacity of public supply water, sanitary sewer or solid waste, and drainage facilities will be compatible with the established level of service standards for that facility.

**Policy S1.4:** Department heads overseeing solid waste, drainage, sanitary sewer, public supply potable water facilities will prepare an annual report summarizing capacity and demand information for each facility and service area.

## **SANITARY SEWER AND POTABLE WATER**

**OBJECTIVE S2:** **HARDEE COUNTY SHALL WORK WITH PROVIDERS OF PUBLIC SUPPLY SANITARY SEWER AND POTABLE WATER FACILITIES TO MAXIMIZE THE USE OF EXISTING FACILITIES, COORDINATE THE EXTENSION OF FACILITIES IN UNINCORPORATED AREAS OF THE COUNTY, AND DISCOURAGE SPRAWL.**

*Measurement:                      Acreage of new development constructed within existing public sewer and water service areas.*

**Policy S2.1:** Hardee County shall allow future public supply sanitary sewer or potable water facilities to be constructed in all land uses identified in the Hardee County Future Land Use Map. Local regulations shall establish protections for agricultural uses and minimize the potential for urban sprawl through innovative urban and community design. Proposed independent public supply sanitary sewer and potable water facilities needed to support new development shall be designed to be coordinated and compatible with existing facilities and, where feasible, shall be integrated with existing facilities. Local regulations shall specify appropriate design and construction and the conditions by which independently built and operated public supply systems shall be consolidated into a publicly owned system(s).

**Policy S2.2:** New recreational vehicle, park model recreational vehicle and mobile home parks shall be served by public or private, if public is not available, supply potable water and sanitary sewer facilities.

- Policy S2.3:** All new residential development projects containing more than twenty housing units and planned for a density of more than 4.0 units per gross acre shall be served by public or private, if public is not available, supply potable water, sanitary sewer facilities, and reuse water systems. The Land Development Code shall be amended to include the technical specifications concerning implementing this policy.
- Policy S2.4:** Hardee County will continue to cooperate with municipalities to jointly determine future extensions and plan for the interconnection of potable water facilities to unserved areas in unincorporated areas of the County.
- Policy S2.5:** Hardee County's Land Development Regulations shall be consistent with Chapter 10D-6, FAC "Standards for On-Site Sewage Disposal Systems". Standards shall include: minimum performance specifications for the placement of septic systems in unsuitable soils and in soils prone to seasonal flooding for determining the size, design, and location of drain fields; and minimum specifications for the placement of septic tanks above seasonal high water and for minimum setback restrictions from potable water wells, natural water bodies, and protected natural resources.
- Policy S2.6:** Hardee County shall appropriately revise local regulations to incorporate relevant findings applicable to new development from studies completed by the Florida Department of Health.
- Policy S2.7:** Hardee County shall require that future development that is permitted for septic tank sewage disposal connect to a public supply sanitary sewer facility upon such a connection becoming available.
- Policy S2.8:** Hardee County shall work with the municipalities to develop a comprehensive sewer/wastewater master plan.
- OBJECTIVE S3:** **AS AN ONGOING PROCESS, HARDEE COUNTY WILL ENCOURAGE CONSERVATION OF POTABLE WATER BY EXISTING AND FUTURE WATER USERS.**
- Measurement: Reduce per-capita water use from current levels.*
- Policy S3.1:** Hardee County shall require the use of low-volume plumbing fixtures in all new development.
- Policy S3.2:** Hardee County's Mining Ordinance will continue to be enforced to prevent new water withdrawals from interfering with existing domestic, agricultural, and commercial water users within the County.

**Policy S3.3:** Hardee County shall continue to enforce Hardee County Ordinance Number 1990-04, which provides for local enforcement of Chapter 40D-21, FAC, "Water Shortage Plan," or any modification or derivative of this chapter which may be current at the time a water shortage or water shortage emergency is declared by the Southwest Florida Water Management District.

**Policy S3.4:** Hardee County shall review and amend, where appropriate, its Land Development Regulations to establish xeriscaping, Florida-friendly turf and landscaping alternatives, water-efficient irrigation systems, and other appropriate methods to reduce water use. In addition, water conservation information will be available at the Building and Utility Departments, and shall utilize public service announcements to educate citizens about water conservation techniques. Hardee County shall designate a specific officer of the County to further develop and implement a water program for the County.

## **SOLID WASTE, DRAINAGE AND NATURAL GROUNDWATER AQUIFER RECHARGE**

**OBJECTIVE S4:** HARDEE COUNTY WILL PREPARE AND MAINTAIN A FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENT NEEDS FOR SOLID WASTE AND DRAINAGE FACILITIES, INCLUDING PROVIDING FOR THE CORRECTION OF IDENTIFIED DEFICIENCIES, TO BE UPDATED ANNUALLY IN CONFORMANCE WITH THE COMPREHENSIVE PLAN REVIEW PROCESS FOR THE CAPITAL IMPROVEMENTS ELEMENT.

*Measurement: Financial requirements for maintaining and correcting deficiencies in the County's solid waste and drainage facilities.*

**Policy S4.1:** Hardee County will establish a committee composed of department heads and the County Manager to evaluate and rank capital improvements projects proposed for inclusion in the five-year schedule of capital improvements.

**Policy S4.2:** Solid waste and drainage capital improvement projects will be prioritized annually. Capital improvement projects needed to protect the public health, safety, and welfare; to fulfill the County's obligation to provide facilities and services; or to correct existing deficiencies shall be given priority in the formulation of the five-year schedule of capital improvements.

**OBJECTIVE S5:**       **HARDEE COUNTY SHALL MANAGE THE COUNTY SOLID WASTE FACILITY TO MAXIMIZE ITS USE, RECYCLE AT LEAST 30% OF THE TOTAL VOLUME OF SOLID WASTE DEPOSITED AT THE LANDFILL AS MANDATED BY STATE STATUTE, AND PROVIDE FOR ADEQUATE SOLID WASTE DISPOSAL FOR EXISTING AND FUTURE CITIZENS OF THE COUNTY.**

*Measurement:*       *Increase the percentage of recycled waste over existing levels.*

**Policy S5.1:**       Hardee County shall maintain a recycling facility at the County landfill for solid waste deposited by County municipalities, private waste haulers in Hardee County, and for other solid waste generated in the County. The County shall enter into agreements with private enterprises to purchase recycled waste or otherwise remove and recycle solid waste.

**Policy S5.2:**       Hardee County shall continue to implement a mandatory garbage collection program to assure for the protection of the health, safety, and welfare of the County.

**OBJECTIVE S6:**       **THE COUNTY SHALL MAINTAIN, AS PART OF ITS LAND DEVELOPMENT REGULATIONS, STORMWATER DRAINAGE REGULATIONS PROVIDING FOR THE PROTECTION OF NATURAL DRAINAGE FEATURES AND PROVISIONS FOR ENSURING THAT FUTURE DEVELOPMENT UTILIZES APPROPRIATE STORMWATER MANAGEMENT TECHNIQUES.**

**Policy S6.1:**       Hardee County's Land Development Regulations shall include stormwater drainage provisions which ensure that:

1.     new developments are required to manage runoff from the 25-year frequency, 24-hour duration storm event on-site so that post-development runoff rates, volumes, and pollutant loads do not exceed pre-development conditions;
2.     stormwater engineering, design, and construction standards for on-site systems are provided;
3.     erosion and sediment controls are used during development; and,
4.     periodic inspection and maintenance of on-site systems is provided by the developer as a condition of system permit renewal.

**OBJECTIVE S7: HARDEE COUNTY SHALL MAXIMIZE EXISTING DRAINAGE FACILITIES, UNDERTAKE PROGRAMS TO CORRECT EXISTING DEFICIENCIES, AND COORDINATE WITH OTHER PUBLIC PROVIDERS REGARDING THE MAINTENANCE AND EXTENSION OF DRAINAGE FACILITIES.**

*Measurement: Reduce number of areas with drainage deficiencies compared to current conditions.*

**Policy S7.1:** By September 2003, with a minimum of 50 percent funding assistance from the Southwest Florida Water Management District and/or the Florida Department of Environmental Protection, the Hardee County Road and Bridge Department shall begin drainage studies prioritized by drainage basin. Priorities shall be based on population and known or suspected drainage deficiencies. Upon completion of these studies, the County shall implement these studies to require that all development meets the established level of service for stormwater management quality and quantity. Hardee County shall consider a stormwater utility district(s), as well as other funding sources, to undertake and implement these studies to achieve and maintain the established level of service.

**Policy S7.2:** Hardee County shall continue its annual maintenance program of retention swales adjacent to County roads.

**Policy S7.3:** Hardee County shall confer with County municipalities regarding the extension of drainage facilities into unincorporated areas of the County. The County shall utilize maintenance agreements to ensure proper maintenance of drainage facilities in unincorporated areas.

**OBJECTIVE S8: THROUGH LAND DEVELOPMENT REGULATIONS, HARDEE COUNTY WILL PROTECT THE FUNCTION OF AREAS OF HIGH NATURAL GROUNDWATER AQUIFER RECHARGE AND NATURAL DRAINAGE FEATURES.**

*Measurement: Acreage of natural groundwater aquifer recharge and natural drainage features protected.*

**Policy S8.1:** As part of its Land Development Regulations, Hardee County will include provisions protecting the function of natural drainage features and areas of high groundwater aquifer recharge as identified by the Southwest Florida Water Management District. Regulations shall include criteria for appropriate setbacks, buffers, provisions for the use of open space and native vegetation as buffers, regulation of the use or storage of hazardous materials, and appropriate land uses and densities and intensities of land use within and adjacent to natural drainage features and areas of high natural groundwater aquifer recharge.

**Policy S8.2:** Hardee County will utilize public service announcements to publicize the hazards of inappropriate solid waste disposal and the potential for groundwater contamination.

**OBJECTIVE S9:** **HARDEE COUNTY SHALL REFER TO AND IMPLEMENT ITS WATER SUPPLY WORK PLAN AS A MECHANISM TO COORDINATE FUTURE LAND USE PLANNING WITH THE AVAILABILITY OF ADEQUATE WATER SUPPLIES AND FACILITIES, CONSISTENT WITH THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) REGIONAL WATER SUPPLY PLAN.**

*Measurement: Development consistent with local and regional water supply plans and Regional; contacts with SWFWMD; alternative sources of water identified and utilized; water offset amounts; monitor water supply, usage, and use restrictions.*

**Policy S9.1:** The County shall consider the Water Management District's 2006 Regional Water Supply Plan and all subsequent updates thereto in implementing and amending the County's Water Supply Work Plan.

**Policy S9.2:** The County will coordinate with SWFWMD to:

- Ensure review of any updates to the regional plan regarding the projection of future demand and supply for potable water,
- Identify potential alternative sources of water and the development of efficient, technically feasible water sources that will meet future demands without causing adverse impacts to water quality, wetlands, aquatic systems, and the Floridan aquifer;

**Policy S9.3:** The County will cooperate with SWFWMD in accommodating regulations established for the Southern Water Use Caution Area where opportunities exist to offset the use of potable water through developing or increasing amounts of reclaimed water for non-potable uses.

**Policy S9.4:** Prior to the issuance by the County of a building or development permit, adequate water supplies shall be determined to be available to serve new development no later than the date a certificate of occupancy or its functional equivalent is issued.

# Hardee County

## 2030 Comprehensive Plan



Recreation and Open Space Element

Updated October 2010

## RECREATION AND OPEN SPACE ELEMENT

**GOAL R1:** TO ENSURE THE PROVISION OF SUFFICIENT PARKS, RECREATION FACILITIES, AND OPEN SPACE AREAS TO SATISFY THE NEEDS OF CITIZENS AND VISITORS.

**OBJECTIVE R1:** HARDEE COUNTY SHALL MAINTAIN ACCESS TO PUBLIC RECREATION FACILITIES OR SITES, INCLUDING THE PEACE RIVER.

*Measurement: Acreage of public parks in Hardee County.*

**Policy R1.1:** Hardee County shall continue to carry out scheduled maintenance activities to maintain public recreation facilities, including county-maintained boat ramps to the Peace River, and to ensure continued public access.

**Policy R1.2:** Hardee County shall work with the Florida Department of Environmental Protection (FDEP) and/or other relevant state agencies to improve access to the Peace River. The County shall periodically report to the FDEP regarding the conditions and adequacy of existing boat ramps; and shall work with the FDEP to locate possible sites for future boat ramps.

**Policy R1.3:** Subject to local Land Development Regulations, Hardee County shall permit low-intensity commercial development, such as primitive camping or canoe rentals, in proximity to the Peace River to provide additional access points available to the public.

**Policy R1.4:** Hardee County shall encourage that new development in proximity to the Peace River provide access for residents of the development and/or the general public.

**Policy R1.5:** New recreational facilities or sites shall accommodate the elderly, handicapped, and others with special needs subject to physical site constraints.

**Policy R1.6:** Hardee County shall maintain Pioneer Park in suitable condition, to provide access to the handicapped and provides access to the Peace River.

**Policy R1.7:** The County shall identify and prioritize for acquisition, through State and/or Federal funding opportunities, lands that provide increased public access to water bodies including but not limited to small, non-boat fishing access points to lakes, streams and rivers for acquisition.

**OBJECTIVE R2:**        **MANAGEMENT OF PUBLIC AND PRIVATE RESOURCES SUFFICIENT TO MEET THE RECREATION AND OPEN SPACE NEEDS OF HARDEE COUNTY SHALL BE COORDINATED THROUGH INTERLOCAL OR INTERAGENCY AGREEMENTS, LOCAL REGULATIONS, OR DEVELOPMENT FEES.**

*Measurement:*        *Number of interlocal, interagency, or developer agreements to provide recreation and open space.*

**Policy R2.1:**        Activities identified in interlocal/interagency agreements regarding recreation and open space will be made consistent with open space standards established in the Hardee County Land Development Regulations and the recreation standards established in this element.

**Policy R2.2:**        Activities or programs implemented by interlocal/interagency agreements will be carried out in an equitable manner by all parties.

**Policy R2.3:**        Hardee County will coordinate with the Florida Department of Environmental Protection and other relevant state agencies to assure that resource-based parks providing passive activity areas continue to be provided and maintained by the state park system.

**Policy R2.4:**        Local regulations shall provide criteria for the provision of recreational facilities by private development. Minimum project thresholds and minimum acreages, facilities, or financial contributions shall be established.

**OBJECTIVE R3:**        **HARDEE COUNTY SHALL ENSURE THE ADEQUATE PROVISION OF OPEN SPACE BY COORDINATION WITH PUBLIC AND PRIVATE ENTITIES AND STANDARDS TO BE IMPLEMENTED IN LOCAL REGULATIONS.**

*Measurement:*        *Acreage of open space provided by public and private entities.*

**Policy R3.1:**        Hardee County shall apply open space standards to new developments in rural and built areas of the County according to set criteria specified in local regulations.

**Policy R3.2:**        Hardee County will coordinate with the Florida Department of Environmental Protection to assure that open space will continue to be provided by the state park system.

**Policy R3.3:**        Hardee County will work with the phosphate mining companies operating in the County to utilize reclaimed land as open space. Future mining operations shall be required to designate some reclaimed land as open space

or for passive recreation. Upon reclamation, such land will be appropriately designated by an amendment to the County's Future Land Use Map.

**Policy R3.4:** Hardee County will work with the phosphate mining companies operating in the County to create sustainable lakes that provide public and/or private access and may be used for recreational purposes as well as other diverse land uses as part of required reclamation activities.

**Policy R3.5:** Payne's Creek State Park is designated as a natural reservation area. Hardee County's Land Development Regulations shall be amended by September 1, 2003 to establish criteria for its protection from incompatible surrounding land uses, such as setback or buffering requirements for new development, and criteria for adjacent land uses or land use activities which shall be prohibited.

**Policy R3.6:** Through the development approval process, the County will encourage new development to provide pedestrian interconnectivity within the project and to areas external to the project such as the County's parks and recreation system.

**OBJECTIVE R4:** **HARDEE COUNTY SHALL PROVIDE RECREATION AND PARK FACILITIES THAT MEET OR EXCEED THE ESTABLISHED LEVEL OF SERVICE.**

*Measurement: LOS standard of 15 acres per 1,000 residents.*

**Policy R4.1:** Hardee County establishes a level of service standard of 15 acres of recreation land per 1,000 residents of the County.

**Policy R4.2:** Hardee County will work with the phosphate mining companies operating in the County to convert portions of reclaimed land to be utilized as land and water based recreational areas.

**Policy R4.3:** Standards regarding the allocation of and accounting for private resources for recreational facilities and open space will be established according to level of service criteria established in this element and will be set forth in the Hardee County Land Development Regulations.

**Policy R4.4:** Methods for determining the provision and financing of recreational facilities and open space necessitated by future development will be implemented as set forth in the County's Land Development Regulations. New development shall be required to provide recreation facilities and/or open space according to established levels of service or other local regulations. Contributions by new development may be in the form of recreational

facilities, lands suitable for recreation or open space, fees, or other methods as determined in local regulations.

**Policy R4.5:**

Where feasible and appropriate, future recreational facilities provided by the public or private sector shall offer a variety of recreational opportunities, including community, neighborhood, or regional facilities, based on standards recommended by the Florida Department of Environmental Protection.

# Hardee County

## 2030 Comprehensive Plan



**Conservation**

**Updated October 2010**

## CONSERVATION ELEMENT

**GOAL C1:** THE NATURAL RESOURCES OF HARDEE COUNTY SHALL BE CONSERVED, PROTECTED, AND USED FOR THE BENEFIT OF THE CITIZENS OF THE COUNTY.

**OBJECTIVE C1:** HARDEE COUNTY SHALL CONTINUE TO IMPLEMENT POLICIES WHICH SERVE TO PROTECT THE AIR QUALITY OF THE IMMEDIATE AREA THROUGH RELEVANT LAND DEVELOPMENT REGULATIONS.

*Measurement: No reduction in air quality compared to existing conditions.*

**Policy C1.1:** Hardee County's Land Development Regulations shall prescribe best management practices which minimize unconfined emissions generated by construction activities.

**Policy C1.2:** Hardee County shall continue to require new development that discharges gasses or particulates into the air to meet the minimum air quality standards as defined in Rule 62-204.

**OBJECTIVE C2:** HARDEE COUNTY SHALL IMPLEMENT POLICIES WHICH MAINTAIN SURFACE AND GROUND WATER QUALITY BY REGULATING OR RESTRICTING LAND USE ACTIVITIES THAT MAY ADVERSELY IMPACT WATER QUALITY.

*Measurement: No reduction in surface or ground water quality compared to existing conditions.*

**Policy C2.1:** Domestic, agricultural, mining, and other industrial wastewater discharge and runoff shall not degrade the existing water quality of the receiving water body as measured at United States Geological Survey testing sites.

**Policy C2.2:** Activities requiring land and water use permits shall be encouraged when they provide for the reuse of treated wastewater which will not degrade surface or groundwater quality. The Land Development Regulations shall be amended to include the technical specifications concerning implementing this policy.

**Policy C2.3:** Land and water use approvals in Hardee County shall encourage use of native vegetation, water-efficient irrigation systems, and other appropriate methods in all future development to reduce watering requirements, and

shall encourage the use of Best Management Practices. Information regarding the use and benefits of such practices shall be available at the Building and Utility Departments. Land Development Regulations shall establish criteria by which use of native vegetation and best management practices shall be required. Criteria shall be based on project size as indicated by number of acres and/or number of units.

**Policy C2.4:**

Phosphate mining activity shall comply with the following minimum criteria consistent with the requirements of the Hardee County Unified Land Development Code. Exceptions to Policies C2.4.a through i. for mining/excavation and mining related construction of permanent buildings or other facilities inside the 100-year floodplain shall not be permitted through the Development of Regional Impact and Environmental Resource Permit process unless it is determined through the State environmental resource permitting process of Chapter 373, F.S., that the exception would result in maintaining or improving water quality and habitat protection or would otherwise meet the public interest implemented under Part IV of Chapter 373, F.S.

1. Submit and receive a Phosphate Master Mining Plan approval in conjunction with the Development of Regional Impact approval process, as required by the Hardee County Unified Land Development Code;
2. Reclaim all wetlands impacted by mining as required by the Conservation Element and the Unified Land Development Code;
3. Prohibit extraction in those portions of the 100-year floodplain of the Peace River, Horse Creek, Charlie Creek, and Payne Creek, which are classified as wetlands;
4. Seepage wetland areas located outside of the 100-year floodplain of the Peace River, Horse Creek, Charlie Creek, and Payne Creek shall be identified and evaluated through the State environmental resource permitting process of Chapter 373, F.S., to determine the level of protection provided to them;
5. Establish a buffer zone adjacent to preserved wetlands and other surface waters as determined through the state Environmental Resource Permitting process of Chapter 373, F.S., or through the Development of Regional Impact process of Section 380.06 F.S., and in accordance with the Future Land Use Element, Conservation Element and Unified Land Development Code;

6. Corridor crossings of the 100-year floodplain of the Peace River, Horse Creek, Charlie Creek, and Payne Creek and its direct tributaries shall be allowed for access of rail transportation, draglines, and utilities, in accordance with permitting and approval by appropriate agencies; and
7. Be consistent with all other policies of the Comprehensive Plan, specifically including but not limited to, all mining/excavation policies contained within the Conservation Element.

**Policy C2.5:**

In order to protect the natural function of the 100-year floodway of the Peace River, Horse Creek, Charlie Creek, and Payne Creek, a setback from the banks of the waterways is hereby established, in which only pasturing of livestock and residential development at a density of not more than one dwelling unit per twenty gross acres are permitted. The Board of County Commissioners may grant an exception to said gross density for a lot of record, established and recorded in the public records of Hardee County prior to the effective date of this policy; provided however, that the maximum gross density permitted on any such lot of record shall not be greater than one dwelling unit per five acres. Structures must be flood-proofed and the floor level shall be at least one foot above the 100-year flood elevation. The setback shall be 500 feet on each side of the river and creeks or the width of the 100-year floodway as shown on the FEMA flood map, whichever is less. In considering such an exception for a lot of record, the Board shall review the proposed exception for consistency with the review criteria established for Variances in the Hardee County Unified Land Development Code and shall further require additional mitigation measures to protect the waterbodies, such as the creation of a conservation easement over the floodway and associated wetlands on the lot. In addition, the primary structure, drainfield, and driveway must be located on the least environmentally-sensitive portion of the lot as determined by the Planning Director after consultation with a professional biologist or hydrologist from Hardee County, the Florida Department of Environmental Protection, or the Southwest Florida Water Management District.

**Policy C2.6:**

Hardee County shall, upon request, cooperate with the Florida Department of Health to limit or restrict the placement of new septic tanks in areas where, due to soil limitations or proximity to wetlands or floodplains, septic tanks may cause adverse impacts to natural resources.

**Policy C2.7:**

To protect the quality of surface water, Hardee County shall require that post-development stormwater runoff does not exceed pre-development conditions for new development.

- Policy C2.8:** Hardee County shall maintain and advertise its collection center for used oil and grease at the County landfill and shall cooperate with the Florida Department of Environmental Protection to ensure the proper transfer and disposal of other small quantities of domestic, commercial, and industrial hazardous waste.
- Policy C2.9:** Hardee County shall continue to implement procedures to prevent hazardous waste from being discharged to surface waters. This shall include continued distribution of educational material regarding hazardous waste disposal; continued cooperation with the Department of Environmental Protection regarding Amnesty Days; and the development of a temporary storage and transfer site for hazardous waste pursuant to a 1990 interlocal agreement with Highlands County.
- Policy C2.10:** Hardee County, in cooperation with its municipalities and the Southwest Florida Water Management District, will study surface water drainage as necessary.
- OBJECTIVE C3:** **HARDEE COUNTY SHALL CONTINUE TO IMPLEMENT POLICIES WHICH CONSERVE, APPROPRIATELY USE, AND PROTECT GROUNDWATER BY REGULATING OR RESTRICTING LAND USES THAT MAY ADVERSELY IMPACT GROUNDWATER.**
- Measurement: Groundwater quality shall not degrade below existing conditions.*
- Policy C3.1:** Hardee County shall continue to refine or implement procedures to prevent hazardous waste from being deposited in the County landfill. This shall include the maintenance of a collection facility for domestic waste oil at the landfill; continued distribution of educational material regarding hazardous waste disposal; continued cooperation with the Department of Environmental Protection regarding Amnesty Days; and the use of a temporary storage and transfer site for hazardous waste pursuant to a 1990 interlocal agreement with Highlands County.
- Policy C3.2:** The County shall solicit technical assistance from SWFWMD and cooperate in the acquisition of funding assistance to perform a detailed mapping study to determine cones of influence for public supply potable water wells. As an interim measure pending the delineation of cones of influence, the County shall create wellhead protection areas. All land within a 400-foot radius of an existing public supply potable water well shall be designated a wellhead protection area. The first 200-foot radius shall be a zone of exclusion, where no development activities will be permitted. In order to avoid a regulatory taking associated with this

policy, the footprint of a low-density residential structure may encroach upon the zone of exclusion, but no septic tank, nor drain field, shall be permitted. Within the remainder of the wellhead protection area, the following will be prohibited: landfills; facilities for bulk storage, handling or processing of materials on the Florida substance list; activities that require the storage, use, handling, production, or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, or similar substances; feed lots or other commercial animal facilities; wastewater treatment plants, percolation ponds or similar facilities; mines; and excavation of waterways or drainage facilities which intersect the water table.

**Policy C3.3:** Hardee County shall encourage year-round water conservation practices consistent with those adopted by the Southwest Florida Water Management District by adhering to its water restriction ordinance adopted in 1990, which provides for local enforcement of SWFWMD policies, as defined in Chapter 40D-21, FAC, or any modification or derivative of this chapter which may be current at the time a water shortage or water shortage emergency is declared.

**Policy C3.4:** At such time as the Southwest Florida Water Management District designates any prime recharge area in Hardee County, county land and water use approvals will protect designated recharge areas from incompatible activities or uses. Land Development Regulations shall address land use activities that may impact natural groundwater aquifer recharge. Future development in areas of high aquifer recharge shall require restrictions on impervious surface ratios, shall require appropriate open space, shall require clustering or other development techniques to maintain aquifer recharge, and shall require appropriate vegetative buffers or setbacks to protect the surficial aquifer.

**Policy C3.5:** Hardee County shall adopt provisions to prevent artificial inter-basin transfers of surface and groundwater, except for exceptional cases of overriding public interest, and with prior approval of the County Commission. Inter-basin transfers of water may be used only after all available water conservation and reuse alternatives have been exhausted, only after thorough assessment and proven mitigation of adverse impacts to water resources and natural systems, and only after reasonable compensation to the County has been established.

**OBJECTIVE C4:** **HARDEE COUNTY SHALL CONTINUE TO IMPLEMENT POLICIES AND ENFORCE LAND DEVELOPMENT REGULATIONS WHICH PROVIDE FOR THE APPROPRIATE USE, CONSERVATION, AND/OR PROTECTION OF**

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**MINERALS, SOILS, AND NATIVE VEGETATIVE COMMUNITIES WITHIN THE COUNTY.**

*Measurement:           Acreage of natural areas developed.*

- Policy C4.1:** Hardee County, through its mining ordinance and development of regional impact process, required for all phosphate mining operations, shall provide for the conservation, appropriate use, and protection of areas suitable for extraction of phosphate rock. These provisions shall also protect other land uses from adverse effects of mining operations. This policy shall not be interpreted or applied in conflict with other policies adopted to protect identified environmentally sensitive natural resources.
- Policy C4.2:** Hardee County shall cooperate with adjoining cities and counties to conserve or protect native vegetative communities listed as rare, threatened, or endangered by the U.S. Fish and Wildlife Service. Hardee County shall work with adjoining jurisdictions to identify rare, threatened, or endangered vegetative communities in need of protection, and to establish similar protection criteria in local regulations.
- Policy C4.3:** By September 2011, Hardee County's Land Development Regulations shall be amended to ensure that designated conservation and open space land use categories will be altered only to mitigate activities harmful to the continued productivity, economic value, and natural function of those areas.
- Policy C4.4:** Upon Plan adoption, Hardee County shall require that all development proposals be accompanied by evidence that an inventory of wetlands; soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; and areas prone to periodic flooding has been conducted. Hardee County shall further require that the extent to which any development or redevelopment is proposed to be placed in/on, to disturb, or to alter the natural functions of any of these resources be identified. Such identification shall occur at a phase in the development review process that provides the opportunity for Hardee County to review the proposed project so that direct and irreversible impacts on the identified resources are minimized, or in the extreme, mitigated. The County shall prohibit all development within jurisdictional wetlands unless appropriate mitigation is provided and is consistent with all Federal and State regulations. Where mitigation is approved, wetlands shall be replaced with the same type and form that perform the same function as the wetland lost to development. Where development is determined to encroach upon a resource, Hardee County shall require a specific management plan to be prepared by the

developer, which results in no net loss of wetlands and which includes necessary modifications to the proposed development, specific setback and buffers, and location of development away from site resources to protect and preserve the natural functions of the resource. The minimum setback shall be 25 feet and the average of all setbacks from the resource shall be 40 feet. Areas designated as buffers shall preserve all natural vegetative cover, except where drainage-ways and access ways are approved to cross the buffer. Buffers may be supplemented only with native trees, shrubs and ground covers. On all existing parcels of land, at the time of adoption of the plan, development shall be located away from wetlands on the upland portion of the site. Where no upland exists, development may occur so long as all applicable environmental permit requirements can be satisfied. All future subdivision of land shall contain adequate uplands for the permitted use.

**Policy C4.5:** Hardee County shall encourage development activities to avoid natural wetland areas to the greatest extent feasible. Determination of potential impacts on wetlands shall consider the type, density, and intensity of proposed land use as well as the type, function, and quality of the wetland system.

**Policy C4.6:** Transfer of development rights or density/intensity bonuses shall be considered by Hardee County to protect wetland and other environmentally sensitive areas. The County may provide the option to a developer in exchange for the long-term protection of the wetland or environmentally sensitive area the ability to transfer the development right from the wetland or environmentally sensitive area to upland portions of the site or to another appropriate site.

**OBJECTIVE C5:** **HARDEE COUNTY SHALL MAINTAIN LAND DEVELOPMENT REGULATIONS THAT PROVIDE FOR THE APPROPRIATE USE, CONSERVATION, AND/OR PROTECTION OF FISHERIES, WILDLIFE, AND WILDLIFE HABITAT.**

*Measurement: Acreage of wildlife habitat lost due to development activities.*

**Policy C5.1:** Hardee County, by regulation, shall restrict activities which would adversely affect the survival of any endangered and threatened wildlife known to inhabit the county. Such restrictions shall allow for on-site or off-site mitigation, as appropriate, and shall be applied or rescinded based on the status of the species.

**Policy C5.2:** Local regulations shall establish criteria for the requirement of clustering, setbacks, buffers, and other appropriate development techniques to protect

or mitigate fisheries, wildlife, and wildlife habitat. Criteria shall be based on project size, in number of acres and/or units, and on project type. Mitigation may occur on-site or off-site, as appropriate. Hardee County shall consider the formation of a land bank for purposes of acquiring and mitigating wildlife habitat, including wetlands.

**Policy C5.3:** Hardee County shall work with appropriate state agencies to encourage the identification and state purchase of sensitive wildlife habitat and shall notify appropriate state agencies of potential sites for acquisition.

**Policy C5.4:** By September 1, 2011, Hardee County shall amend its Land Development Regulations to protect any natural reservations identified in the Recreation and Open Space Element from incompatible land uses or activities. Adjacent land uses shall be regulated, and potentially incompatible adjacent land uses shall require setbacks or be buffered, mitigated, or prohibited.

**OBJECTIVE C6: INTEGRATED GREEN INFRASTRUCTURE**

**HARDEE COUNTY SHALL ENCOURAGE THE INTEGRATION OF PUBLIC AND PRIVATE INVESTMENTS IN GREEN INFRASTRUCTURE (INTERCONNECTED NETWORK OF OPEN SPACES, AND NATURAL AREAS).**

**Policy C6.1:** The County shall seek all opportunities for public and private investment in acquiring and conserving an interconnected network of open spaces, natural areas, and agricultural lands. The network will provide for:

1. Protection of natural resources and wildlife habitat;
2. Habitat corridors through linked open spaces;
3. Protection of historic and cultural resources;
4. Recreational opportunities;
5. Community health benefits;
6. Economic development opportunities; and
7. Multi-use trails connecting population centers to natural areas.

**Policy C6.2:** Hardee County shall coordinate with the three municipalities within the county to assure connectivity and public enjoyment of a green network by all County residents.

**Policy C6.3:** By 2015, Hardee County shall develop a Trails Master Plan including the Blueway, Greenway, Equestrian, Hiking, and Bicycle Trails Plan, building upon the planning and analysis conducted within the Comprehensive Open Space, Parks and Recreation Plan. In addition to providing for public recreational use, said Trails Master Plan shall preserve corridors for wildlife.

# Hardee County

## 2030 Comprehensive Plan



**Intergovernmental Coordination Element**

**Updated October 2010**

## INTERGOVERNMENTAL COORDINATION ELEMENT

**GOAL G1:** TO ACHIEVE COORDINATION OF DEVELOPMENT ACTIVITIES BETWEEN HARDEE COUNTY; THE CITIES OF BOWLING GREEN AND WAUCHULA, THE TOWN OF ZOLFO SPRINGS; ADJACENT LOCAL GOVERNMENTS; AND RELEVANT REGIONAL, STATE, AND FEDERAL ENTITIES.

**OBJECTIVE G1:** HARDEE COUNTY WILL MAINTAIN A FORMAL PROCESS FOR INTERGOVERNMENTAL COORDINATION INCLUDING THE COORDINATION OF THE HARDEE COUNTY COMPREHENSIVE PLAN WITH THE COMPREHENSIVE PLANS OF RELEVANT LOCAL, REGIONAL, AND STATE ENTITIES, INCLUDING THE HARDEE COUNTY SCHOOL BOARD.

*Measurement: Increase number of meetings with other governmental agencies.*

**Policy G1.1:** Hardee County shall coordinate the Hardee County Comprehensive Plan with identified needs for new school facilities. Hardee County shall coordinate with the School Board consistent with the Goals, Objectives, and Policies of the adopted Public School Facilities Element of the Hardee County Comprehensive Plan, and by maintaining and implementing an interlocal agreement for public school facility planning with the Hardee County School Board to ensure appropriate coordination on the following issues:

- Coordinated land use and school facility planning
- Coordinating and sharing information related to the need for additional school capacity
- The siting of new schools
- Infrastructure needed to support new schools
- Co-location and shared use of schools and other public facilities
- Implementation of school concurrency

**Policy G1.2:** Hardee County shall coordinate with the Hardee County School Board in the location of new public facilities such as parks, libraries, and fire and police stations to determine if the collocation of these facilities with School Board properties is feasible.

**Policy G1.3:** Public schools developed by the Hardee County School Board are permitted in all Future Land Use categories, except Conservation, on the Future Land Use Map. The County will assist the School District in identifying appropriate sites for new school development that best serves the County's population, is compatible with surrounding land uses, and is appropriately served by utilities and infrastructure.

Schools shall be located in Agricultural Future Land Use categories when no feasible site exists in non-agricultural categories, due to prohibitive land costs or lack of available sites, and when necessary to service student populations in rural areas that primarily located in agricultural areas. If no feasible site exists in non-agricultural categories, then a school should be located in a portion of the Agricultural Future Land Use category that is as close as possible to urbanized residential areas and the land use on the site should be changed to Public/Institutional Future Land Use category. This Policy intent is to provide for the location of new schools as close to urbanized residential areas as practical, preferably within walking and/or bicycling distance of the primary residential area to be served.

**Policy G1.4:** Hardee County shall provide adjacent counties and municipalities proposed amendments to the Hardee County Comprehensive Plan no later than the date by which a proposed amendment has been submitted to the Florida Department of Community Affairs for review. Hardee County shall consider comments received from affected jurisdictions regarding proposed amendments prior to their adoption.

**Policy G1.5:** Hardee County shall request that it receive proposed amendments to the comprehensive plans of adjacent counties or cities no later than the date of their submittal to the Florida Department of Community Affairs for review. Hardee County shall assess the impacts of proposed development in neighboring jurisdictions on Hardee County; and shall comment, in writing, on possible adverse impacts such proposed development may have on Hardee County.

**Policy G1.6:** Hardee County shall review and comment on, as appropriate, relevant plans of state agencies and plans of the Southwest Florida Water Management District.

**OBJECTIVE G2:**       **HARDEE COUNTY WILL COOPERATE IN THE ESTABLISHMENT OF LEVEL OF SERVICE STANDARDS FOR PUBLIC FACILITIES WITH THE ENTITY HAVING OPERATIONAL OR MAINTENANCE RESPONSIBILITY FOR THE FACILITY, SUCH AS THE FLORIDA DEPARTMENT OF TRANSPORTATION, THE CITIES OF BOWLING GREEN AND WAUCHULA AND THE TOWN OF ZOLFO SPRINGS.**

*Measurement:*       *Number of development orders issued that fail to meet other jurisdiction's concurrency standards.*

**Policy G2.1:**       Hardee County shall coordinate with the Florida Department of Transportation regarding levels of service and other traffic impacts along state roads that traverse the County. Hardee County shall: annually review and comment on the FDOT Five-Year Work Plan; keep the FDOT informed of segments along state roads that may fall below the established level of service; keep the FDOT informed of high accident areas along state roads; cooperate with the FDOT regarding improvements to state roads; and coordinate with the FDOT to develop a local transportation plan that addresses the widening of U.S. 17, and addresses access management on state roads.

**Policy G2.2:**       Hardee County shall confer with affected adjacent counties and municipalities as appropriate concerning developments requiring public services and facilities in order to consider joint, cost-efficient methods of providing such public services and facilities. Specifically, Hardee County shall coordinate with the Cities of Bowling Green and Wauchula and the Town of Zolfo Springs regarding the extension of municipal facilities in the unincorporated County. The County shall discuss with County municipalities their potable water and sanitary sewer service areas; and shall develop mechanisms to review and update established service areas.

**Policy G2.3:**       Hardee County shall coordinate with County municipalities to ensure levels of service established for public facilities and services, such as potable water and sanitary sewer, are consistent when municipal public facilities and services are extended into unincorporated areas of the County. Such coordination and consistency shall occur prior to the issuance of a development order or permit in the unincorporated County for a proposed development that would utilize municipal public facilities; and in conjunction with planned or proposed extensions of municipal services in the unincorporated County.

**Policy G2.4:** Hardee County shall consider the assistance of Regional Planning Councils for informal mediation when development and service issues cross jurisdictional boundaries and cannot be resolved by the two sides alone.

**Policy G2.5:** Hardee County shall continue to examine the feasibility of consolidation of services between the County and its municipalities to avoid duplication of services.

**OBJECTIVE G3:** **HARDEE COUNTY WILL COOPERATE WITH ADJACENT LOCAL GOVERNMENTS AND RELEVANT REGIONAL OR STATE ENTITIES SO THAT THE IMPACTS OF DEVELOPMENT PROPOSED IN THE HARDEE COUNTY COMPREHENSIVE PLAN WILL NOT ADVERSELY AFFECT DEVELOPMENT IN ADJACENT COUNTIES OR CITIES.**

*Measurement: LOS standards for public facilities that cross jurisdictional boundaries (i.e. roads and public utilities) do not degrade below adopted standards.*

**Policy G3.1:** Hardee County will consider the informal mediation process established by the Central Florida Regional Planning Council or other appropriate Regional Planning Councils to resolve land use conflicts with adjacent local governments.

**Policy G3.2:** Hardee County will continue to cooperate with the Cities of Bowling Green and Wauchula and the Town of Zolfo Springs to resolve annexation issues; and will consider the Regional Planning Council informal mediation processes if conflicts arise.

**Policy G3.3:** Through the DRI process and other permitting mechanisms, Hardee County shall review and monitor proposed development in unincorporated Hardee County which, because of its size, character, or location is presumed to have extra-jurisdictional impacts. At a minimum, this shall include distribution of proposed plan amendments to affected jurisdictions and consideration of comments regarding impacts of proposed development on neighboring jurisdictions.

**Policy G3.4:** Hardee County shall collect and disseminate information necessary for the coordination of proposed development in unincorporated Hardee County with affected jurisdictions. The Board of County Commissioners shall designate the office of county government with primary responsibility for the collection and dissemination of information related to the impacts of development of the Hardee County Comprehensive Plan.

**Policy G3.5:** Hardee County shall collect and disseminate information necessary for the coordination of proposed development in unincorporated Hardee County with affected jurisdictions. The Board of County Commissioners shall designate the office of county government with primary responsibility for the collection and dissemination of information related to the impacts of development of the Hardee County Comprehensive Plan.

**Policy G3.6:** The County will coordinate with the Heartland 2060 Vision.

# Hardee County

## 2030 Comprehensive Plan



**Economic Development Element**

**Updated October 2010**

## ECONOMIC DEVELOPMENT ELEMENT

**GOAL E1:** HARDEE COUNTY SHALL ATTRACT NEW EMPLOYERS AND RETAIN EXISTING ONES THAT ADD POSITIVELY TO THE LONG TERM TAX BASE OF THE COUNTY AND PROVIDE HIGHER WAGE JOB OPPORTUNITIES TO COUNTY RESIDENTS.

**OBJECTIVE E1:** HARDEE COUNTY SHALL CONTINUE TO SEEK OUT NEW BUSINESSES TO RELOCATE TO HARDEE COUNTY THAT WILL IMPROVE THE COUNTY'S ECONOMIC STATUS.

*Measurement: Increase the number of new jobs.*

**Policy E1.1:** Hardee County shall study the market to identify and target industries with the best potential for success.

**Policy E1.2:** Hardee County shall assist existing businesses with expansion plans, where possible, by providing financial and technical assistance.

**Policy E1.3:** Hardee County shall assist the establishment of small and minority businesses that create jobs that will improve the County's economic status.

**Policy E1.4:** Hardee County shall work with the Cattlemen's Association to maintain the Arena facilities.

**Policy E1.5:** Hardee County shall encourage the development and implementation of mechanical harvesting equipment for citrus crops.

**GOAL E2:** HARDEE COUNTY SHALL SEEK TO IMPROVE THE JOB TRAINING SKILLS OF COUNTY RESIDENTS.

**OBJECTIVE E2:** HARDEE COUNTY SHALL SUPPORT THE EXPANSION OF TECHNICAL/VOCATIONAL TRAINING PROGRAMS THAT BENEFIT COUNTY RESIDENTS AND ENHANCE ECONOMIC DEVELOPMENT IN THE COUNTY.

*Measurement: Increase the number of technical/vocational training programs.*

**Policy E2.1:** Hardee County shall support efforts to secure a new campus for the South Florida Community College (SFCC) in Hardee County.

**Policy E2.2:** Hardee County shall assist the SFCC in identifying needed educational and training programs and to help facilitate funding for these programs.

**Policy E2.3:** Hardee County shall work in conjunction with the School Board to expand existing and/or create new programs to assist with the County's economic development efforts.

**Policy E2.4:** Hardee County shall work with the School Board to create opportunities for students to shadow and/or participate in community work activities.

**GOAL E3:** **HARDEE COUNTY SHALL SEEK TO PROVIDE ADEQUATE, SERVICED, AND ENVIRONMENTALLY ACCEPTABLE SITES THAT MEET THE FULL RANGE OF INDUSTRIAL/BUSINESS NEEDS AND OPPORTUNITIES.**

**OBJECTIVE E3:** **HARDEE COUNTY SHALL MAKE THE NECESSARY INFRASTRUCTURE INVESTMENTS, WITHIN BUDGET CONSTRAINTS, IN TRANSPORTATION, WATER AND SEWER, TELECOMMUNICATIONS AND OTHER UTILITIES AS NEEDED TO ENCOURAGE PRIVATE INVESTMENTS THAT CREATE OR RETAIN JOBS.**

*Measurement: Increase the amount invested in public infrastructure.*

**Policy E3.1:** Hardee County shall work with the City of Wauchula to improve infrastructure at the existing airport for industrial development.

**Policy E3.2:** Hardee County shall work with the municipalities to develop a sewer/wastewater master plan.

**Policy E3.3:** The area bounded by the northern County boundary with Polk County south to S.R. 62 and from the western County boundary with Manatee County east to C.R. 663 in northwest Hardee County shall be designated as the potential location for the development of a new airport to serve as an intermodal hub for the transportation of goods and people throughout the region. Further study and analysis will be completed to determine specific site suitability and appropriateness. At such time when a specific

site is identified, the County shall amend the Future Land Use Element and Future Land Use Map to designate the potential airport location.

**Policy E3.4:** The County, in coordination with the private sector, should assist when possible, in the recruitment of adequate industrial sites to ensure there is sufficient Industrial land with proper Future Land Use and zoning designations and adequate infrastructure for future development including industrial parks and business campuses.

**Policy E3.5:** The County and Economic Development Council, in coordination with the private sector, shall continue to seek state or federal grants and use other resources to assist in the establishment of necessary infrastructure to make the industrial parks operational and viable.

**Policy E3.6:** As part of the mining approval process, mining interests shall coordinate with Hardee County to identify specific potential future land uses prior to mining to provide an effective reclamation land use planning phase.

**GOAL E4: HARDEE COUNTY SHALL CONTINUE TO PROMOTE AND ENHANCE ECOTOURISM OPPORTUNITIES IN THE COUNTY.**

**OBJECTIVE E4: IMPROVE AND MARKET THE COUNTY'S NATURAL OUTDOOR RECREATIONAL ASSETS TO BOOST ECOTOURISM VISITS.**

*Measurement: Increase the number of tourists visiting Hardee County.*

**Policy E4.1:** The County shall continue to market ecotourism opportunities through the Chamber of Commerce, Main Street Program and the Florida Heartland Economic Development Initiative.

**Policy E4.2:** The Paynes Creek corridor from Hardee Lakes to the Peace River shall be designated as a primary ecotourism corridor for Hardee County. The County shall work closely with the Southwest Florida Water Management District to create ecotourism areas and opportunities within this corridor. This ecotourism corridor will encourage participation by phosphate mining companies to include reclaimed and preserved areas adjacent to Paynes Creek as elements of the corridor either through acquisition or donation. Nothing in this Element will preclude mining operations adjacent to the Paynes Creek corridor. Other ecotourism corridors shall be identified in the future as appropriate.

**GOAL E5:** HARDEE COUNTY SHALL ACHIEVE ECONOMIC DIVERSITY AND MAXIMIZE SUSTAINABILITY ON RECLAIMED PHOSPHATE MINE LANDS.

**OBJECTIVE E5:** AT A MINIMUM, SUSTAIN AND IMPROVE THE ECONOMIC VITALITY AND DIVERSITY OF HARDEE COUNTY THROUGH THE DEVELOPMENT OF EFFICIENT AND EFFECTIVE RECLAMATION LAND USE PLANNING AND APPLICABILITY, YIELDING, BUT NOT LIMITED TO AGRICULTURE, RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND RECREATION/OPEN SPACE TYPE USES.

*Measurement: Maximize acreage of planned land uses (i.e. residential, commercial, industrial, recreation/open space, agriculture) within mine reclamation plans.*

**Policy E5.1:** Hardee County shall require mining interests that participate in the annual mining review process to address these elements of economic development contained in the Policies of Objective E5. Additionally, prior to approval, modification or extension of any development order, permit or other County approval the applicant shall address the elements of economic development demonstrating how each mining operation and reclamation plan maximize and achieve economic development and diversity.

**Policy E5.2:** Hardee County shall work with the private sector to develop a site donated by IMC in Hardee County with a minimum of 30 jobs being created within the first three years of development.

**Policy E5.3:** The County shall recognize "Hardee Lakes" as a highly desired and suitable reclamation land type, encouraging other reclamation plans to produce such land use formations. Its development shall attempt to yield, but not be limited to, recreational uses.

**Policy E5.4:** Hardee County shall expeditiously amend its Mining Ordinance to reflect the philosophy of the Hardee County Comprehensive Plan, complying with or more stringent than State and Federal Laws, where applicable.

**Policy E5.5:** All interests in the mining industry including but not limited to mining companies, banking, real estate sales and owners of land and governmental agencies shall be assembled into a working, perpetual ad

hoc committee with the purpose of addressing the issues related to mining impacts and land use efficiency and suitability.

# Hardee County

## 2030 Comprehensive Plan



**Capital Improvements Element**

**Amended through August 2014**

## **CAPITAL IMPROVEMENTS ELEMENT**

**GOAL F1:** HARDEE COUNTY WILL PROVIDE OR REQUIRE OTHERS TO PROVIDE PUBLIC SERVICES AND FACILITIES IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITIES, MAXIMIZES THE USE OF EXISTING FACILITIES, AND PROMOTES ORDERLY GROWTH.

**OBJECTIVE F1:** THE CAPITAL IMPROVEMENTS ELEMENT, FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS, AND ESTABLISHED LEVELS OF SERVICE SHALL GUIDE THE COUNTY IN THE APPROPRIATION OF COUNTY FUNDS, PROCUREMENT OF OTHER PUBLIC FUNDS, AND CONTRIBUTIONS FROM DEVELOPERS FOR THE CONSTRUCTION OF CAPITAL FACILITIES NECESSARY TO SERVE PROJECTED FUTURE GROWTH, CORRECT EXISTING DEFICIENCIES AND REPLACE OBSOLETE OR WORN-OUT FACILITIES.

*Measurement: Maintain LOS for all public facilities.*

**Policy F1.1:** As adopted within the several elements of this Comprehensive Plan, Hardee County establishes the following levels of service for public facilities:

Facility	Level of Service
Principal Major Arterial Roadways	D
Minor Arterial Roadways	D
Major Collector Roadways	D
Minor Collector Roadways	D
Recreation	15 acres per 1,000 residents
Sanitary Sewer	100 gallons per unit per day
Potable Water	* 150 gallons per capita per day * Storage capacity sufficient to meet FDEP requirements * Water pressure of 20 psi
Solid Waste	4.12 pounds per capita per day
Drainage	Stormwater facilities shall be designed to accommodate the 25-year 24-hour storm event to meet the water quality and quantity standards set forth in Policy S1.1.5 of the Drainage Sub-element.
Public School Facilities	100% FISH Permanent Capacity for all Public Schools;

In order to ensure the levels of service standards in the County are met, the following population projections shall be referred to, and shall be updated or revised as necessary when the Capital Improvement Plan is being drafted each year. The population projections were derived from historic compounded annual growth rates. The 2007 population estimate was provided by BEBR. The historic growth rates were applied to the 2007 population estimate to create the population forecast.

**Population Projections:**

2009	27,690
2010	27,775
2011	27,861
2012	27,947
2013	28,034

**Policy F1.2:**

The County shall maintain a five-year capital improvement program and pursuant to section 163.3177(3)(b) F.S., evaluate and update that program every year to reflect existing and future facility needs of the county.

The County hereby adopts, by reference, the Hardee County School District 5-Year Facilities Work Program, as approved by the Hardee County School Board on September 5, 2013, for the years 2013/2014 through 2017/2018, and subsequent annual updates thereto, as part of its Schedule of Capital Improvements.

The County hereby adopts by reference, the 5-Year Schedule of Improvements as formally adopted by the Hardee County School Board, the Southwest Florida Water Management District, and the Florida Department of Transportation into the County's 5-Year Schedule of Capital Improvements.

**Policy F1.3:**

The County shall undertake only those capital improvements included within this element's adopted capital improvements program. Pursuant to section 163.3177(3)(b) F.S., the Capital Improvements Element will be reviewed every year. Consistent with section 9J-5 of the Florida Administrative Code, if any facility identified in the Schedule of Capital Improvements is delayed or deferred in construction, or is eliminated from the capital improvements program, and this delay, defer, or elimination will cause the level of service to deteriorate below the adopted minimum level of service standard for the facility, a comprehensive plan amendment will be required to adjust the Schedule of Capital Improvements. The annual update of the capital improvement element shall be done with a single public hearing before the Board of County Commissioners and a copy of the ordinance amending the Capital Improvements Element shall be transmitted to DCA.

**Policy F1.4:**

Hardee County shall evaluate and prioritize its capital improvements projects based on the following criteria. These criteria are ranked in order of importance:

- Preservation of the health and safety of the public by eliminating public hazards;
- Compliance with all mandates and prior commitments;
- Elimination of existing deficiencies;
- Maintenance of adopted levels of service;
- Provision of infrastructure concurrent with the impact of new development;
- Protection of prior infrastructure investments;

- Consistency with the county plan and plans of other agencies;
- Accommodation of new development and redevelopment facility demands;
- Consistency with plans of state agencies and water management districts that provide public facilities within the local government's jurisdiction;
- Demonstration of linkages between projected growth and facility location;
- Reduction of operating costs;
- Adjustment for unseen opportunities, situations, and disaster

**Policy F1.5:** The County shall implement the policies of the Potable Water, Sanitary Sewer, and Solid Waste sub-elements of the Comprehensive Plan. Since these are enterprise account funded elements, capital expenditures identified in these elements shall be funded principally from revenues derived from the applicable systems.

**Policy F1.6:** The County shall prioritize and implement the programs identified in the Transportation, Recreation and Open Space, Stormwater Management, Conservation, and Future Land Use Elements of the Comprehensive Plan. The County and the School District of Hardee County shall implement the Public School Facilities Element of the Comprehensive Plan through an adopted Interlocal Agreement.

**Policy F1.7:** The County shall not eliminate or reallocate budgeted appropriations for road improvement projects required to meet the adopted level of service standards unless the applicable projects will be constructed by other means and remain concurrent with the county's Schedule of Capital Improvements.

**Policy F1.8:** The County shall continue to allocate funds for the replacement and the renewal of infrastructure in an amount which will minimize the operating costs of the infrastructure and maximize the life of the infrastructure.

**Policy F1.9:** The County hereby defines a capital improvement as an improvement with a cost greater than \$25,000.

**Policy F1.10:** The Schedule of Capital Improvements shall contain a mix of capital expenditures, including projects to eliminate existing deficiencies, to upgrade and replace existing facilities, and to construct new facilities.

**Policy F1.11:** The County shall maintain a procedure in its annual budget review requiring each county division to include in its annual budget request applicable expenditures as identified in the capital improvements program of the appropriate Comprehensive Plan Element as well as division's capital improvements.

**OBJECTIVE F2:** **HARDEE COUNTY'S CONCURRENCY MANAGEMENT SYSTEM SHALL REQUIRE THAT PUBLIC FACILITIES NEEDED TO MEET THE ESTABLISHED LEVEL OF SERVICE FOR EACH PUBLIC FACILITY ARE PROVIDED CONCURRENT WITH THE IMPACTS OF DEVELOPMENT. PERMITS OR ORDERS FOR NEW DEVELOPMENT OR REDEVELOPMENT SHALL NOT BE ISSUED UNTIL IT IS DEMONSTRATED THAT REQUIREMENTS FOR CONCURRENCY CAN BE MET. THE CONCURRENCY MANAGEMENT SYSTEM SHALL RECOGNIZE CAPACITY ALLOCATED TO PERMITTED BUT UNBUILT DEVELOPMENT IN DETERMINING AVAILABLE CAPACITY FOR NEW DEVELOPMENT OR REDEVELOPMENT.**

*Measurement: Maintain adopted LOS for all public facilities.*

**Policy F2.1:** The County hereby adopts the concurrency management system as described within this element. The County shall maintain Land Development Code (LDC) Article 6, section 6.01, Concurrency Management System, which implements the plan's concurrency management system. Prior to the issuance of a development permit, Hardee County will assure that adequate public facilities and services are available to support the proposed development.

**Policy F2.2:** Hardee County shall use user fees, proportionate share contributions, impact fees, capacity charges, developer dedications and contributions, special benefit units, and/or special assessments to pay for infrastructure improvements and services needed to satisfy future needs while maintaining adopted levels of service.

**Policy F2.3:** Hardee County shall integrate its planning and budgeting such that expenditures which are budgeted for capital improvements recognize policies related to public facilities and services set forth in the several elements of this Comprehensive Plan.

**OBJECTIVE F3:** **THE CAPITAL IMPROVEMENTS ELEMENT OF THIS PLAN SHALL BE THE BASIS FOR DETERMINING THE FUNDING PRIORITY FOR CAPITAL**

**FACILITIES NECESSARY TO MEET DEFICIENCIES, TO ACCOMMODATE FUTURE GROWTH, AND TO REPLACE OBSOLETE OR WORN-OUT PUBLIC FACILITIES.**

*Measurement: Maintain LOS standards for all public facilities.*

**Policy F3.1:** Proposed development or redevelopment will be coordinated with state and regional agencies to consider whether the proposed action will affect state agencies' or water management districts' facilities plans.

**Policy F3.2:** Hardee County will provide, within budget constraints, or arrange for others to provide, for the replacement of obsolete or worn out publicly owned capital facilities.

**Policy F3.3:** Outstanding capital indebtedness shall not exceed 10 percent of the taxable value of all land within Hardee County.

**OBJECTIVE F4:** **IF A PROPOSED DEVELOPMENT WILL DEGRADE ONE OR MORE PUBLIC FACILITIES AND SERVICES IN UNINCORPORATED HARDEE COUNTY TO A LEVEL OF SERVICE BELOW THAT ESTABLISHED IN THIS PLAN, THE DEVELOPMENT SHALL BEAR THE COST OF MAINTAINING THE FACILITY OR SERVICE AT THE ESTABLISHED LEVEL OF SERVICE.**

*Measurement: Maintain LOS standards for all public facilities.*

**Policy F4.1:** The County shall assess new development for necessary public facility improvements.

**OBJECTIVE F5:** **LAND USE DECISIONS SHALL BE LINKED TO AVAILABLE OR PROJECTED PUBLIC AND PRIVATE FISCAL RESOURCES AND TO THE COUNTY'S FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS. LAND USE DECISIONS SHALL MAINTAIN ESTABLISHED LEVEL OF SERVICE STANDARDS AND MEET EXISTING AND FUTURE FACILITY NEEDS.**

*Measurement: Maintain LOS standards for all public facilities.*

**Policy F5.1:** Development orders and permits, requests for changes in zoning to a higher use, requests for subdivisions or the recording of plats, amendments to this Comprehensive Plan or other proposed development activity shall not be approved if such proposed actions would result in a level of service for a public facility to fall below that established by Hardee County.

**Policy F5.2:** Hardee County land use decisions, if they affect deficient, public facilities, shall be based on available or projected public and/or private fiscal

resources and the County's schedule of capital improvements. The County shall not approve proposed amendments to the Future Land Use Element or Future Land Use Map, or local land use decisions, unless those requests are consistent with the concurrency management system requirements of this element.

**Policy F5.3:**

In the event that the planned capacity of public facilities is insufficient to serve all applicants for development orders, the county shall schedule capital improvements to serve developments in the following order of priority:

- Single family units in existing platted subdivisions or on existing legal, buildable parcels;
- Affordable housing projects as defined in the Hardee County Affordable Housing Plan;
- New development orders permitting development;
- New development orders permitting new developments where the applicant funds the infrastructure expansion pursuant to a legally binding Developer's Agreement;
- New development orders permitting development without developer participation.

**Policy F5.4:**

The County shall coordinate with other local, state and federal agencies as well as private entities to create an efficient capital improvements schedule that provides the following general benefits while minimizing the financial burden of providing facilities and services:

- Reduction of overall capital and operating expenditures by the development of multi-use facilities;
- More efficient land use patterns and phasing;
- Reduction of overlapping, duplicating, and administrative procedures;
- Implementation of adopted physical, social, and economic goals and policies in a least-cost manner;\*Better coordination of public capital investment with private capital expenditures.

- Policy F5.5:** The County shall continue utilizing enterprise funds for the provision of Sanitary Sewer, Potable Water, and Solid Waste facilities. The debt for enterprise funds is to be paid by user fees, capacity charges, and other appropriate sources.
- Policy F5.6:** The County shall finance the capital cost of non-enterprise fund supported public facilities (e.g., roads, stormwater management, and parks) from current revenue, bond issues, impact fees, capacity charges, assessments, and other appropriate sources.
- Policy F5.7:** The County shall use general obligation bonds and other sources to raise the funding required to provide those public facilities that cannot be constructed with user fees, revenue bonds, impact fees, capacity charges, or other dedicated revenue sources.
- Policy F5.8:** Developments, which require public facility infrastructure improvements that will be financed by county debt, shall have their development orders conditioned on the issuance of the county debt or the substitution of a comparable amount of non-debt revenue.
- Policy F5.9:** Pursuant to state law, the Schedule of Capital Improvements may be adjusted by ordinance and not deemed to be an amendment to the Comprehensive Plan when the amendment relates to corrections, updates, or modifications concerning costs, revenue sources, acceptance of facilities pursuant to dedications which are consistent with the Comprehensive Plan, or the date of construction of any facility except transportation facilities enumerated in the Schedule of Capital Improvements. For transportation facilities, a delay in construction of a facility which causes the level of service of that facility to deteriorate below the adopted minimum level of service standard for the roadway will require a comprehensive plan amendment.
- Policy F5.10:** The County shall ensure that all capital improvements identified in the various elements of the Comprehensive Plan are completed according to schedule. The only acceptable delays will be those projects which are subject to the following:
- Projects providing capacity equal to, or greater than, the delayed project are accelerated within or added to the Schedule of Capital Improvements;
  - Modification of development orders issued conditionally or subject to the concurrent availability of public facility capacity provided by the delayed project. Such modification shall restrict the

allowable amount and schedule of development to that which can be served by the capacity of public facilities according to the revised schedule; or

- Amendment to the plan to reduce the adopted standard for the level of service for public facilities until the fiscal year in which the delayed project is scheduled to be completed.



Project Number	Project Name	Location	FY 13-14		FY 14-15		FY 15-16		FY 16-17		FY 17-18		FY 18-19		Future Years		Total Project Cost	Comp Plan
			Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source		
\$0																		
<b>Transportation Total</b>			\$7,027,583		\$13,958,508		\$37,033,340		\$0		\$11,487,743		\$0		\$2,500,000		\$72,007,174	

Project Number	Project Name	Location	FY 13-14		FY 14-15		FY 15-16		FY 16-17		FY 17-18		FY 18-19		Future Years		Total Project Cost	Comp Plan
			Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source		
<b>STORMWATER DRAINAGE</b>																		
																		\$0
																		\$0
	<b>Stormwater Drainage Total</b>		\$0		\$0			\$0		\$0			\$0		\$0			\$0
<b>SOLID WASTE</b>																		
																		\$0
																		\$0
	<b>Sanitation Total</b>		\$0		\$0			\$0		\$0			\$0		\$0			\$0
<b>UTILITIES</b>																		

1	Bostick Road Force Main Ext. (Constr.)	Bostick Rd.	\$35,000	County														\$35,000	Yes
2	Old Bradenton/US 17 Water main Loop	Wauchula Hills Subdivision			\$230,000	County & CDBG-DRI/DREF												\$230,000	Yes
3	WH WWTP Pretreatment Facility	Hardee County Commerce Park			\$320,000	HC EDA & HC IDA												\$320,000	Yes
4	WH WWTP Headworks improve. (Constr.)	HCUD			\$140,000	County												\$140,000	Yes
5	WH WWTP improvements	HCUD					\$28,000	County										\$28,000	Yes
6	WH WTP improvements	HCUD					\$35,000	County										\$35,000	Yes
7	Wauchula Hills WWTP Improvement: Tertiary Filter	HCUD												\$965,000				\$965,000	Yes
8	Wauchula Hills WWTP Improvement: Annox Basin	HCUD												\$1,626,000				\$1,626,000	Yes
9	Wauchula Hills WWTP Improvement: ReUse System	HCUD												\$3,030,000				\$3,030,000	Yes
10	Wauchula Hills WWTP Expansion - 20xx	HCUD												\$2,820,000				\$2,820,000	Yes
11	Hardee County WWTP Sludge Field	HCUD												\$1,677,500				\$1,677,500	Yes
12	Wauchula Hills H2O Plant Expansion - 20xx	HCUD												\$2,245,000				\$2,245,000	Yes
13	FGS H2O & Line Expansion - 20xx	Ft. Green Springs												\$2,741,000				\$2,741,000	Yes
14	FGS WWTP & Line Expansion - 20xx	Ft. Green Springs												\$2,710,400				\$2,710,400	Yes
15	Wauchula Hills H2O Plant: H2O Phase III - Line Ext & Service	Wauchula Hills Subdivision			\$446,854	NTF												\$446,854	Yes
16	Wauchula Hills WW Plant: H2O Phase III - Line Ext & Service	Wauchula Hills Subdivision			\$895,403	NTF												\$895,403	Yes
17	Wauchula Hills H2O Plant: H2O Phase IV - Line Ext & Service	Wauchula Hills Subdivision												\$367,346				\$367,346	Yes

Project Number	Project Name	Location	FY 13-14		FY 14-15		FY 15-16		FY 16-17		FY 17-18		FY 18-19		Future Years		Total Project Cost	Comp Plan
			Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source	Amount	Funding Source		
18	Wauchula Hills WW Plant: H2O Phase IV - Line Ext & Service	Wauchula Hills Subdivision													\$863,831		\$863,831	Yes
19	Wauchula Hills H2O Plant: H2O Phase V - Line Ext & Service	Wauchula Hills Subdivision													\$247,774		\$247,774	Yes
20	Wauchula Hills WW Plant: H2O Phase V - Line Ext & Service	Wauchula Hills Subdivision													\$667,846		\$667,846	Yes
21	Wauchula Hills H2O & WW Plant - East SA: US 17 - Maxwell Rd Line Ext & Service	Maxwell Rd													\$6,000		\$6,000	Yes
22	Wauchula Hills H2O & WW Plant - East SA: US 17 - Helen Rd Line Extension	Helen Rd													\$605,000		\$605,000	Yes
															\$15,000		\$15,000	Yes
																	\$0	
																	\$0	
<b>Utilities Total</b>			<b>\$35,000</b>		<b>\$2,032,257</b>		<b>\$63,000</b>		<b>\$0</b>		<b>\$0</b>		<b>\$0</b>		<b>\$20,587,697</b>		<b>\$22,717,954</b>	
			<b>FY 2013/14</b>		<b>FY 2008/09</b>		<b>FY2009/10</b>		<b>FY2010/11</b>		<b>FY2011/12</b>		<b>FY2012/13</b>		<b>Future Years</b>		<b>TOTAL</b>	
<b>Total All Categories</b>			<b>\$7,062,583</b>		<b>\$16,240,765</b>		<b>\$37,096,340</b>		<b>\$0</b>		<b>\$11,487,743</b>		<b>\$0</b>		<b>\$23,087,697</b>		<b>\$94,975,128</b>	

# Hardee County

## 2030 Comprehensive Plan



**Public School Facilities Element**

**Updated October 2010**

## PUBLIC SCHOOL FACILITIES ELEMENT

**GOAL PSF1:** IT IS THE GOAL OF HARDEE COUNTY TO PROVIDE FOR THE FUTURE AVAILABILITY OF PUBLIC SCHOOL FACILITIES IN A MANNER CONSISTENT WITH THE ADOPTED LEVEL OF SERVICE STANDARD. THIS GOAL SHALL BE ACCOMPLISHED IN ORDER TO PROVIDE ADEQUATE SCHOOL FACILITY CAPACITY – AS DETERMINED BY THE LEVEL OF SERVICE – ON A COUNTYWIDE BASIS. THE IMPLEMENTATION OF SCHOOL CONCURRENCY WILL BE ACCOMPLISHED BY ADHERING TO AND RECOGNIZING HARDEE COUNTY’S AUTHORITY IN LAND USE DECISIONS, WHICH INCLUDE THE AUTHORITY TO APPROVE OR DENY COMPREHENSIVE PLAN AMENDMENTS, RE-ZONINGS, OR OTHER DEVELOPMENT ORDERS THAT GENERATE STUDENTS AND IMPACT HARDEE COUNTY’S SCHOOL SYSTEM; AND THE HARDEE COUNTY SCHOOL BOARD’S STATUTORY AND CONSTITUTIONAL RESPONSIBILITY TO PROVIDE ADEQUATE PUBLIC SCHOOLS.

**OBJECTIVE 1:** LEVEL OF SERVICE (LOS) STANDARDS SHALL BE ADOPTED IN ORDER TO ENSURE THAT THERE IS SUFFICIENT SCHOOL CAPACITY TO SUPPORT STUDENT GROWTH FOR EACH YEAR OF THE FIVE-YEAR PLANNING PERIOD AND FOR THE LONG-TERM PLANNING HORIZON.

*Measure: Maintain LOS for public school facilities.*

**Policy PSF1.1:** The adopted level of service (LOS) standard for Hardee County Public Schools is defined as school enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses (FISH). The LOS standard is the maximum level of school utilization that will be permitted in the School District of Hardee County. The LOS shall be established for all school types within the School District of Hardee County as 100% of the FISH permanent capacity, plus up to 25% of FISH permanent capacity for portables.

**Policy PSF1.2:** The adopted LOS standard shall become applicable to Hardee County no later than the beginning of the 2008-2009 school year.

**Policy PSF1.3:** Individual schools are discouraged from operating in excess of the established LOS. Moreover, the issuance of development orders and building permits shall be strictly conditioned upon the availability of school capacity and the maintenance of the adopted LOS.

**Policy PSF1.4:** The LOS standards will be used to determine whether sufficient school capacity exists to accommodate future development projects, and evaluate the sufficiency of the Five-Year Schedule of Capital Improvements. The Five-Year Schedule of Capital Improvements shall be reviewed with the School District's Five-Year Work Plan, to be adopted by the School District on or before October 1 of each year, and together with the Five-Year Schedule of Capital Improvements be updated and adopted annually, thus ensuring those projects necessary to address the existing deficiencies, and to meet future needs based on the adopted LOS are adequately planned for.

**Policy PSF1.5:** Potential amendments to the adopted LOS shall be considered annually, but no later than the second amendment cycle scheduled by the Board of County Commissioners. The Initiating Party shall provide a memorandum to all involved parties – the School Board, County, and Municipalities – that includes a description of the proposed amendment, a statement regarding the impact of the proposed amendment to the Hardee County Comprehensive Plan, and supporting data and analysis that demonstrates that the amendment is financially feasible and can be achieved and maintained over the five years of the Capital Facilities Plan. All proposed amendments shall be reviewed by the Hardee County Educational Concurrency Review Committee and the Joint Staff School Concurrency Review Group, which will provide a recommendation of approval or denial. If there is a consensus to amend the adopted LOS, it shall be accomplished through an amendment to the Interlocal Agreement and the adoption of amendments to the County's and each Municipality's comprehensive plan. The amended LOS shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed.

**Policy PSF1.6:** Annual plan amendments shall include the addition of a new fifth year to the Schedule of Capital Improvements; updating the financially feasible public schools facilities capital program and coordinating the program with the 5-year district facilities work plan, to be adopted by the School District on or before October 1 of each year, the plans for local and county governments and, as necessary, updates to the concurrency service area map shall be adopted. The annual plan amendments shall ensure the capital improvements program continues to be financially feasible and the level of service standards will continue to be achieved and maintained.

**Policy PSF1.7:** The County hereby adopts by reference, the Hardee County School District 5-year Facilities Work Program, as approved by the Hardee County School Board on September 9, 2010, for the years 2010/11 through 2014/15 and subsequent annual updates hereto, as part of its Schedule of Capital Improvements.

**OBJECTIVE 2:** HARDEE COUNTY SHALL ESTABLISH SCHOOL CONCURRENCY SERVICE AREAS (CSA), WITHIN WHICH A DETERMINATION CAN BE MADE AS TO WHETHER THERE IS ADEQUATE SCHOOL CAPACITY AVAILABLE BASED ON THE ADOPTED LOS STANDARDS, AND A PROPER ANALYSIS CAN BE CONDUCTED TO EXAMINE THE AVAILABILITY OF CAPACITY IN ADJACENT CSA'S IF CAPACITY IS NOT AVAILABLE IN THE PRIMARY CSA.

*Measure: Maintain LOS for public school facilities.*

**Policy PSF2.1:** Hardee County's Concurrency Service Areas shall be based on the School District's elementary school attendance zones, as depicted in Appendix A and incorporated herein by reference. The CSA for the sole middle, alternative and high school shall be countywide.

**Policy PSF2.2:** Potential amendments to the adopted CSA(s) shall be considered annually, but no later than the second amendment cycle scheduled by the Board of County Commissioners. The Initiating Party shall provide a memorandum to all involved parties – the School Board, County, and Municipalities – that includes a description of the proposed amendment, a statement regarding the impact of the proposed amendment on the Hardee County Comprehensive Plan, and supporting data and analysis that demonstrates that the amendment is financially feasible and can be achieved and maintained over the five years of the Capital Facilities Plan. All proposed amendments shall be reviewed by the Hardee County Educational Concurrency Review Committee and the Joint Staff School Concurrency Review Group, which will provide a recommendation of approval or denial. If there is a consensus to amend the adopted CSA(s), it shall be accomplished through an amendment to the Interlocal Agreement and the adoption of amendments to the County's and each Municipality's comprehensive plan. The amended CSA(s) shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed.

**Policy PSF2.3:** Adopted CSAs shall demonstrate that the adopted LOS standards will be achieved and maintained each year of the five year Capital Facilities Plan and that the utilization of the school capacity is maximized to the greatest extent possible, taking into account transportation costs and other relevant factors. CSA's shall also take into account the extent to which development approvals have been issued by local governments based on the availability of school capacity in a CSA contiguous to the CSA in which development approval was issued.

**OBJECTIVE 3:** ENSURE THAT COMPREHENSIVE PLAN AMENDMENTS AND OTHER LAND

**USE DECISIONS ARE SIMULTANEOUSLY EVALUATED WITH SCHOOL CAPACITY AVAILABILITY WITHIN THE PRIMARY CSA AND THOSE CSA'S THAT ARE CONTIGUOUS.**

**Measure:** *Maintain LOS for public school facilities.*

**Policy PSF3.1:** To ensure adequate school capacity, School Board findings and comments on the availability of adequate school capacity when considering the decision to approve comprehensive plan amendment and other land use decisions will occur as provided for in section 163.3177(6)(a), F.S.

**Policy PSF3.2:** Hardee County shall identify methods to direct development to areas with adequate school capacity or where school sites adequate to serve potential growth have been donated to or set aside for purchase by the School Board in written agreements approved by the School Board.

**Policy PSF3.3:** In any instance where capacity will not be available to serve students to be generated by a development seeking approval and subsequent to the contiguous CSA analysis that demonstrates there is no available capacity, and proportionate share mitigation is not an option, the school capacity deficiency shall be a basis for denial of the proposal.

**Policy PSF3.4:** Hardee County School District staff shall review potential new development student generation impacts and available school capacity. Where capacity will not be available to serve students from the property seeking to increase residential capacity, and subsequent to the contiguous CSA analysis that demonstrates there is no available capacity, and proportionate share mitigation is not an option, the School District staff shall not issue a favorable concurrency determination and shall so advise the School Board. The School Board shall take formal action on the School District's staff recommendation. The County may use the lack of school capacity demonstrated by an unfavorable concurrency determination as a reason for denial.

**OBJECTIVE 4:** **ENSURE THAT THE PLANNING AND CONSTRUCTION OF EDUCATIONAL FACILITIES ARE COORDINATED SO THAT THE TIMING IS PROPER AND THE SELECTED LOCATION IS COMPATIBLE WITH THE SURROUNDING AREA, CONCURRENT WITH NECESSARY SERVICE AND INFRASTRUCTURE, AND CONSISTENT WITH THE COMPREHENSIVE PLAN.**

**Measure:** *Maintain LOS for public school facilities.*

**Policy PSF4.1:** Hardee County shall coordinate with the School Board so that proposed public school facility sites are consistent with the applicable land use

designations and policies of the comprehensive plan, as well as the regulations of the applicable Zoning Districts. Pursuant to Section 1013.33, F.S., the County will consider each site plan as it relates to environmental concerns, health, safety and welfare, and effects on adjacent property. In addition, road capacity and traffic concerns will also be evaluated. Hardee County will also continue to pursue the development of mutually acceptable guidelines for the selection of future school sites including, but not limited to: a) acquisition of school sites which allow for future expansions to accommodate future enrollment and other facility needs deemed beneficial for joint-uses, as identified by the School district of Hardee County and Hardee County; b) coordination of the location, phasing, and the development of future school sites to ensure that site development occurs in conjunction with the provision of required infrastructure to serve the school facility; and c) preferences for residential, urban areas with allowances for rural sites as deemed necessary and appropriate under certain circumstances.

**Policy PSF4.2:** Hardee County shall coordinate with the School Board to evaluate and locate potential sites where the co-location of public facilities, such as parks, libraries, and community centers, with schools can be selected and development plans can be prepared.

**OBJECTIVE 5:** **ENHANCE COMMUNITY DESIGN THROUGH EFFECTIVE SCHOOL FACILITY DESIGN AND SITING STANDARDS. ENCOURAGE THE SITING OF SCHOOL FACILITIES SO THAT THEY ARE COMPATIBLE WITH THE SURROUNDING LAND USE.**

*Measure: Maintain LOS for public school facilities.*

**Policy PSF5.1:** The County shall implement and maintain mechanisms designed to closely coordinate with the School Board in order to provide consistency between the County's comprehensive plan and the public school facilities programs, consistent with provisions set forth in section 1013.51, 1013.36(5), F.S., and Rule 6A-2.0010, F.A.C., such as: a) Greater efficiency for the School Board and the County by the placement of schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems; b) Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs; c) The location and design of schools and parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; d) The expansion and rehabilitation of existing schools to support neighborhoods.

**Policy PSF5.2:** In order to coordinate the effective and efficient provision and siting of public school facilities with associated infrastructure and services within

the School District of Hardee County, the Board of County Commissioners, School Board, and Commissions from other jurisdictions shall meet jointly to:

1. Coordinate long range facilities for the School District with review of the five-year capital improvement plan of Hardee County, the five-year facilities work program of the School District and the five-year capital improvements plans of each city/town, consistent with provisions set forth in section 1013.51, 1013.36(5), F.S., and Rule 6A-2.0010, F.A.C.;
2. Coordinate review and assessment of the associated costs and expenditures of siting and constructing schools with required public infrastructure;
3. Coordinate review of planned residential development based on densities permitted in the future land use categories of the Comprehensive Plan, and update the five-year facilities/capital improvements plans both annually at any amendment to the future land use map approved consistent with Chapter 163.3187.
4. Use of a unified database including population (forecasts of student population), land use and facilities.

**Policy PSF5.3:** The County and the School Board shall permit and encourage the joint-use of school sites and County Facilities with similar facility needs, such as libraries, parks and recreation facilities, and health care facilities. Also, the School Board shall coordinate in the location, phasing, and design of future school sites to enhance the potential of schools as recreation areas.

**Policy PSF5.4:** Encourage the use of sustainable design and performance standards, such as using energy efficient and recycled materials to reduce long term costs.

**Policy PSF5.5:** Local governments and the School District shall coordinate emergency preparedness issues including, but not limited to, the use of school facilities as public shelters during emergencies.

**Policy PSF5.6:** Public schools shall provide bicycle and pedestrian access consistent with Florida Statutes. Bicycle access and trails to public schools should be incorporated in trail projects and programs that are currently scheduled by the County and municipalities. Parking and sidewalks at public schools will be provided consistent with applicable land development regulations.

**GOAL PSF2: IT IS THE GOAL OF HARDEE COUNTY TO ESTABLISH A PROCESS FOR THE IMPLEMENTATION OF SCHOOL**

**CONCURRENCY BY PROVIDING FOR CAPACITY DETERMINATION STANDARDS, AVAILABILITY STANDARDS, APPLICABILITY STANDARDS, AND PROPORTIONATE SHARE MITIGATION.**

**OBJECTIVE 6: ESTABLISH CAPACITY DETERMINATION STANDARDS.**

*Measure: Maintain LOS for public school facilities.*

**Policy PSF6.1:** The School Board shall determine whether adequate school capacity exists for a proposed development, based on LOS standards, CSA's, and other standards stipulated in the "Hardee County Interlocal Agreement for School Facilities Planning and Siting.

**Policy PSF6.2:** The School District shall conduct a concurrency review that includes findings and recommendations of whether there is adequate school capacity to accommodate the proposed development for each type of school within the affected CSA consistent with the LOS standard. The School District shall issue a concurrency determination based on the findings and recommendations.

**OBJECTIVE 7: ESTABLISH AVAILABILITY STANDARDS.**

*Measure: Maintain LOS for public school facilities.*

**Policy PSF7.1:** The County shall not deny a subdivision plat or site plan (or functional equivalent) for the failure to achieve and maintain the adopted LOS for public school capacity where:

1. Adequate school facilities will be in place or under construction within three (3) years after the issuance of the subdivision plat or site plan (or functional equivalent);
2. Adequate school facilities are available in an adjacent CSA and the capacity impacts of development can be shifted to that area through, for example, redistricting; or
3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan (or functional equivalent).

**Policy PSF7.2:** If the School District determines that adequate capacity will not be in place or under actual construction within three (3) years after the issuance

of final subdivision or site plan approval and mitigation is not an acceptable alternative, the School District shall not issue a School Concurrence Determination and will not accept or process a development application. If the School District determines that adequate capacity does not exist, but mitigation, through proportionate share mitigation or some other means, the development will remain active pending the conclusion of the mitigation negotiation, pursuant to the provisions of the “Hardee County Interlocal Agreement for School Facilities Planning and Siting.”

**OBJECTIVE 8:**        **ESTABLISH PROPORTIONATE SHARE MITIGATION ALTERNATIVES WHICH ARE FINANCIALLY FEASIBLE AND WILL ACHIEVE AND MAINTAIN THE ADOPTED LOS STANDARD CONSISTENT WITH THE ADOPTED SCHOOL BOARD’S FINANCIALLY FEASIBLE CAPITAL IMPROVEMENT PLAN.**

*Measure:        Maintain LOS for public school facilities.*

**Policy PSF8.1:**        In the event that mitigation is an acceptable alternative to offset the impacts of a proposed development, where the adopted LOS standards would otherwise be exceeded, the following options listed below, for which the School District assumes operational responsibility through incorporation in the adopted School Board’s financially feasible Capital Improvements Program and which will maintain the adopted LOS standards, shall include:

1.        The donation, construction, or funding of school facilities created by the proposed development.

**Policy PSF8.2:**        Proposed mitigation shall be directed toward a permanent capacity improvement identified in the School Board’s financially feasible 5-Year Capital Improvement Program. Consideration may be given by the School Board to place an additional improvement required for mitigation on its Capital Improvement Program. The proposed mitigation must satisfy the demand created by the proposed development consistent with the adopted LOS standards or identified as an amendment to the adopted Capital Improvements Program. Portable classrooms will not be accepted as mitigation.

**Policy PSF8.3:**        Mitigation shall not be required when the adopted LOS cannot be met in a particular CSA, if the needed capacity for the development is available in one or more contiguous CSA(s) and the impacts of the development can be shifted to that CSA.

**Policy PSF8.4:**        Mitigation shall be directed to projects on the School Board’s financially feasible Capital Improvement Program that the School Board agrees will

satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the School Board, the relevant local government, and the applicant executed prior to the issuance of the subdivision plat, site plan, or functional equivalent. If the school agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation on its Capital Improvement Program. This development agreement shall include landowner's commitment to continuing renewal of the development agreement upon its expiration.

**Policy PSF8.5:**

The applicant's total proportionate share mitigation obligation to resolve a capacity deficiency shall be based on the following formula, for each school level: multiply the number of new student stations required to serve the new development by the average cost per student station. The average cost per student station shall include school facility development costs and land costs. The applicant's proportionate share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value. The process to determine proportionate share mitigation obligation shall be as follows:

**Step 1: Determine the number of students to be generated by the development.**

$D.U. \times SGR \text{ (by DU and School Type)} = \# \text{ of SS, where}$

DU=dwelling units by type;  
SGR=Student Generation Rate  
SS= Student Stations

**Step 2: Comparing the available capacity to the number of student stations calculated in Step 1 to assess the need for mitigation.**

Available capacity - # of SS = Shortfall or Surplus

**Step 3: Evaluating the available capacity in contiguous service areas.**

If Step 2 results in a negative number, repeat that step for one or more contiguous service areas. If this step results in a negative number, then proceed to Step 4 to calculate the proportionate share mitigation.

**Step 4: Calculating proportionate share mitigation.**

Needed additional SS x AC/S = PSMO where

SS = Student Stations

AC/S=Average cost/student

**Policy PSF8.6:** The student generation rates used to determine the impact of a particular development application on public schools are hereby adopted into Hardee County's Comprehensive Plan. The student generation rates shall be reviewed and updated every two (2) years in accordance with professionally accepted methodologies, and shall be incorporated into the County's Comprehensive Plan. The table shown below details the currently adopted student generation rates.

**Student Generation Rates**

<b>School Type</b>	<b>Student Generation Rate</b>	<b>Acres per School Site</b>
Elementary	0.15	20
Middle	0.08	40
High	0.09	60

# Hardee County

## 2030 Comprehensive Plan



**Definitions and Acronyms**

**Amended through August 2014**

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## DEFINITIONS AND ACRONYMS

### ~ A ~

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

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

***AMBIENT AIR QUALITY STANDARDS:*** Standards which establish acceptable concentration levels for major classes of pollutants in the "ambient air" (that portion of the atmosphere which is external to buildings and accessible to the general public).

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

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

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

***ARTERIAL ROAD:*** A roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high-operating speed. In addition, every United States numbered highway is an arterial road.

***AVAILABILITY OR AVAILABLE:*** With regard to the provision of facilities and services concurrent with the impacts of development, means that at a minimum the facilities and services will be provided in accordance with the principles, guidelines, standards and strategies set forth in the Comprehensive Plan.

## ~ B ~

**BEST MANAGEMENT PRACTICE (BMP):** A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing pollution.

**BICYCLE AND PEDESTRIAN WAYS:** Any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

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

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

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

## ~ C ~

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

**CAPITAL IMPROVEMENT:** Physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purposes of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

**CLUSTER DEVELOPMENT:** Generally refers to a development pattern - for residential, commercial, industrial, institutional, or combinations of such uses - in which the uses are grouped or "clustered" through a density transfer, rather than spread evenly throughout a parcel as a conventional lot-by-lot development. A zoning ordinance may authorize such development by permitting smaller lot sizes if a specified portion of the land is kept in permanent open space either through public dedication or through creation of a homeowners association.

**COLLECTOR ROAD:** A roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.

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

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG):** The Federal Small Cities Community Development Block Grant program, as administered by the Florida Department of Community Affairs; a competitive grant program which can fund a range of activities directed toward neighborhood revitalization, economic development, and provision of improved community facilities and services.

**CONCURRENCY:** The necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.

**CONCURRENCY MANAGEMENT SYSTEM:** The procedures and/or process that the local government will utilize to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development.

**CONCURRENT WITH THE IMPACTS OF DEVELOPMENT:** Concurrent with the impacts of development shall be satisfied when: the necessary facilities and services are in place at the time a development permit is issued; or a development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or that the necessary facilities are under construction at the time a permit is issued; or that the necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of concurrency as defined. Mechanisms and processes for attaining concurrency adherence is further described in the Land Development Code.

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

**CONSERVATION EASEMENT:** See Easement.

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

**CONSISTENCY:** Comprehensive plans are considered to be consistent with each other when land uses, proposed land uses, and impacts from proposed development are compatible with, or not in conflict with, land uses, proposed land uses or impacts from proposed development in an adjacent city or county.

**CURRENTLY AVAILABLE REVENUE SOURCES:** An existing source and amount of revenue presently available to the local government. It does not include a local government's present intent to increase the future level or amount of a revenue source which is contingent on ratification by public referendum.

## ~ D ~

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

**DENSITY:** The average number of families, persons or dwelling units per unit of land, usually expressed "per acre." "Density Control" is a limitation on the occupancy of land, and is generally implemented through zoning. Specific methods include use restrictions, such as single or multiple family dwellings, minimum lot-size requirements, floor area ratio, setback or yard requirements, minimum house size requirements, lot area requirements, or other means. The average density over an area or parcel remains constant, but internal variations are allowed.

**DENSITY BONUS:** An additional number of dwelling units above what would otherwise be permissible within a particular zoning classification or future land use classification.

**DEVELOPER:** Any person, including a governmental agency, undertaking any development

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

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

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

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

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

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

**DEVELOPMENT CAPACITY:** An element of the concurrency management system, addressing the ability of public facilities to absorb development that has not been built, or that has not been completely built out, and that therefore has not impacted, or fully impacted, existing public facilities. The availability of public facilities to accommodate future development, in order to maintain an established level of service, will take into account this vested but currently unused or under-utilized capacity.

**DEVELOPMENT OF REGIONAL IMPACT (DRI):** The term "development of regional impact," means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

**DEVELOPMENT ORDER:** Any order granting, denying, or granting with conditions an application for a development permit.

**DEVELOPMENT PERMIT:** Includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development.

**DRAINAGE FACILITIES:** A system of man-made structures designed to collect, convey, hold,

divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

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

## ~ E ~

**EASEMENT:** A right given by the owner of land to another party for specific limited use of that land. For example, a property owner may give or sell an easement on his property to allow utility facilities like power lines or pipelines, or to allow access to another property. A property owner may also sell or dedicate to the government the development rights for all or part of a parcel, thereby keeping the land open for conservation, recreation, scenic or open space purposes.

**EDUCATIONAL USES:** Activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.

**ENVIRONMENTALLY SENSITIVE LAND:** Wetlands, floodplains or critical habitat for plant or animal species listed by the Florida Department of Agriculture and Consumer Services (FDACS), the Florida Fish and Wildlife Conservation Commission (FFWCC), or the United States Fish and Wildlife Service (USFWS) as endangered, threatened, or species of special concern. A Critical Habitat means the specific area within a geographic area occupied by plant or animal species listed by FDACS, FFWCC or USFWS as endangered, threatened, or species of special concern on which are found those physical or biological features essential to the conservation of the species and which may require management considerations or protection.

**ENVIRONMENTALLY SENSITIVE WETLANDS, WATERWAYS AND FLOODPLAINS:** Wetlands, waterways or floodplains which exhibit a low tolerance for fluctuations of water quality or quantity, or which support plant or animal species listed by FDACS, FFWCC or USFWS as endangered, threatened, or species of special concern.

**EVACUATION ROUTES:** Routes designated by county civil defense authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.

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

income counties, extremely low income may be less than 30 percent of area median income.

## ~ F ~

***FINANCIAL FEASIBILITY:*** Sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5, of a 5-year capital improvement schedule for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and developer contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the period covered by the 5-year schedule of capital improvements. A comprehensive plan shall be deemed financially feasible for transportation and school facilities throughout the planning period addressed by the capital improvements schedule if it can be demonstrated that the level-of-service standards will be achieved and maintained by the end of the planning period even if in a particular year such improvements are not concurrent.

***FLOODPLAINS (100-YEAR FLOODPLAIN):*** Areas inundated during a 100-year flood event or identified by the National Flood Insurance Program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

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

***FLORIDA MASTER SITE FILE:*** The state's clearinghouse for information on archaeological sites, historical structures, and field surveys for such sites. A combination of both paper and computer files, it is administered by the Bureau of Archaeological Research, Division of Historical Resources, Florida Department of State.

***FOSTER CARE FACILITY:*** A facility which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents and serving either children or adult foster residents.

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

***FUGITIVE AIR EMISSIONS:*** Unconfined particulate matter entering the ambient air.

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## ~ G ~

**GENERAL LANES:** Intrastate roadway lanes not exclusively designated by the Florida Department of Transportation for long distance, high speed travel. In urbanized areas, general lanes include high occupancy vehicle lanes not physically separated from other travel lanes.

**GOAL:** The long-term end toward which programs or activities are ultimately directed.

**GROUP HOME:** An Florida Department of Children and Family Services licensed facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

**GROWTH MANAGEMENT ACT:** Chapter 163, Part II, Florida Statutes, known and cited as the "Local Government Comprehensive Planning and Land Development Regulation Act."

## ~ H ~

**HAZARDOUS MATERIAL:** A hazardous chemical, toxic chemical, or extremely hazardous substance, as defined in s. 329 of Title III, Superfund Amendments and Reauthorization Act of 1986.

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

**HIGH ACCIDENT AREAS:** Areas of a high number of automobile accidents, either in absolute numbers, or in relation to the number of vehicles that travel the facility or pass a particular location on the facility.

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

***HISTORIC RESOURCES:*** Historically significant structures or archeological sites.

***HISTORIC SITE:*** A single lot or portion of a lot containing an improvement, landscape feature, or archaeological site, or a historically related complex of improvements, landscape features or archaeological sites that may yield information on history or prehistory.

***HISTORICALLY SIGNIFICANT HOUSING:*** See Historically significant structures.

***HISTORICALLY SIGNIFICANT STRUCTURES:*** Structures listed on the National Register of Historic Places, the Florida Master Site File, or otherwise designated, by official action, as historic, and worthy of recognition or protection.

***HURRICANE SHELTER:*** A structure designated by local officials as a place of safe refuge during a storm or hurricane.

~ I ~

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

***INDUSTRIAL USES:*** The activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products.

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

***INTENSITY:*** The degree to which land is used. While frequently used synonymously with density, intensity has a somewhat broader, though less clear meaning, referring to levels of concentration or activity in uses such as residential, commercial, industrial, recreation, or parking. Land-use-intensity ratings have been proposed as an improved approach to regulating residential intensity, but may be difficult to apply to other fields. For example, in the commercial classification a well-located convenience store is a far more intensive use than is a shopping center.

~ J ~

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~ L ~

**LAND DEVELOPMENT REGULATIONS:** Includes local zoning, subdivision, building, and other regulations controlling the development of land.

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

**LIMITED ACCESS FACILITY:** A roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access.

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

**LOCAL HOUSING TRUST FUND:** A fund to be used in conjunction with local housing rehabilitation or new construction programs such as a revolving loan program for rehabilitation of substandard dwellings. To this fund shall be credited all loan repayments, penalties, and other fees and charges collected from applicable local programs.

**LOCAL ROAD:** A roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property.

**LOW AND MODERATE INCOME FAMILIES:** "Lower income families" as defined under the HUD Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term "families" includes "households."

**LOWEST ORDER OF COMMERCIAL GOODS AND SERVICES:** Those commercial uses generally compatible with a residential neighborhood. Properly buffered, such uses may include automobile service stations, bakeries, barber or beauty shops, delicatessens, drug stores, dry cleaning, food markets, ice cream shops, meat shops, repair shops, restaurants, or other professional or commercial uses comparable in nature and compatible with the surrounding area.

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## ~ M ~

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

**MITIGATION:** A process designed to prevent adverse impact of an activity on natural resources. Mitigation may include the recreation on-site or off-site of natural resources that have been altered or destroyed by development or agricultural activity.

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

**MOBILE HOME:** A structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

## ~ N ~

**NATIONAL REGISTER OF HISTORIC PLACES:** Established by Congress in 1935, the National Register of Historic Places is a listing of culturally significant buildings, structures, objects, sites, and districts in the United States. The listing is maintained by the U.S. Department of Interior.

**NATURAL DRAINAGE FEATURES:** The naturally occurring features of an area which accommodate the flow of stormwater, such as streams, rivers, lakes and wetlands.

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

**NATURAL RESOURCES:** Land, air, surface water, ground water, drinking water supplies, fish and their habitats, wildlife and their habitats, biota, and other such resources.

**NATURAL VEGETATION:** Vegetative communities that are native to, and therefore tolerant of, a particular geographic location.

**NON-ATTAINMENT AREA:** A geographical area in which ambient air quality falls below Federal standards, per the Clean Air Act, as amended, and implementing regulations.

**NONCONFORMING USE:** Uses of land and structures, and characteristics of uses, which are prohibited under the terms of the comprehensive plan and zoning ordinance but were lawful at the date of the ordinances' enactment. They are permitted to continue, or they are given time to become conforming. The continuation of such nonconforming uses is based on the principal that laws cannot be applied retroactively unless there is a compelling reason - such as imminent danger to health - to do so. While ordinances permit legal nonconformities to continue, they prohibit the substitution of a new or different nonconformity, nor do they permit the extension or enlargement of nonconforming uses. Many ordinances permit the rebuilding of a nonconforming use when destroyed by fire but, if a use is abandoned for a specified period of time, it cannot be restored, and the future use of the premises must conform to the zoning. Some ordinances provide for the abatement (amortization) of all or some nonconformities at the end of a prescribed period. Increasingly, ordinances are distinguishing among classes of nonconformities to include: nonconforming lots; nonconforming buildings or structures; nonconforming uses of land with minor structures only; nonconforming uses of major buildings and premises; and nonconforming characteristics of use; and are providing for their individualized treatment.

**NONPOINT SOURCE POLLUTION:** Any source of water pollution that is not a point source.

~ O ~

**OBJECTIVE:** A specific, measurable, intermediate end that is achievable and marks progress toward a goal.

**OFF-SITE POLLUTION:** Pollution which originates in one geographic location or parcel and affects other geographic locations or parcels.

~ P ~

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

***PARK MODEL RECREATIONAL VEHICLE (PARK TRAILER):*** A transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to U.S. Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

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

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

***POLICY:*** The way in which programs and activities are conducted to achieve an identified goal.

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

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

***POTABLE WATER FACILITIES:*** A system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

***POTABLE WATER WELLFIELD:*** The site of one or more water wells which supply potable

water for human consumption to a water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

***PRIME AQUIFER RECHARGE AREAS:*** Geographic areas of recharge to the aquifer system, to be designated by the appropriate Water Management District, as critical for the continuation of potable ground water supplies.

***PUBLIC BUILDINGS AND GROUNDS:*** Structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.

***PUBLIC FACILITIES:*** Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities and public health systems or facilities. Individual private potable water wells or septic systems are not public facilities.

***PUBLIC HURRICANE SHELTER:*** A structure designated by local emergency management officials and the American Red Cross as a shelter during a hurricane.

***PUBLIC (SUPPLY) SANITARY SEWER FACILITIES:*** Sanitary sewer facilities which serve at least 15 service connections, or regularly serves at least 25 residents. Generally, a multi-user septic tank is not a public sanitary sewer facility.

***PUBLIC SHELTER SPACE:*** An area within a public hurricane shelter which can accommodate a temporary refugee during a storm or hurricane. Generally, public shelter space is measured as a minimum of 20 square feet per person.

***PUBLIC SUPPLY POTABLE WATER WELLFIELD:*** A potable water wellfield that serves a public supply water system.

***PUBLIC SUPPLY WATER SYSTEM:*** A potable water facility which serves at least 15 service connections, or regularly serves at least 25 residents.

***PUBLIC TRANSIT:*** Passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus.

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## ~ R ~

**RECHARGE AREAS:** Geographic areas where the aquifer system is replenished through rainfall. Areas of high aquifer recharge are important for the continuation of potable ground water supplies.

**RECLAMATION:** The alteration and/or restoration of land, after a mining activity, establishing land suitable for agriculture, development, recreation, lakes, wetlands, or other natural environments.

**RECLAMATION PLAN:** Plan for the rehabilitation, per Chapter 378, FS, of land from which a mineral resource has been extracted.

**RECREATION:** The pursuit of leisure time activities occurring in an indoor or outdoor setting.

**RECREATION FACILITY:** A component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.

**RECREATIONAL USES:** Activities within areas where recreation occurs.

**RECREATIONAL VEHICLE (RV):** A unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities of recreational vehicles are: travel trailer, fifth-wheel travel trailer, camping trailer, truck camper, motor home, private motor coach, van conversion, and park trailer.

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

**REHABILITATION:** The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient use.

**RELOCATION HOUSING:** Those dwellings which are made available to families displaced by public programs, provided that such dwellings are decent, safe and sanitary and within the financial means of the families or individuals displaced.

**RESIDENT POPULATION:** Inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population.

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

**RESOURCE RECOVERY:** The process of recovering materials or energy from solid waste, excluding those materials or solid waste under control of the Nuclear Regulatory Commission.

**RIGHT-OF-WAY:** Land in which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for a transportation or utility use.

**ROADWAY:** A road, which includes streets, sidewalks, alleys, highways, and other ways open to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts necessary for the maintenance of travel and all ferries used in connection therewith.

**ROADWAY FUNCTIONAL CLASSIFICATION:** The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.

## ~ S ~

**SANITARY LANDFILL:** a) "Class I solid waste disposal area" means a disposal facility which receives an average of 20 tons or more per day, if scales are available, or 50 cubic yards or more per day of solid waste, as measured in place after covering, and which receives an initial cover daily; b) "Class II solid waste disposal area" means a disposal facility which receives an average of less than 50 cubic yards per day of solid waste, as measured in place after covering, and which receives an initial cover at least once every 4 days.

**SANITARY SEWER FACILITIES:** Structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

**SEASONAL POPULATION:** Part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors.

**SECTION 8 EXISTING HOUSING PROGRAM:** A Federal housing program authorized under Section 8 of the U.S. Housing Act, as amended. The Section 8 program provides rental subsidies to encourage new construction and substantial rehabilitation of existing housing units. As part of its rehabilitation component, the Section 8 program establishes "housing quality standards" which are minimum standards for safe and healthful occupancy of a

dwelling unit.

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

**SERVICES:** The programs and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law.

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

**SITE PLAN:** A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building sites, reserved open spaces, buildings, major landscape features - both natural and man-made - and, depending on requirements, the locations of proposed utility lines.

**SITE PLAN REVIEW:** The process whereby local officials, usually the planning commission and staff, review the site plans and maps of a developer to assure that they meet the stated purposes and standards of the zone, provide for the necessary public facilities such as roads and schools, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping. It usually is required in connection with many flexible techniques. The process often allows considerable discretion to be exercised by local officials since it may deal with hard-to-define aesthetic and design considerations.

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

**SOLID WASTE FACILITIES:** Structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

**SOLID WASTE PROCESSING PLANT:** A facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.

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

**SPECIAL TRANSPORTATION SERVICES:** A means of transportation provided on a subsidized

basis to transportation disadvantaged individuals by a public, private or non-profit organization, such as a bus company, a taxicab company, or a social service organization.

**SPRAWL:** See Urban Sprawl

**STANDARD HOUSING:** A housing unit that is not in a deteriorated or dilapidated condition, and is safe and healthful for occupancy.

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

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

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

**SUBSTANDARD HOUSING:** (a) Any unit lacking complete plumbing or sanitary facilities for the exclusive use of the occupants; (b) A unit which is in violation of one or more major sections of an applicable housing code and where such violation poses a serious threat to the health of the occupant; or (c) A unit that has been declared unfit for human habitation but that could be rehabilitated for less than 50 percent of the property value.

**SUPPORT DOCUMENTS:** Any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan.

## ~ T ~

**TRANSPORTATION DISADVANTAGED:** Those individuals who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities.

**25-YEAR FREQUENCY, 24-HOUR DURATION STORM EVENT:** A storm event and associated rainfall during a continuous 24-hour period that may be expected to occur once every 25 years. Its associated floodplain is that land which may be expected to be flooded during the storm event.

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## ~ U ~

**UNIQUE NATURAL HABITATS:** "Habitat" means the environment in which an animal normally lives and in which it meets its basic need for food, water, cover, breeding space, and group territory. "Unique" means the occurrence is rare or infrequent or is of special social/cultural, economic, educational, aesthetic or scientific value. Areas where endangered, threatened or rare species, or remnant native plant species, occur.

**UNIQUE NATURAL RESOURCES:** Natural resources which are rare or infrequent in occurrence, or are of special social/cultural, economic, educational, aesthetic or scientific value.

**URBAN SPRAWL:** Urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity of low-density urban uses, and which are characterized by one or more of the following conditions: (a) The premature or poorly planned conversion of rural land to other uses; (b) The creation of areas of urban development or uses which are not functionally related to land uses which predominate the adjacent area; or (c) The creation of areas of urban development or uses which fail to maximize the use of existing public facilities or the use of areas within which public services are currently provided. Urban sprawl typically manifests itself in one or more of the following land use or development patterns: 1) leapfrog or scattered development; 2) ribbon or strip commercial or other development; and 3) large expanses of predominantly low-intensity, low-density, single-use development.

## ~ V ~

**VEGETATIVE COMMUNITIES:** Ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals.

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

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~ **W** ~

**WATER RECHARGE AREAS:** Land or water areas through which groundwater is replenished.

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

**WETLANDS:** Those areas that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto

~ **X** ~

**XERISCAPING:** Any water conserving landscaping technique that takes into account sunlight intensity, soil conditions and the use of drought tolerant vegetation for the purpose of providing an alternative to the traditional turfgrass dominated lawn.

~ **Y** ~

~ **Z** ~

**ZERO LOT LINE:** A development approach in which a building is sited on one or more lot lines with no yard. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Virtually all zoning ordinances retain yard requirements; where zero lot line developments have been permitted, they have been handled through variances or planned unit development procedures, or other devices which allow for site plan review. The few ordinances which specifically authorize the zero lot line approach do so as an exception to prevailing regulations and under clearly defined circumstances.

## ACRONYMS

<b>BMP(s)</b>	Best Management Practice(s)
<b>CBDG</b>	Community Development Block Grant – Federal
<b>C.A.R.L.</b>	Conservation and Recreational Lands – State
<b>CERCL</b>	Comprehensive Environmental Response Compensation Liability Act – Federal
<b>CIE</b>	Capital Improvements Element
<b>Co.</b>	County
<b>CO</b>	Certificate of Occupancy
<b>CORPS</b>	Corps of Engineers – Federal
<b>CR #</b>	County Road #
<b>CFRPC</b>	Central Florida Regional Planning Council
<b>DCF</b>	Florida Department of Children and Family Services
<b>DEO</b>	Department of Economic Opportunity - State
<b>DEP (FDEP)</b>	Florida Department of Environmental Protection – State
<b>DO</b>	Development Order
<b>DOT</b>	Department of Transportation – State
<b>DRASTIC</b>	A standardized system for evaluating groundwater pollution potential (D = depth of water; R = net recharge; A = aquifer media; S = soil; T = topography; I = impact vadose zone media; C = hydraulic conduct activity)
<b>DRI(s)</b>	Development(s) of Regional Impact
<b>D.U.(s)</b>	Dwelling Unit(s)
<b>EPA</b>	United States Environmental Protection Agency – Federal
<b>FAC</b>	Florida Administrative Code
<b>FAR</b>	Floor Area Ratio
<b>FDCA</b>	Florida Department of Community Affairs
<b>FDEP</b>	Florida Department of Environmental Protection
<b>FDHRS</b>	Florida Department of Health and Rehabilitative Services
<b>FDOT</b>	Florida Department of Transportation
<b>FEFM</b>	Federal Emergency Flood Management
<b>FEMA</b>	Federal Emergency Management Agency
<b>FIRM</b>	Flood Insurance Rate Maps of the National Flood Insurance Program
<b>F.S. or FS</b>	Florida Statutes
<b>FmHA</b>	Federal Farmers Home Administration
<b>FLUE</b>	Future Land Use Element
<b>Gen. Ag.</b>	General Agriculture
<b>gpcd</b>	Gallons per capita per day
<b>gpm</b>	Gallons per minute
<b>HRS</b>	Florida Department of Health and Rehabilitative Services
<b>HSE</b>	Housing Element
<b>HUD</b>	United States Department of Housing and Urban Development
<b>ICE</b>	Intergovernmental Coordination Element

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<b>IFAS</b>	Institute of Flood and Agriculture Services – State
<b>INF</b>	Infrastructure Element
<b>ISR</b>	Impervious Surface Ratio
<b>lbs.</b>	pounds
<b>LDR(s)</b>	Land Development Regulation(s)
<b>LEED</b>	Leadership in Energy and Environmental Design
<b>LID</b>	Low Impact Development
<b>Lim. Ag.</b>	Limited Agriculture
<b>LOS</b>	Level of Service
<b>Manuf.</b>	manufactured
<b>MCL</b>	maximum contamination level
<b>MSA</b>	Metropolitan Statistical Area
<b>PL</b>	Public Law – Federal
<b>Pop.</b>	Population
<b>P.S.I. (p.s.i):</b>	Pounds per square inch.
<b>PUD(s)</b>	Planned Unit Development(s)
<b>QWIP</b>	Quality of Water Improvement Project – Water Management Districts
<b>ROE</b>	Recreation / Open Space Element
<b>ROW(s)</b>	Right(s) of Way
<b>RPC</b>	Regional Planning Council
<b>RV</b>	Recreational Vehicle
<b>SCS</b>	see US SCS
<b>SFCC</b>	South Florida Community College
<b>SOR</b>	Save Our Rivers – Program of the Water Management Districts
<b>SR #</b>	State Road #
<b>SWFWMD</b>	Southwest Florida Water Management District
<b>SWIM</b>	Surface Water Improvement Management
<b>SWMC</b>	Solid Waste Management Center
<b>SWUCA</b>	Southern Water Use Caution Area
<b>TAC</b>	Technical Advisory Committee
<b>TCE</b>	Traffic Circulation Element
<b>TDR(s)</b>	Transfer of Development Right(s)
<b>US</b>	United States
<b>USDA</b>	United States Department of Agriculture
<b>US SCS</b>	United States Soil Conservation Service
<b>WIC</b>	Women, Infants, and Children – Program of HRS
<b>WMD(s)</b>	Water Management District(s)
<b>WSFWP</b>	Water Supply Facilities Work Plan
<b>WUCA(s)</b>	Water Use Caution Area(s)

**Chapter 360.3151, FS** - Florida's Local Government Comprehensive Planning and Land Development Regulation Act, (a/k/a the Growth Management Act)

**Chapter 380, FS** - Florida's Local Land and Water Management Act, (includes DRI procedures)

# Hardee County

## 2030 Comprehensive Plan



**Administration**

**Updated October 2010**

**ADMINISTRATION**

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**SECTION 1:  
REQUIREMENTS FOR CONCURRENCY**

Hardee County shall require that all development meet the requirements of concurrency, except for those developments that have been issued a development order or development permit by the County prior to adoption of the original Comprehensive Plan on April 11, 1991 and have begun construction and are continuing construction in good faith. Development rights determined to be vested shall be subject to concurrency as outlined in this comprehensive plan. Pursuant to the requirements for concurrency, as established in §9J-5.0055(2) FAC, the following shall meet the requirements for concurrency:

**MINIMUM REQUIREMENTS FOR CONCURRENCY.** The County's concurrency management system shall ensure that public facilities and services needed to support development are available concurrent with the impacts of such developments.

- (a) For potable water, sewer, solid waste, and drainage, at a minimum, provisions in this comprehensive plan ensure that the following standards will be met will satisfy the concurrency requirement:
  - 1. The necessary facilities and services are in place at the time a development permit is issued; or
  - 2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
  - 3. The necessary facilities are under construction at the time a permit is issued; or
  - 4. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Rules 9J-5.0055(2)(a)1.-3. FAC. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.

- (b) For parks and recreation, Hardee County may satisfy the concurrency requirement by complying with the standards in Rules 9J-5.0055(2)(a)1.-4. FAC or by complying with comprehensive plan provisions that ensure that the following standards will be met:
1. At the time the development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services within one year of the issuance of the development permit; or
  2. The necessary facilities and services are guaranteed in an enforceable development agreement that requires the commencement of the actual construction of the facilities or the provision of services within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.
- (c) For roads and mass transit designated in the adopted plan, Hardee County may satisfy the concurrency requirement by complying with the standards in Rules 9J-5.0055(2)(a)1.-4. and (2)(b)1. and 2., FAC. In addition, in areas in which Hardee County has committed to provide the necessary public facilities and services in accordance with its five-year schedule of capital improvements, the County may satisfy the concurrency requirement for roads and mass transit by the adoption and implementation of a concurrency management system based upon an adequate capital improvements program and schedule and adequate implementing regulations which, at a minimum, include the following provisions:
1. A capital improvement element and a five-year schedule of capital improvements which, in addition to meeting all of the other statutory and rule requirements, must be financially feasible. The capital improvements element and schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program.
  2. A five-year schedule of capital improvements which must include both necessary facilities to maintain the adopted level of service standards to serve the new development proposed to be permitted and the necessary facilities required to eliminate those portions of existing deficiencies which are a priority to be eliminated during the five-year period under the local government plan's schedule of capital improvements pursuant to Rule 9J-5.016(4)(a)1. FAC.
  3. A realistic, financially feasible funding system based on currently available revenue sources which must be adequate to fund the public facilities required to serve the development authorized by the development order and development permit and which public facilities are included in the five-year schedule of capital improvements.

4. A five-year schedule of capital improvements which must include the estimated date of commencement of actual construction and the estimated date of project completion.
  5. A five-year schedule of capital improvements which must demonstrate that the actual construction of the road or mass transit facilities and the provision of services are scheduled to commence in or before the third year of the five-year schedule of capital improvements.
  6. A provision that a plan amendment would be required to eliminate, defer or delay construction of any road or mass transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the five-year schedule of improvements.
  7. A requirement that Hardee County must adopt local development regulations which, in conjunction with the capital improvements element, ensure that development orders and permits are issued in a manner that will assure that the necessary public facilities and services will be available to accommodate the impact of that development.
  8. A provision that a monitoring system shall be adopted which enables Hardee County to determine whether it is adhering to the adopted level of service standards and its schedule of capital improvements and that the County has a demonstrated capability of monitoring the availability of public facilities and services.
  9. A clear designation within the Hardee County Comprehensive Plan of those areas within which facilities and services will be provided by the County with public funds in accordance with the five-year capital improvements schedule.
- (d) In determining the availability of services or facilities, a developer may propose and Hardee County may approve developments in stages or phases so that facilities and services needed for each phase will be available in accordance with the standards required by Rules 9J-5.0055(2)(a), (2)(b) and (2)(c) FAC.
- (e) For the requirements of Rules 9J-5.0055(2)(a), (2)(b) and (2)(c) FAC, Hardee County must develop guidelines for interpreting and applying level of service standards to applications for development orders and permits and determining when the test for concurrency must be met. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of development.

**Issuance of Development Orders or Permits**

The concurrency management system shall ensure that all development can meet the requirements for concurrency prior to the issuance of a local development order or permit. The determination that concurrency can be met shall occur after the submission of a satisfactorily sufficient application for development, within a specified timeframe to be established in the concurrency management system but prior to the final approval of a proposed development. All applicants for development orders or permits shall be required to provide all information deemed necessary by the County so that the impacts of the proposed development may be accurately assessed. Once the County has determined that a proposed development meets the requirements for concurrency, and has been issued a local development order or permit, the County shall not revoke that development order or permit because of a subsequent facility capacity deficiency, unless the proposed development would cause unhealthy or unsafe conditions, or unless the proposed development was issued a development order or permit under erroneous information supplied by the proposed developer, or unless the proposed developer fails to meet the conditions of approval of the development order or permit once construction has begun. In this latter situation, certificates of occupancy may also be denied.

The concurrency management system shall also establish a time limit by which construction must commence, and conditions for development to continue in good faith, in order to maintain the public facility capacity allocated to the approved development. Failure to commence construction within the designated timeframe, or failure to continue development in good faith, may result in the forfeiture of the public facility capacity allocated to the approved development.

Hardee County shall annually determine the available capacity for public facilities for which the County has operational or maintenance responsibility, and for state and federal roads. Owners or operators of public facilities not operated, maintained or owned by the County shall supply the County with available capacity information annually, or as otherwise reasonable depending on development activity that requires the use of such a facility.

**Applicable Goal, Objective and Policy Statements**

In addition to the basis for the County's Concurrency Management System as outlined in this section, individual objectives and policies throughout the Hardee County Comprehensive Plan establish level of service standards and otherwise support and implement the concurrency doctrine.

## **SECTION 2: MONITORING AND EVALUATION**

### **Citizen Participation**

A citizen participation program shall be employed during the evaluation and appraisal of the Hardee County Comprehensive Plan. The citizen participation program will be substantially comparable to the program used for initial adoption of the comprehensive plan.

In order to maintain public awareness of the county's progress, the local news media will be notified of public meetings in which the Evaluation and Appraisal Report and update of the comprehensive plan will be discussed. Notices of such meetings shall also be posted in the County Courthouse.

Copies of information, data and reports prepared during the evaluation, appraisal and update will be on file at the County Courthouse, as they become available, for public inspection and review.

Written comments concerning the evaluation, appraisal and updating of the County's Comprehensive Plan will be encouraged.

Receipt of responsible written comments will be acknowledged in writing.

### **Updating Baseline Data and Objectives**

Assisted by the County staff, the Planning and Zoning Commission, acting as the LPA, will update appropriate baseline data upon which the Plan in effect at that time was developed. This update of the underlying base data will entail incorporation of newly available data from sources such as:

- a. population estimates and projections from the University of Florida, Bureau of Economic and Business Research;
- b. demographic and economic data available from the 2000 U.S. Census;
- c. land use changes recorded by the County;
- d. traffic counts and levels of service recorded by the Florida Department of Transportation;
- e. available water, sewer, or solid waste generation or utilization information recorded by the County; and,
- f. other pertinent data or information which can be obtained without primary research.

The LPA will review each of the measurable objectives and policies identified in the plan to be accomplished in the five-year period being reviewed and will note the degree to which each objective or policy has been met by the County.

**Accomplishments**

Based on the assessment of the plan's measurable objectives, the LPA will note the degree to which the plan's goals, objectives, and policies were successfully implemented. The LPA will also note the obstacles and problems that retarded the achievement of goals, objectives, and policies.

The LPA will assess the entire comprehensive plan, including the updated base data, its determinations regarding the extent to which the plan's goals, objectives, and policies have been met, and any reasons for identified under-achievement, and propose to the Board of County Commissioners new or modified goals, objectives, or policies appropriate to the circumstances of the County.

**Monitoring**

On an annual basis, the Local Planning Agency shall review the proposed Five-Year Schedule of Capital Improvements to determine consistency with the plan's Capital Improvements Element. The LPA will review the Five-Year Schedule for:

- a. updating, based on changes in expected population, completion of scheduled projects, and changes in land use;
- b. consistency with other comprehensive plan elements;
- c. project prioritizing;
- d. means of correcting any identified deficiencies;
- e. the progress of the private development community in meeting the requirements expressed in the comprehensive plan;
- f. the County's ability to maintain adopted level of service standards;
- g. the progress of the County in meeting its comprehensive plan commitments;
- h. the effectiveness of the County's concurrency management system; and
- i. the effectiveness of the County's coordination with other governmental agencies providing facilities and services within the County.

The LPA shall report to the County's budget officer and to the Board of County Commissioners regarding its findings prior to the annual amendment to the Five-Year Schedule of Capital Improvements.

**SECTION 3:  
PUBLIC PARTICIPATION**

The State of Florida, pursuant to s. 163.3181, Florida Statutes and s. 9J-5.004 FAC has established the following requirements to assure citizen participation in the local government planning process:

**Public Participation in the Comprehensive Planning Process, s. 163.3181, FS**

- (1) It is the intent of the Legislature that the public participates in the comprehensive planning process to the fullest extent possible. Towards this end, local planning agencies and local government units are directed to adopt procedures designed to provide effective public participation in the comprehensive planning process and to provide real property owners with notice of all official actions which will regulate the use of their property. The provisions and procedures required in this act are set out as the minimum requirements towards this end.
- (2) During consideration of the proposed plan or amendments thereto by the local planning agency or by the local governing body, the procedures shall provide for broad dissemination of the proposals and alternatives, opportunity for written comments, public hearings as provided herein, provisions for open discussion, communications programs, information services, and consideration of and response to public comments.

**Public Participation, s. 9J-5.004 FAC**

- (1) The local governing body and the local planning agency shall adopt procedures to provide for and encourage public participation in the planning process, including consideration of amendments to the comprehensive plan and evaluation and appraisal reports.
- (2) The procedures shall include the following:
  - (a) Provisions to assure that real property owners are put on notice, through advertisement in a newspaper of general circulation in the area or other method adopted by the local government, of official actions that will affect the use of their property;
  - (b) Provisions for notice to keep the general public informed;
  - (c) Provisions to assure that there are opportunities for the public to provide written comments;
  - (d) Provisions to assure that the required public hearings are held; and
  - (e) Provisions to assure the consideration of and response to public comments.

## **Public Participation Procedures**

The State of Florida, under Section 9J-5.004, Florida Administrative Code, requires that local governments adopt procedures that provide for and encourage public participation in the local comprehensive planning process. The adopted procedures shall also allow for participation in the consideration of comprehensive plan amendments and evaluation and appraisal reports.

To ensure compliance with these requirements, Hardee County assessed its existing public participation procedures and made the following determinations:

1. Hardee County currently has locally adopted procedures which assure that real property owners are put on notice of any official action which will affect the use of their land. The County places advertisements of any official action in a newspaper of local circulation. The County also does a direct mailing to all landowners with property contiguous to the property where official action is proposed.
2. Hardee County has locally adopted procedures which assure that all meetings of the Board of County Commissioners and the Planning and Zoning Commission are advertised in a newspaper of local circulation. Also, the County advertises all planning or planning related workshops and presentations.
3. Hardee County has reviewed and understands the requirements of Subsection 163.3184, Florida Statutes, concerning required public hearings. The County will adhere to all state and local requirements and public notices.

## **Public Participation in the Development of the Hardee County Comprehensive Plan**

All of the requirements of Chapter 9J-5 FAC and Chapter 163 FS regarding public participation in the development of the Hardee County Comprehensive Plan have been met.

Two general workshops were held during the development of the proposed amendments to the Comprehensive Plan. The purpose of these workshops was to obtain input and feedback from the citizens of Hardee County regarding their Comprehensive Plan and its effectiveness in implementation. The workshops were advertised in the local newspaper and notices were posted at the County Courthouse.

All meetings of the Planning and Zoning Commission and the Board of County Commissioners were advertised in a local newspaper, or had notice posted at the County Courthouse. Local newspapers were notified of all meetings. All meetings allowed public input, discussion and questions regarding the Comprehensive Plan. Written comments were expressly mentioned as desirable and appropriate and were appropriately discussed.

It is the opinion of Hardee County that adequate notice was given of all meetings, and adequate advertisements given of public hearings; that real property owners were adequately put on notice through newspaper advertisements, press coverage and properly posted notices; that the general public was similarly given adequate opportunity to be informed of the Comprehensive Plan proceedings; that the public was adequately invited to submit written comments; that the required public hearings were held with appropriate advertisement; that the adoption public hearing will be held with appropriate advertisement; that public comments were received and discussed with appropriate action taken on such comments; and that sufficient information and draft copies of the Comprehensive Plan or portions thereof were distributed and otherwise made available to property owners and the general public of Hardee County.

### **Ongoing Public Participation**

Upon adoption of the Hardee County Comprehensive Plan, public participation shall continue as the plan is amended and refined over time. The public shall be encouraged to participate in amendments to the plan. All meetings or workshops will be publicly held, with adequate notice given through newspaper advertisements, posted notices, or other appropriate means. Public comments shall be encouraged at public meetings or in writing. Due consideration shall be given to all comments received. At a minimum, notices and other public participation procedures shall meet the requirements as established in Chapter 163, FS and other applicable statutes regarding public meetings, and all applicable implementing rules of the State of Florida.