

ORDINANCE NO. O-17-30

AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER HAVEN, FLORIDA, TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE O-08-41; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. (General Location: A vacant parcel located at the northeast corner of Country Club Road and Webb Road. The area covered by this request is 19.2± acres.)

WHEREAS, there has been a request to amend an existing Planned Unit Development (PUD), and;

WHEREAS, the action will further the general health, safety, and welfare and be a benefit to the City as a whole, and;

WHEREAS, the requested zoning is consistent with the Future Land Use Element of the 2025 Winter Haven Comprehensive Plan.

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

1. That Chapter 21 of the Code of Ordinances of the City of Winter Haven, Florida, is hereby amended to amend Planned Unit Development Ordinance O-08-41 as further described in Exhibit "A" attached hereto and made a part of this ordinance.

2. The amendment of Planned Unit Development Ordinance O-08-41 is subject to the following conditions:

A. Permitted Uses.

Uses shall be limited to a maximum of 78 detached single-family residential units and typical ancillary uses.

B. Building Standards. All development shall adhere to the following standards:

Building Standard			Requirement
Lot/Parcel Area			Minimum 6,000 square feet
Lot Width			Minimum 50 feet
Building Setback	Front	Living Area, Porch, or Side Entry Garage	Minimum 15 feet
		Front Entry Garage	Minimum 22 ½ feet
	Corner Lot Side Street		Minimum 15 feet
	Side		Minimum 5 feet
	Rear		Minimum 20 feet
	Building Height		
Accessory Structures	Setbacks	Side	Minimum 3 feet
		Rear	Minimum 3 feet
	Area		Maximum 10% of lot area up to 750 square feet

C. Landscaping.

1. A landscape buffer shall be provided along Country Club Road in accordance with the table below.

Type of Plantings	Number of Required Plantings per 100 Feet of Frontage
Overstory Tree	0
Understory Tree	3
Large Shrub	5
Small Shrub	0
Fence or Wall Requirement	Minimum 4 feet with Columns up to 7 feet

2. A minimum of one tree shall be planted in the front and rear yard of each single-family lot at the time the house on the lot is constructed. Trees shall measure a minimum of 1 ¼ inches in caliper (DBH) and shall be one of the species contained in the table below. No one species shall be used for more than 33 percent of the required trees. Front yard trees shall be planted no further than 5 feet from the utility easement line and no closer than 5 feet from an underground water, sewer, reuse, or electric line; however, no tree shall be planted within a utility easement.

Permitted Tree		Permitted Yard
Common Name	Botanical Name	
Live oak	<i>Quercus virginiana</i>	Rear yard only
Shumard oak	<i>Quercus shumardii</i>	Front or rear yard
Sand live oak	<i>Quercus geminata</i>	Front or rear yard
Red maple	<i>Acer rubrum</i>	Front or rear yard
Sycamore	<i>Plantanus occidentalis</i>	Rear yard only
Sweetgum	<i>Liquidambar styraciflua</i>	Rear yard only
Pignut hickory	<i>Carya glabra</i>	Rear yard only
Scrub hickory	<i>Carya floridana</i>	Rear yard only
Florida elm	<i>Ulmus americana</i> var. <i>floridana</i>	Front or rear yard
Winged elm	<i>Ulmus alata</i>	Front or rear yard
Chinese elm	<i>Ulmus parvifolia</i>	Front or rear yard
Crape myrtle	<i>Lagerstroemia indica</i>	Front yard only
Tabebuia	<i>Tabebuia chrysotricha</i> <i>Tabebuia heptaphylla</i> <i>Tabebuia impetiginosa</i>	Front or rear yard
Sand pine	<i>Pinus clausa</i>	Front or rear yard
East Palatka holly	<i>Ilex attenuata</i>	Front or rear yard
Chichasaw plum	<i>Prunus angustifolia</i>	Front or rear yard
Ligustrum tree	<i>Ligustrum recurvifolium</i>	Front yard only

Trees shall be installed by the homebuilder prior to issuance of a Certificate of Occupancy.

3. The use of turf grass shall be restricted to a maximum of 70% of the total landscaped areas. Remaining areas not being used as driveways, sidewalks, patios/decks, swimming pools, or accessory structures shall be in the form of mulched landscape planting beds or rain gardens. High volume irrigation can only be used for turf and low flow irrigation will be used for the mulched planting areas. All turf grass shall be restricted to drought resistant varieties.
4. The use of Florida Friendly plantings shall be required.

D. Signs.

1. Signs identifying the subdivision shall be limited to monument signs or wall signs totaling 32 square feet or less in area. Monument signs shall not exceed 6 feet in height.

E. Transportation.

1. For publicly maintained streets, the internal street right-of-way shall be a minimum of 50 feet in width. Internal roadway pavement shall be a minimum of 20 feet wide with a curb and gutter drainage system. Privately maintained streets may utilize a minimum 40-foot wide right-of-way; however, should privately maintained streets be utilized, the following note shall be placed on the subdivision plat:

“Notice: This subdivision contains private roadways owned and maintained by the lot owners of this subdivision. Maintenance of these roadways, including the pavement, sidewalks, drainage infrastructure, street lighting (including monthly electric usage charges), access gates, and signage shall be the responsibility of the homeowners’ association, or in the absence of an association, the lot owners of record.”

2. The developer shall dedicate sufficient right-of-way along Country Club Road to allow for 40 feet to the centerline of the right-of-way.
 3. The developer shall dedicate sufficient right-of-way along Webb Road to allow for 25 feet to the centerline of the right-of-way.
 4. 4-foot sidewalks shall be installed along both sides of all internal streets. The sidewalks shall be installed by the homebuilder at the time the adjacent home is constructed and prior to the issuance of a Certificate of Occupancy. Sidewalks adjacent to common areas shall be installed by the developer prior to the City’s final acceptance of subdivision infrastructure.
 5. A 6-foot sidewalk shall be installed along the subdivision’s frontage with Country Club Road. This sidewalk shall be installed by the developer prior to the City’s final acceptance of subdivision infrastructure.
 6. Internal street lighting shall be installed at intervals no greater than one light per 350 linear feet of roadway. Street lighting shall utilize energy efficient cobra head light fixtures with cut-off luminaires. Street lighting installed at closer intervals, utilizing decorative light fixtures, or installed on privately maintained streets shall be maintained at the expense of the developer or homeowners’ association. All street lighting shall be installed prior to the City’s final acceptance of subdivision infrastructure.
 7. A single external street light shall be installed at the subdivision’s intersection with Country Club Road. The streetlight shall utilize an energy efficient cobra head light fixture with a cut-off luminaire.
 8. At the developer’s option, a secondary entrance onto Webb Road may be permitted provided Webb Road is paved from Country Club Road to the entrance, and a minimum 5-foot sidewalk is constructed along the roadway.
- F. All retention, landscaping, and recreation areas shall be owned and maintained by the developer or homeowners’ association.

- G. The developer shall install an internal reclaimed water reuse system. This system shall be connected to the City's reuse main located on Country Club Road.
- H. A recreational amenity for the subdivision's residents shall be installed prior to the City's acceptance of the subdivision plat. The recreational amenity shall contain at least 15,000 square feet and at least one of the following items: playground with at least three (3) pieces of equipment, a public square with benches and landscaping, tennis courts (if lighted the light fixtures must utilize cut-off luminaires), or a swimming pool with a pool house.
- I. School concurrency shall be reviewed at the time of site plan submittal. Should school capacity at any level (elementary, middle, or high) not be available at the time of site plan review, the site plan shall not be approved unless the developer reaches a mitigation agreement with the Polk County School Board. Mitigation strategies shall be geared towards providing sufficient student stations to accommodate the number of students generated by the development within three (3) years of a signed agreement.
- J. All development shall be in general conformance with the conceptual site plan attached as Exhibit "B."
- K. All other code requirements shall apply.

3. This ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Commission of the City of Winter Haven.

4. All ordinances in conflict herewith are hereby repealed.

5. This Ordinance shall be effective immediately upon passage at second reading, provided; however, that such change shall first be noted on the official zoning map of the City of Winter Haven.

INTRODUCED on first reading this 10th day of July, 2017.

PASSED on second reading this 24th day of July, 2017.



ATTEST

Tanessa Castillo

CITY CLERK

CITY OF WINTER HAVEN, FLORIDA

[Signature]
MAYOR-COMMISSIONER

Approved as to form:

[Signature]
CITY ATTORNEY

Exhibit "A"



