City of Mulberry
Polk County, Florida

2030 Comprehensive Plan

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Prepared by the Central Florida Regional Planning Council
CITY OF MULBERRY
2030 COMPREHENSIVE PLAN

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CONCURRENCY MANAGEMENT SYSTEM
FUTURE LAND USE ELEMENT

GOAL: TO THE GREATEST EXTENT POSSIBLE, ENSURE A COMPATIBLE MIX OF LAND USES THAT MAINTAIN A QUALITY LIVING ENVIRONMENT AND ENHANCE THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

OBJECTIVE 1: LOCATION AND DENSITY CRITERIA; ESTABLISHMENT OF A FUTURE LAND USE MAP

THE CITY OF MULBERRY WILL ENSURE THAT THE LOCATION OF FUTURE LAND USES WILL BE GUIDED BY THE AVAILABILITY OF SUPPORTING FACILITIES AND SERVICES AS WELL AS THE APPROPRIATE SOIL CONDITIONS AND TOPOGRAPHY. THE CITY WILL ENSURE THAT GROWTH WILL BE DIRECTED TO APPROPRIATE AREAS AS DEPICTED ON THE FUTURE LAND USE MAP SERIES IN ORDER TO DISCOURAGE URBAN SPRAWL AND REDUCE GREENHOUSE GAS EMISSIONS. THROUGH THE APPLICATION OF ITS LAND DEVELOPMENT REGULATIONS, THE CITY WILL ALSO ENSURE THAT NEW DEVELOPMENT IS: CONSISTENT WITH SOUND PLANNING PRACTICES; SENSITIVE TO THE NATURAL LIMITATIONS OF THE SPECIFIC SITES TO SUPPORT DEVELOPMENT; CONSISTENT WITH THE ABILITY OF THE CITY TO MEET ITS ESTABLISHED LEVEL OF SERVICE STANDARDS; COMPATIBLE WITH THE PROTECTION OF NATURAL RESOURCES; AND COMPLEMENTARY TO THE EXISTING SOCIAL AND ECONOMIC ENVIRONMENT OF MULBERRY

Measurable Target: Land use changes classified and mapped according to the adopted classifications; CMS up to date; development located near city services.

Policy 1.1: Through the application of its land development regulations and the Future Land Use Map Series, the City will encourage and direct development to areas where public facilities and services are available or are projected to be available.

Policy 1.2: The City shall continue to maintain a Concurrency Management System that will: (1) permit development to occur only where adequate public or private facilities and services are made available concurrent with the impacts of development; and (2) issue a development order only where adequate public or private facilities and services have the design capacity to serve the development.
Policy 1.3: Through the implementation of a Concurrency Management System, the City will issue a development permit only if the adopted level of service standards, for those facilities that are available, are met.

Policy 1.4: Environmentally sensitive lands shall be defined as high aquifer recharge areas, public supply potable water wellfield protection areas, wetlands, floodplains, areas of critical state concern as defined by Chapter 380, F.S.; Natural Resources of Regional Significance, as delineated in the Strategic Regional Policy Plan of the Central Florida Regional Planning Council; and natural resources identified by State and Federal agencies. The City will continue to enforce its zoning and site plan review procedures to include development standards that limit the density and intensity of land use in areas where soils or topography are not conducive to development. The City's site plan review process will be used to evaluate soil conditions on a proposed development site, and will provide for appropriate design features to protect natural resources and the structural integrity of buildings and other facilities. The City shall require proposed developments to provide adequate information regarding the suitability of the soils for their intended use, in order to protect potable water wellfields and environmentally sensitive land.

Policy 1.5: The City will approve the location of new development on the basis of the suitability of the land to support such uses without adversely affecting natural resources, potable water wellhead protection areas, and environmentally sensitive land, using proper site plan review procedures and appropriate mitigation measures.

Policy 1.6: The City shall depict generalized land uses on the Future Land Use Map and Map Series. The City has determined it appropriate to depict educational uses, public buildings and grounds and other public facilities as one land use category on the Future Land Use Map. The City will depict the following natural resources or conditions on the Future Land Use Map or Map Series: 1) existing and planned public potable water wells and wellhead protection areas; 2) rivers, lakes and floodplains; 3) wetlands; and, 4) minerals and soils.

Policy 1.7: The City establishes the following land use categories for the purpose of managing future growth and to provide for the needs of its residents.

1) **Low-Density Residential**: Permitted uses include one single-family dwelling unit on each lot and structures accessory to the residential use. Minimum lot size shall be 7,500 square-feet; maximum density may not exceed five units per acre.

2) **High-Density Residential**: Permitted uses include single-family dwelling units, duplexes, and multi-family dwelling units, and
accessory structures. Minimum lot size shall be: 6,000 square-feet for single-family units, with a maximum density of seven units per gross acre; 7,500 square-feet for duplexes; 10,000 square-feet for multi-family dwelling units, or 16 units per gross acre.

3) **Manufactured Home Planned Development:** Permitted uses include dwelling units that are transportable in one or more sections, built on a metal frame and designed to be used as a residential dwelling with or without a permanent foundation, and noncommercial recreational facilities. Planned development projects shall include dwelling units designed as a component of a master development rather than as a single structure on a single lot. The overall density of a manufactured home planned development project shall not exceed eight (8) manufactured homes or manufactured home lots per gross acre. Development of Manufactured Home Planned Developments (MHPDs) shall also be subject to the following guidelines:

   a) MHPDs shall be located immediately adjacent to arterials or collectors, or provide a transition from a higher to a lesser density or intensity of use;

   b) Land uses shall be appropriately buffered within the MHPD, and the MHPD shall be appropriately buffered from adjacent land uses;

   c) MHPDs shall require a site plan, including a compatibility analysis of adjacent uses;

   d) Subject to compatibility criteria and site plan review, lower order services and goods, such as professional offices, financial institutions, convenience, grocery, and drug stores are permissible;

   e) Commercial land uses shall not exceed 25 percent of the total site; and

   f) A minimum of 10 percent of the total site shall consist of open space and/or passive recreation uses.

4) **Central Business District:** This classification permits the linear development of commercial activities along S.R. 37 and is designed
to prohibit retail establishments requiring large land areas for storage or display. Permits office and retail and provides a compatible transition between commercial and residential land uses. Proposed developments shall be individually evaluated and approvals shall be limited pending on a demonstrated need for such uses. The floor area ratio in this classification shall not exceed 2.0.

5) **Highway Commercial**: Permits office, retail, wholesale and related commercial activities that are conducive to commercial center development including big box retail grocery and general merchandise stores and home improvement/garden stores. Permits indoor recreation uses that require large land areas for large facilities such as bowling alleys and skating rinks. Permits more intensive commercial activities than Central Business District.

Frontage roads, shared access and other measures to maintain and improve level of service are required in this land use category. The floor area ratio in this classification shall not exceed 0.5.

6) **Industrial**: Permitted uses include manufacturing and processing activities, wholesale storage and warehousing. Designed to promote the efficient use of infrastructure and allow the location of new industries in areas with existing industrial land uses and supporting facilities. Designed to promote employment opportunities and to diversify the economic base. The floor area ratio in the Industrial category shall not exceed 1.0.

7) **Outdoor Recreation**: Permitted uses include publicly-owned and privately-owned properties that are open to recreation use by the general public for free or for an admission fee, such as: golf courses; tennis and racquetball centers and facilities; ballfields and associated concessions, parking and facilities; water sports; jogging and bike trails with exclusive right-of-way; motor sports tracks and recreation areas; and other similar facilities and uses. The map symbol shall be “OR” and shall be so designated on the Future Land Use Map. The approximate rate of Density/Intensity for this land use category shall not exceed one residential unit per ten acres for a caretaker; and 2,000 square feet of non-residential building area per acre.

8) **Public Buildings and Grounds**: Permitted uses include schools; government buildings; fire and police stations; with its associated buildings and grounds, such as community centers, city pools, parks, playgrounds, courts, ballfields, indoor recreation facilities, nature preserves; all city, county, state and national parks located within the City limits; and, open space. The floor area ratio for public buildings
shall not exceed 2.0; density shall not exceed one single family dwelling unit per ten acres for a caretaker on public recreation lands or on school grounds.

9) **Conservation:** The primary function of the Conservation designation is to protect natural resources, lake water quality and groundwater quality. The conservation designation includes land within wetlands and the 100-year floodplain. Residential, commercial, industrial and agricultural land uses are not permissible on lands designated Conservation. Recreational land uses, such as boat docks, trails, parks, and public beaches are permissible, provided that as little of the land as possible is disturbed during construction; and provided that the activity will not degrade or harm the natural resource. A residence for a park ranger or caretaker is permissible at one unit per twenty acres. The Floor Area Ratio is 0.001 for public conservation areas.

10) **Agriculture:** This district provides for rural, low intensity agricultural types of uses within the City limits of Mulberry. Specific development patterns will be determined by individual development site characteristics and the feasibility of providing public services and facilities, either by the city or by private developers. Permitted uses include agriculture and agriculture-related activities, public facilities and single-family residential. Residential densities shall not exceed one unit per five acres. Agricultural activities, such as ranching and farming, shall be permitted as the principal use and without a dwelling unit required.

11) **Residential Planned Unit Development:** The Residential Planned Unit Development future land use category is designed to allow for development not recognized by other land use categories in this Policy, consistent with density allocation and other policies in the Mulberry Comprehensive Plan. The intent of the category is to:

a) Permit planned residential communities having an overall integral development pattern;

b) Create an overall neighborhood approach to development;

c) Promote innovative development techniques and design flexibility;

d) Meet the City of Mulberry’s needs to encourage and allow for a range of housing opportunities and choices, including lot sizes, setbacks and accessory uses;
e) Allow the City of Mulberry to approve such uses where found appropriate in a particular location;

f) Encourage community and developer collaboration in development decisions.

Minimum standards for designating and developing a Residential Planned Unit Development land use:

1. A concept plan is submitted with the application for a land use map amendment showing consideration for existing development patterns and providing for compatibility and quality of existing and adjacent neighborhoods.

2. The plan promotes compact sustainable development, and encourages linkages of neighborhoods and open spaces to create a sense of place.

3. The plan provides accessible open space in the form of either active or passive recreational areas, including but not limited to parks, greens, or similar open space designs.

4. The development is required to provide central water and sewer facilities.

5. At the time of approval of the Master PUD Plan, lot sizes and dimensions, land use, lot coverage and/or floor area ratios, and impervious surface ratios are established.

6. Maximum gross density of the PUD site is 7.5 units per acre (which allows 50% above the City's Low Density land use classification).

7. Credit when calculated for gross density is given to undevelopable land within the site (lakes, wetlands) up to 50 percent.

8. Up to twenty percent (20%) of a PUD site may be set aside for public use (e.g. school site, utility facility, community parks or buildings.) The reserved public site area will be included when calculating gross
density of the PUD.

9. Clustering of density is allowed only where at least ten percent (10%) of the gross area is preserved in natural areas.

10. The maximum gross density of developable lands on any one neighborhood of one land use type within the PUD may not exceed 14 units per acre.

11. Lots for single-family detached homes must be at least 5,000 square feet in area.

Where a proposed Residential Planned Unit Development is subject to a recorded Development Agreement that puts an upper limit on the number of units to be allowed, the resulting maximum gross density of the overall PUD site will be mapped accordingly on the Future Land Use Map.

Policy 1.8: Public schools are allowed in all land use classifications except the City's Conservation classification. This provision applies to lands contiguous to existing schools and is meant to accommodate expansion of existing schools, as well as development of vacant land for new schools. Further, the City hereby encourages the collocation of public facilities such as parks, libraries, and community centers, with schools, when planning and reviewing a proposed site for new or expanded facilities, and shall adopt criteria for collocation in the Unified Land Development Code. [163.3177(6)(a)]

Policy 1.9: Wellhead protection areas shall be identified and shown on the City's Future Land Use Map in order to prohibit the establishment of new uses from locating within the identified zone of protection that may be a potential source of pollution to the potable water system. The City will prohibit existing uses within the Zone of Protection that use or create hazardous materials (such use is known as a nonconforming use) from being re-established once the use has ceased. Regulations and the procedures for administration of nonconforming uses are adopted within the Unified Land Development Code of the City of Mulberry.

Policy 1.10: The City will cooperate with SWFWMD in designating areas of high aquifer recharge to the Floridan Aquifer. Once identified and designated, environmentally sensitive areas of high aquifer recharge shall be shown as Conservation on the Future Land Use Map, where little or no development shall be allowed, in accordance with the Conservation Future Land Use Classification.
Policy 1.11: The City shall support the use of lands for agricultural purposes by allowing such uses within the City limits. Such uses shall be classified Agriculture or Low Density future land use classification. [187.201 (23), F.S.]

Policy 1.12: 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.]

Policy 1.13: The City shall undertake a visioning process, from time to time, of the future physical appearance and qualities of the city, as a component of this Comprehensive Plan. Upon doing so, the City shall review the comprehensive plan, land development regulations and capital improvement program to ensure that these instruments will help to move the city toward its vision. When undertaking a visioning process, the process shall be a collaborative planning process with meaningful public participation; and shall be adopted by the City Commission upon completion. [163.3167(11), F.S.]

Policy 1.14: To ensure that development taking place nearby but beyond the city limits of Mulberry is compatible with the City’s land use planning policies and future vision, the City shall request that adjacent governments provide notification of proposed amendments to their respective Comprehensive Plans which may affect land uses in areas adjacent to the City of Mulberry. The City Manager, or his/her designee, shall review and comment on such proposed amendments, and if a proposed amendment would create a conflict or otherwise impact Mulberry, the City shall transmit written comments and/or objections to that governmental entity regarding the nature of the City’s concern.

Objective 2: Redevelopment and Renewal of Blighted Areas; Downtown Revitalization

Mulberry shall protect the quality of its neighborhoods through continued code enforcement, site plan reviews, and the Community Development Block Grant Program for the renewal and redevelopment of blighted areas. The City, through the Polk County Community Development Block Grant Program and code enforcement activities, will rehabilitate or demolish and replace eight substandard housing units on an annual basis.
Measurable Target: Measure the change in the amount of substandard structures, both commercial and residential from the established base year; the change in the number of vacant commercial structures from the base year; and, the change in the total property value within the downtown area.

Policy 2.1: The City shall develop strategies to rehabilitate those areas targeted for redevelopment activities; which may include, but not be limited to (1) increased code enforcement activities; (2) removal of dilapidated structures to create space for infill development; and (3) coordination of infrastructure improvements with rehabilitation activities.

Policy 2.2: The City shall identify blighted areas of the city and, where necessary, prioritize redevelopment programs and activities.

Policy 2.3: The City shall continue to participate in the Polk County Community Development Block Grant program to achieve the demolition or rehabilitation of eight substandard structures on an annual basis.

Policy 2.4: The City shall protect its investment and continue to invest in its downtown by maintaining a schedule of routine maintenance and enforcing the city's minimum maintenance codes for property owners; and continue revitalization of the urban core through enforcement of the sign ordinance, beautification projects and incentive programs for revitalization of the downtown area.

Policy 2.5: The City will promote infill development and redevelopment as an important mechanism to revitalize and sustain its urban core by maintaining the existing land use map, which clearly identifies vacant parcels.

Objective 3: Elimination of Incompatible Uses

The City shall eliminate existing land uses and zoning that are inconsistent with the land use classifications of the comprehensive plan.

Measurable Target: Number of nonconforming uses eliminated during the planning period.

Policy 3.1: Land development regulations shall specify criteria for determining nonconforming uses, including damage or destruction to structures or cessation of activity, and the appropriate action to regulate or eliminate nonconforming uses.
Policy 3.2: The City will identify all existing land uses that are not compatible with the Future Land Use Element and Comprehensive Plan.

Policy 3.3: The City shall review and amend its Land Development Regulations to establish compatibility criteria for adjacent land uses. These criteria will provide adequate separation or protection between existing land uses and proposed land uses of a different type which could have adverse impacts on previously approved development. The City Commission shall assess and consider these adverse impacts in its zoning decisions, site plan approvals, and other regulatory actions. Mechanisms for ensuring compatibility between adjacent land uses may include:

1) setback requirements;
2) landscape buffering requirements;
3) walls or fences;
4) performance standards;
5) access control; and
6) other requirements as determined by the City Commission.

In formulating and implementing its compatibility criteria, the City shall give primary consideration to preserving the integrity of residential neighborhoods, discouraging crime and civil disorder, protection of property values, and preservation of natural resources. However, this policy shall not be interpreted to protect land uses or activities which are illegal or which have been established without proper authorization from the City. In addition, this policy shall not confer special status or protection on land uses which are nonconforming to adopted City codes or otherwise inconsistent with the Comprehensive Plan.
OBJECTIVE 4: PROTECTION OF HISTORIC RESOURCES

AS A PART OF THE CITY'S LAND DEVELOPMENT REGULATIONS, THE CITY OF MULBERRY SHALL ADOPT AND ENFORCE STANDARDS AND PROGRAMS THAT PROTECT HISTORICALLY SIGNIFICANT RESOURCES.

Measurable Target: number of units identified as locally significant and designated, per year, during the planning period.

Policy 4.1: The City shall promote investment and reinvestment in older neighborhoods to prevent deterioration and to protect structures of historical significance.

Policy 4.2: The City shall condition development approval to the development's compatibility with existing land uses and its effect on historic resources.

Policy 4.3: The City of Mulberry shall annually consider local designation of historically significant properties within the City limits. Criteria for local designation of historically significant properties will be included in the City's development code. All sites listed on the Florida Master Site File or the National Register shall be considered for local designation. Local designation of sites or structures, as well as authorization for the demolition or alteration of locally designated sites or structures, shall be by action of the City Commission. This procedure does not replace or diminish established procedures for the alteration or demolition of structures or sites in the City, but is an additional safeguard to protect structures and sites designated by the City Commission as meriting protection.

OBJECTIVE 5: PROTECTION OF NATURAL RESOURCES

THE CITY OF MULBERRY SHALL CONTINUE TO ENFORCE DEVELOPMENT REVIEW STANDARDS TO ENSURE THE PROTECTION AND CONSERVATION OF ENVIRONMENTALLY SENSITIVE LAND WITHIN THE CITY.

Measurable Target: number of acres designated for protection during the planning period.

Policy 5.1: Environmentally sensitive lands, identified herein as high aquifer recharge areas, public supply potable water wellfield protection areas, wetlands, floodplains, areas of critical state concern as defined by Chapter 380, F.S., and Natural Resources of Regional Significance, as delineated in the Strategic Regional Policy Plan of the Central Florida Regional Planning Council, shall be protected through the application of the City's zoning
and site plan review regulations, which shall regulate the density and intensity of use, and shall incorporate techniques such as protective buffering and cluster development to protect and preserve these resources.

**Policy 5.2:** The City establishes the *Zone of Protection* around its wellheads, in accordance with the Polk County Wellhead Protection Area Delineation Project written by the Southwest Florida Management District in October 1993, and this zone shall be depicted on the Future Land Use Map around each wellhead. This area shall be known as the *Zone of Protection* and includes a 1-year, 5-year and 10-year time-of-travel delineated area as established by the aforementioned report.

**Policy 5.3:** The City shall enforce development regulations that limit the location of incompatible uses that use or store hazardous substances in those areas that are determined susceptible to pollution of the City’s potable water well fields based on the Polk County Wellhead Protection Area Delineation Project, and the requirements of Chapters 62-521 and 62-555, F.A.C.

**Policy 5.4:** The City shall regulate development proposed to be located within the floodplains and wetlands as generally designated on the City's Flood Hazard Areas Map and its Wetland Areas Map. The City may approve such proposed development if no significant alteration of functions of the floodplains or wetlands will occur; and if protection is provided for potable water wellfields and environmentally sensitive land.

**Policy 5.5:** Property owners and developers shall be responsible for the on-site management of runoff to ensure that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

**Policy 5.6:** The City shall require developers to obtain all required permits from the US Army Corps of Engineers, Florida Department of Environmental Protection, the Southwest Florida Water Management District, and the Polk County Health and Rehabilitative Services when a proposed development: 1) is located within the 100 year floodplain as delineated by the Federal Emergency Management Agency; 2) contains jurisdictional wetlands designated by the Florida Department of Environmental Protection and/or the Southwest Florida Water Management District, or wetland areas identified on National Wetlands Inventory maps completed by the U.S. Department of the Interior, Fish and Wildlife Service; or 3) contains soils rated as having "severe limitations" by the Polk County Soil Conservation Service. The City shall require evidence of appropriate permits from state or federal regulatory agencies prior to the issuance of a development permit.

**OBJECTIVE 6: PREVENT PROLIFERATION OF URBAN SPRAWL**
MULBERRY SHALL ENFORCE LAND DEVELOPMENT REGULATIONS WHICH DISCOURAGE URBAN SPRAWL, EFFECTIVELY MANAGE GROWTH, ESTABLISH STANDARDS FOR DENSITIES AND INTENSITIES OF DEVELOPMENT, AND OTHERWISE IMPLEMENT THE CITY OF MULBERRY COMPREHENSIVE PLAN.

URBAN SPRAWL SHALL BE DISCOURAGED BY MAXIMIZING THE USE OF EXISTING PUBLIC FACILITIES AND SERVICES, AND BY COORDINATING WITH POLK COUNTY TO LIMIT THE EXTENSION OF MUNICIPAL FACILITIES IN THE UNINCORPORATED COUNTY.

Measurable Target: number of developments brought into the city rather than into the county to diffuse urban sprawl.

Policy 6.1: The expansion of supporting infrastructure, public facilities and services will be given priority in those unserved areas of the City considered most suitable for development. The City will promote infill in these areas and limit annexations through timing and location of infrastructure, use of mixed land uses, urban growth boundaries, restrictions on subdividing land, density and intensity incentives to promote compact growth and clustering requirements.

Policy 6.2: The City shall maximize the use of its existing potable water and sewer facilities by prioritizing extensions to unserviced areas of the City. Priority for the expansion of municipal water and sewer facilities shall be given to: legal obligations; existing development that is in or adjacent to Mulberry; new development in or adjacent to Mulberry; and new development that will contribute to the tax base through higher densities or intensities of land use.

Policy 6.3: The City shall create a development pattern that is formed around the Smart Growth practices and greenhouse gas reduction strategies. To accomplish this, the City shall:

1) Establish, promote, and incentivize well-designed urban environments that create vibrant, livable places to live, work, and play, and incorporate design features that promote green building principles

2) Encourage compact and medium scale development, particularly of unique design to enhance Mulberry’s urban character.
3) Provide for a greater variety of allowable development patterns, which encourage good community design and which reflect the character of the surroundings.

4) Incorporate urban design principles into new development patterns to achieve a higher concentration and more diverse mix of housing, employment, and transportation options.

5) Promote lot clustering so as to not preclude future urban development.

6) Promote a range of uses in close proximity to each other. These uses shall include, but are not limited to: mixed density housing with a variety of housing options, local-serving goods and services, civic uses, and employment generators.

7) Reinforce and enhance neighborhood and community edges with either natural open space or urban enhancements (streetscape improvements, public art, landscape and architectural themes) to celebrate gateways and entrances.

8) Review and adjust remaining future land use capacities of the Comprehensive Plan, population, and employment, subject to the evaluation of their impacts.

9) In support of the 2035 Polk County Mobility Plan, the City shall require new development and redevelopment to conform with the following criteria:

a) Provide access to transit facilities, available now or anticipated in the future;

b) Integrate pedestrian-oriented features, including sidewalks, trail, or walkways into all development including pedestrian shelters or awnings;

c) Provide accesses to civic space, parks, green areas, and open space and other amenities;

d) Be supported by public safety (fire, EMS, law enforcement); and

e) Have access to public schools.
OBJECTIVE 7: LAND DEVELOPMENT REGULATIONS AND URBAN FORM

Mulberry shall permit innovative development techniques such as planned unit developments, cluster developments, density bonuses, on-site traffic control, and limitations of driveway and road access to arterial and collector highways. The City's land development regulations shall set forth the criteria for utilizing such development techniques.

Measurable Target: number of non-residential uses added in residential areas; number of developments built without city services.

Policy 7.1:
The City shall enforce its land development regulations that establish development controls and standards, and a review process conducted by City officials that implements established levels of service and other technical standards to ensure that adequate public facilities and services are available concurrent with the impacts of new development. Such controls and standards address the following:

1) Regulate the subdivision of land;
2) Regulate the use of land in a manner consistent with this Future Land Use Element and ensure the compatibility of adjacent land uses;
3) Provide for open space in a manner consistent with the recreation and open space element;
4) Protect lakes, wetlands and floodplains, and other environmentally sensitive areas, formerly mined land, and agricultural land;
5) Regulate areas subject to periodic flooding;
6) Protect historically significant properties and archeological resources;
7) Protect potable water wells and aquifer recharge areas;
8) Provide regulations to encourage the use of innovative development techniques by providing provisions for planned unit development, cluster and zero lot line development and new urbanism development;
9) Regulate signs within the City limits. At a minimum, this provision shall establish the frontage requirement for signs, and define terms within the provision to clarify its intent;

10) Regulate parking, vehicular site access, and on site traffic flow, through the adoption and continued enforcement of design standards for new construction; and

11) Provide that development orders and permits will not be issued that will result in a reduction of the level of service for the affected public facilities below the level of service standards established in this Comprehensive Plan, including the level of service standards listed within the following Elements:

   a. Infrastructure Element
   b. Transportation Element
   c. Capital Improvements Element
   d. Public School Facilities Element

Policy 7.2: Subdivisions shall be designed to include an efficient system of internal traffic circulation. All lots should be accessed to an internal street system, and the development periphery should be buffered from roads and incompatible land uses.

Policy 7.3: Mulberry shall require developers and property owners to provide open space and protect natural resources. To assist in the implementation of this policy, the City shall provide for innovative techniques such as "cluster development" in its land development regulations.

Policy 7.4: Mulberry shall enforce its land development regulations measures that control access to arterial and collector roadways. Shared access and frontage/back lot parallel access roads shall be required where feasible.

Policy 7.5: The City will ensure that development of areas adjacent to S.R. 60 and C.R.37 shall be in conformance with an agreement to mitigate traffic impacts between the City of Mulberry, City of Lakeland, Polk County, and the Florida Department of Transportation. At a minimum, this interlocal agreement should address access management, facility design options, right of way needs, and on site traffic flow.
OBJECTIVE 8: COORDINATION WITH THE OBJECTIVES AND PROGRAMS IN POLK COUNTY’S LOCAL MITIGATION STRATEGY

THROUGH HAZARD MITIGATION ACTIONS AND IN COORDINATION WITH THE COUNTYWIDE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN, THE CITY WILL ENDEAVOR TO BECOME A SUSTAINABLE COMMUNITY WITH RESPECT TO REDUCING OR ELIMINATING LONG TERM RISK TO LIFE AND PROPERTY FROM FUTURE HAZARDS.

Measurable Target: number of repetitive loss areas mitigated; activities involved in complying with and maintaining the Local Mitigation Strategy.

Policy 8.1: As proposed future land use activities are presented to the City for actions, they shall be coordinated with any appropriate resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes, (Developments of Regional Impact), in an effort to reduce potential conflicts.

Policy 8.2: The City, through the implementation of its land development regulations, will ensure that development approvals are consistent with the goals and objectives of the Polk County Local Mitigation Strategy, (LMS), as amended. In so doing, the City shall specifically limit the extension of infrastructure to areas of repetitive loss due to natural hazards, especially within any 100-year floodplain or wetland area.

Hazard mitigation actions shall be aimed at reducing or eliminating the long term risk to life and property from future hazards and their effects, building a sustainable community, and breaking the repetitive cycle of injury, property damage and rebuilding caused by disasters.

Policy 8.3: The City shall identify and include in the 5-Year Capital Improvements Plan equipment and facility improvements needed to insure the delivery of municipal services during and after a natural disaster such as hurricane or flood; and to maintain traffic flow on all key roadways and at critical intersections during heavy rainfall events.

Policy 8.4: The City hereby requires all operators/developers of mobile/manufactured home parks to provide hurricane shelters to be built in their park to house all mobile/manufactured home park residents. If the park has a population of part-time residents, the shelter shall be large enough to house all park residents that reside in the park during the official Hurricane Season, from June 1 to November 1.

Policy 8.5: The City will assist in the LMS to develop, maintain and annually update a
list of all mobile/manufactured home parks, all singly-sited mobile/manufactured homes, and all high-risk resident facilities, such as, nursing homes and adult restricted communities, within the City limits, in order to assist emergency managers during an evacuation. Persons at risk shall be provided written evacuation procedures and the location of shelters.

**Policy 8.6:** The City will trim trees on city rights-of-way on a regular, rotating schedule, and coordinate such activities with local power companies, in order to, reduce the incidence of blocked streets and storm hazards to overhead utility lines that may occur during periods of heavy rainfall and especially during hurricanes.
City of Mulberry
Polk County, Florida

2030 Comprehensive Plan
Transportation Element
TRANSPORTATION ELEMENT

GOAL: TO PROVIDE A SAFE AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM THAT IS FINANCIALLY FEASIBLE AND CONSISTENT WITH COMMUNITY NEEDS.

OBJECTIVE 1: LEVELS OF SERVICE

THE CITY SHALL COORDINATE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE LAKELAND/WINTER HAVEN MPO KNOWN AS THE POLK TRANSPORTATION PLANNING ORGANIZATION (PTO) IN ORDER TO MAINTAIN AN ACCEPTABLE LEVEL OF SERVICE STANDARD FOR ALL ROAD SEGMENTS WITHIN ITS JURISDICTION.

Measurable Targets: Maintain levels of service; evaluate traffic safety problems and amend the land development code to include new measures; amend the 5-Year CIP annually to include all roadway improvements.

Policy 1.1: The City of Mulberry shall coordinate with the Polk Transportation Planning Organization (TPO) and the Central Florida Regional Planning Council to adopt and apply multi-modal/highway levels of service (LOS) standards which shall be the minimum acceptable standards for State, County, and local roads within the city limits of Mulberry. Said multi-modal LOS standards shall promote transit by lowering levels of service where transit is available. The City hereby adopts the following multi-modal and base highway levels of service.

Multimodal Level of Service Standards

<table>
<thead>
<tr>
<th>Highway Minimum Standard*</th>
<th>Highway Minimum Duration</th>
<th>Transit</th>
<th>Pedestrian</th>
<th>Bicycle</th>
</tr>
</thead>
<tbody>
<tr>
<td>M1 LOS “D” peak direction</td>
<td>Average of two highest peak hours</td>
<td>60 minute headway</td>
<td>Sidewalk access to bus stop</td>
<td>Bike racks on buses</td>
</tr>
<tr>
<td>M2 LOS “E” peak direction</td>
<td>Average of two highest peak hours</td>
<td>30 minute headway</td>
<td>Sidewalk access to bus stop</td>
<td>Bike racks on buses Bike route/system</td>
</tr>
</tbody>
</table>

*Does not supersede SIS LOS Standard.
Base Highway Level of Service Standards

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal arterial roadways:</td>
<td></td>
</tr>
<tr>
<td>SIS facilities</td>
<td>Subject to Policy 1.2</td>
</tr>
<tr>
<td>Non-SIS facility [Note: none in 2011]</td>
<td>D</td>
</tr>
<tr>
<td>Minor arterial roadways</td>
<td></td>
</tr>
<tr>
<td>SR 37 S. of SR 60</td>
<td>D</td>
</tr>
<tr>
<td>SR 37 N. of SR 60</td>
<td>E</td>
</tr>
<tr>
<td>All other roadways</td>
<td>E</td>
</tr>
</tbody>
</table>

(1) LOS is measured for peak hour/peak direction using the average of the two highest peak hours.

Policy 1.2: The minimum level of service standard for roadways on the Strategic Intermodal System (SIS) and the Florida Intrastate Highway System (FIHS), shall be in accordance with the Statewide Minimum Level of Service Standards for the State Highway System.

Policy 1.3: The City will base development approvals upon adequate system capacities at acceptable levels of service, as established in Policy 1.1 and 1.2.

Policy 1.4: The City shall coordinate with the FDOT and the TPO to ensure, through enforcement of City’s adopted Land Development Regulations and Concurrency Management System, that no road segment within the City limits will fall below the adopted level of service standards. [9J-5.019(4)(c)(I)]

Policy 1.5: The City shall coordinate with the FDOT and the TPO in the future implementation of congestion management, corridor access management, and highway safety programs on roadways within Mulberry.

Policy 1.6: In order to provide greater traffic safety, the City will enforce intersection visibility requirements, as adopted in the City’s land development regulations, maintain landscaping, and control or remove other obstructions to safe vehicle and pedestrian movement.

Policy 1.7: For all municipal streets under City jurisdiction, the City will continue to add the yearly maintenance schedule to the 5-Year Capital Improvements Program (CIP) of the Comprehensive Plan’s Capital Improvements

City of Mulberry 2030 Comprehensive Plan
Transportation Element
Page 2
OBJECTIVE 2: MOBILITY ALTERNATIVES: SIDEWALKS, BIKEWAYS AND TRAILS

THE CITY WILL ENCOURAGE ENERGY EFFICIENCY AND SAVINGS AND IMPROVEMENTS TO MOBILITY BY ACCOMMODATING ALTERNATIVE MODES OF TRANSPORTATION THAT CREATE A COMMUNITY THAT IS NOT SOLELY RELIANT ON THE AUTOMOBILE FOR ALL TRANSPORTATION TRIPS. AT A MINIMUM, THIS WILL ADDRESS PROVISIONS TO ACCOMMODATE TRANSIT, PEDESTRIANS, BICYCLES, AND ALTERNATIVE VEHICLES.

Measurable Targets: add sidewalks and bikeways within the City limits; sidewalks in vicinity of schools, parks and transit stops.

Policy 2.1: The City shall cooperate with the FDOT, Polk County, and TPO regarding right-of-way protection for proposed bicycle and other non-motorized vehicle lanes in conjunction with road construction projects within the City limits of Mulberry.

Policy 2.2: The City shall continue to enforce its Land Development Regulations standards that require new commercial and residential developments to provide and dedicate sidewalks. Where feasible, new sidewalks should be linked to Mulberry's existing sidewalk system.

Policy 2.3: The City will analyze the existing sidewalk network annually, identifying key gaps in pedestrian routes, including near schools, parks, trails and transit stops. Improvements to the sidewalk network shall be considered in conjunction with the annual update of the 5-Year Capital Improvements Program.

Policy 2.4: Funding priorities for correcting existing deficiencies and for future sidewalk improvements shall first be directed to locations where a critical public safety concern or an emergency exists; and second, serve pedestrian needs within ¼ mile of all schools, parks, and transit stops.

Policy 2.5: The City will incorporate consideration of sidewalks, bikeways, and pathways for alternative vehicles in all roadway improvements. Sidewalks and bikeways will be constructed where practical in the existing rights-of-way throughout the City. The City will work with the TPO, FDOT and Polk County in the identification of locations for sidewalks, bikeways, and pathways on State and County highways.

Policy 2.6: Sidewalks and bikeways shall be combined where practical and feasible to
keep the cost of improvements and maintenance to a minimum. The City will incorporate sidewalk and bikeway features into intersection projects and resurfacing projects to keep the cost of such projects to a minimum.

Policy 2.7: The City will coordinate with the TPO in the development of bicycle trails, the Alafia River Trail/Corridor, and other trails that link to the County and Regional trails and greenways network.

OBJECTIVE 3: ACCESS AND PARKING

THE CITY SHALL MINIMIZE NEGATIVE IMPACTS OF THE TRAFFIC CIRCULATION SYSTEM AND PRESERVE CAPACITY AND SAFETY BY REGULATING ACCESS POINTS, ON-SITE TRAFFIC FLOW AND PARKING.

Measurable Targets: maintain flow of SR 37 and SR 60 by limiting driveway cuts and access as per DOT and the county's access management plan; during future redevelopment of the downtown, promote public/private partnerships for parking areas.

Policy 3.1: The City shall continue to enforce its Land Development Regulations development standards that regulate the location of access points and restrict the number of curb cuts per link.

Policy 3.2: The City shall continue to enforce its Land Development Regulations design standards for the safe and efficient flow of on-site traffic, and for the provision of adequate parking of motorized and non-motorized vehicles.

Policy 3.3: During the review of development proposals, the City shall coordinate with the FDOT and the county to assure that such proposals, abutting a state or county maintained facility, specifically SR 37 and SR 60, provide safe and efficient access; and to ensure preservation of access and right-of-way.

Policy 3.4: As development and redevelopment occurs within the downtown, the City will promote and allow on-street parking within the public right-of-way, which shall meet the parking needs of the business sector in accordance with City and DOT standards.

Policy 3.5: The City will partner with businesses for the development and redevelopment of off-street parking that will be shared by customer and employee traffic within the downtown; and encourage informal agreements between public and private partners for shared parking between daytime and night time users, and between weekend and weekday users.
OBJECTIVE 4: COORDINATION WITH FUTURE LAND USES

THE CITY SHALL COORDINATE ITS TRAFFIC CIRCULATION SYSTEM WITH THE FUTURE LAND USE ELEMENT OF THIS COMPREHENSIVE PLAN.

Measurable Targets: promote multi-modal for mixed use development; promote carpooling/vanpooling.

Policy 4.1: The City will prioritize roadway system improvements based on correction of existing deficiencies, available right-of-way system continuity, development of the central core downtown, development of infill areas, and consistency with needs generated with uses shown on the Future Land Use Map.

Policy 4.2: The City will continue to require an impact statement for all development having a direct impact on pedestrian, bicycle and transit facilities within the City.

Policy 4.3: The City will promote mixed use developments with multi-modal provisions.

Policy 4.4: The City will implement land use policies in support of increased transit accessibility and usage, encouraging mixed use developments and medium or higher residential densities within ¼ mile of any transit route.

Policy 4.5: If determined to be necessary to meet future traffic circulation needs, transportation impact fees associated with land use impacts shall be developed and adopted by the City.

Policy 4.6: The City will encourage large employers in the industrial areas in the City and adjacent to the City to promote carpooling/vanpooling and utilization of transit for commuting. FDOT’s Commuter Services program may be utilized in the coordination of this effort.

Policy 4.7: The City shall promote the rail and surface transportation corridor that serves its industrial areas for shipment of goods and products.

Policy 4.8: The City will provide for future land uses that allow multimodal transportation facilities in strategic locations, and will work with FDOT and the TPO to maintain and plan for an adequate transportation network for the transport of goods and for the establishment of truck and rail routes to airports, ports and other regional and state multimodal facilities.
OBJECTIVE 5: INTERGOVERNMENTAL COORDINATION

THE CITY SHALL COORDINATE ITS TRANSPORTATION SYSTEM WITH THE TPO AND THE FDOT TRANSPORTATION PLAN AND ADOPTED WORK PROGRAM IN ORDER TO MITIGATE CAPACITY IMPACTS.

Measurable Targets: Membership on the Technical Advisory Committee for the TPO; listing of other agency projects in the City’s annual update of the 5-Year CIP.

Policy 5.1: The City shall continue to notify and coordinate with the FDOT and the TPO when a proposed development will reduce the level of service standard below the adopted level.

Policy 5.2: The Transportation Element shall be consistent with the long-range transportation plans adopted by the TPO and the FDOT. The City shall request the TPO and FDOT submit any proposed facility plans affecting segments of state and/or county-maintained roadways within the City limits of Mulberry to the City for consistency review.

Policy 5.3: The City shall continue to coordinate with the FDOT and the TPO to recognize and include County and State road projects in the City’s 5-Year CIP and annual budget planning process; and to maintain consistency in policies between the City and the two agencies.

Policy 5.4: The City shall seek the cooperation and utilize the resources of the TPO and FDOT for funding of those roadway improvements that fall within the TPO’s and FDOT’s priority and funding jurisdiction.

Policy 5.5: The City will coordinate with the TPO and the FDOT in assigning priority status to projects which are identified in airport and rail facility master plans which serve Mulberry and the region.

Policy 5.6: The City will work with the TPO and FDOT to plan and program facilities or means of travel intended to serve Florida’s intrastate high-speed rail system.

Policy 5.7: The City will coordinate with the TPO, FDOT, the County and other municipalities in data sharing, standards interpretation, traffic counts and concurrency management issues relating to roadway levels of service.

Policy 5.8: The City will participate in future updates of the TPO Long Range Transportation Plan and Mobility Vision plans.
Policy 5.9: The City will coordinate with the TPO, the Citrus Connection and FDOT to establish strategies to reduce reliance on single occupancy automobile trips, such as encouraging large employers to develop commuter assistance incentives for employees that carpool/vanpool, and/or utilize transit or non-motorized modes for commuting trips.

Policy 5.10: The City will coordinate with the Polk countywide transit authority (PTA) and FDOT to locate or implement plans for park-and-ride lots.

Objective 6: Support of Public Transit

The City shall encourage to the greatest extent possible, access to and ridership on the Countywide Bus System, coordinating with transit providers to locate stops and terminals near major trip generators and employment centers, and coordinating with the multi-modal plans of Polk County for transit supportive development areas which include transit cores, transit centers, and transit corridors.

Measurable Targets: developments that improve access along transit routes. New bus stops, sidewalks, bike trails, non-motorized vehicle accessways.

Policy 6.1: The City will promote the development of future major trip generators and employers on transit routes, to decrease the number of vehicle trips within the City and to accommodate the transportation disadvantaged, including the elderly and those without a vehicle.

Policy 6.2: The City will participate in planning and revising transit routes in order to accommodate the transportation disadvantaged and to decrease the number of vehicle trips within the City.

Policy 6.3: The City will coordinate with the Polk Transit Authority and participate in the planning process in order to provide Mulberry with improved transit connectivity with other parts of Polk County as well as regional transportation hubs and facilities.

Policy 6.4 The City shall continue to promote transit accessibility and ridership by coordinating with Polk County’s efforts to establish transit cores and transit centers along multi-modal travel corridors, where desirable as promoted by the countywide transit authority.
OBJECTIVE 7: PRESERVATION OF RIGHT-OF-WAY

THE CITY SHALL COORDINATE WITH THE FDOT AND THE PTO TO ASSURE THE PRESERVATION OF RIGHTS-OF-WAY FOR CAPACITY EXPANSION, TO PROTECT EXISTING AND FUTURE RIGHTS-OF-WAY FROM BUILDING ENCROACHMENT.

Measurable Targets: review development plans for setbacks from ROW for all new development in accordance with the land development regulations.

Policy 7.1: The City shall include in its Land Development Regulations, standards that require minimum structural setbacks for all new development and redevelopment within the City limits that abut a state or county-maintained roadway in order to preserve rights-of-ways.

Policy 7.2: During the development review process, coordinate with the FDOT and the TPO when reviewing development proposals within the City limits abutting a state or county-maintained roadway to ensure consistency with state, regional, and county standards.
CITY OF MULBERRY
Polk County, Florida

2030 Comprehensive Plan
Housing Element
HOUSING ELEMENT


OBJECTIVE 1: CREATION AND/OR PRESERVATION OF AFFORDABLE HOUSING

THE CITY SHALL ASSIST THE PRIVATE SECTOR IN PROVIDING ADDITIONAL AFFORDABLE HOUSING UNITS TO MEET THE NEEDS OF THE CITY'S CURRENT AND ANTICIPATED FUTURE RESIDENTS AND HOUSEHOLDS WITH SPECIAL HOUSING NEEDS, INCLUDING RURAL AND FARMWORKER HOUSEHOLDS.

Measurable Targets: Number of units created or preserved; number of units created for special needs housing populations.

Policy 1.1: Mulberry shall provide technical assistance to the private sector to maintain a housing production capacity sufficient to meet the City's housing needs. "Technical assistance" will include, at a minimum: a) the assembly and distribution to local contractors and builders of findings of regional and state-wide housing task forces which address private sector involvement in the affordable housing issue; b) discussions with, and referrals to the Florida Housing Coalition, Florida Housing Finance Corporation, or other non-profit housing organizations; and c) solicitation and marketing of new low interest housing loans from banks.

Policy 1.2: The City will continuously review land development regulations and the permitting process in order to streamline the permitting process and minimize housing costs and delays for housing, especially affordable housing. Possible improvements may include, but shall not be limited to:

- elimination or modification of conflicting or excessive regulations;
- time limits for the review of development proposals;
- consolidation of multiple public hearings; and
- waiving of processing fees for affordable housing projects.

Policy 1.3: The principles and criteria for the location of housing for households with special housing needs including rural and farmworker households shall be:
To provide for adequate sites for housing for households with special housing needs based on projections and demand for such units;

To ensure that households with special housing needs have adequate public facilities and services based on a fair-share distribution of costs; and

To provide for sites for households with special housing needs in close proximity to grocery stores, educational facilities and/or public health facilities, as appropriate.

**OBJECTIVE 2: ELIMINATION OF SUBSTANDARD HOUSING**

**THE CITY OF MULBERRY SHALL IMPROVE THE STRUCTURAL AND AESTHETIC CONDITION OF THE CITY’S HOUSING STOCK. THE CITY SHALL USE CODE ENFORCEMENT ACTIVITIES AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING TO REHABILITATE OR DEMOLISH AND REPLACE SUBSTANDARD HOUSING UNITS WITH ACCEPTABLE AND AFFORDABLE HOUSING.**

*Measurable Targets:* Number of units demolished, number of replacement units built on those demolished home sites, and number of units rehabilitated during the planning period.

**Policy 2.1:** The City will continue to direct code enforcement activities in areas where code violations are prevalent.

**Policy 2.2:** The City will continue to cooperate with the Polk County Housing and Neighborhood Development Division to seek federal and state funding earmarked for the demolition or rehabilitation of substandard housing units and their replacement, where necessary.

**Policy 2.3:** The City shall assist neighborhood upgrading projects by providing code assistance to property owners in meeting City codes and by removing blighting influences.

**OBJECTIVE 3: PROVISION OF ADEQUATE HOUSING SITES AND DISTRIBUTION OF HOUSING**

**THE CITY WILL PROVIDE FOR ADEQUATE SITES FOR WORKFORCE HOUSING, HOUSING FOR EXTREMELY LOW, VERY LOW, LOW AND MODERATE INCOME FAMILIES, AND FOR MOBILE AND MANUFACTURED HOMES.**
**Measurable Targets:** Review impact of zoning and Development Regulations on the provision of and distribution of affordable housing.

**Policy 3.1:** The principles and criteria for siting extremely low, very-low, low and moderate income housing shall be:

- To ensure that extremely low, very-low income, low-income and moderate-income families, group homes and foster care facilities, and households with special housing needs including rural and farmworker housing, have adequate public facilities and services based on a fair-share distribution of costs;

- To provide for adequate sites for extremely low, very low, low and moderate income housing and households with special housing needs including rural and farmworker housing, based on projections and demand for such housing, and;

- To ensure that zoning and other local regulations provide a variety of lot sizes, minimum housing sizes, densities, and alternatives, such as mobile home and manufactured home subdivisions and parks, multi-unit developments or zero-lot line developments; and,

- To ensure that land development regulations provide inducements to increase the supply of affordable housing; said inducements may include: density bonuses given through developer agreements or land donations; allowing accessory dwelling units attested to be rented at an affordable rate; with affidavit from property owner; development permit and fee reductions; expedited approval process; co-development under County housing programs.

**Policy 3.2:** The City will, on a continuing basis, seek available federal, state, and county funding designated to assist in the provision of housing for extremely low, very low, low and moderate income households and households with special housing needs including rural and farmworker housing.

**Policy 3.3:** The principles and criteria for the siting of mobile and manufactured homes shall:

- Ensure that occupants of new mobile and manufactured home parks and subdivisions have adequate public facilities and services based on a fair-share distribution of costs;
• Require developers of new mobile and manufactured home parks or subdivisions to provide adequate hurricane shelter space for the projected buildout populations of such parks or subdivisions; and

• Allow manufactured homes within residential land uses, provided that they are anchored or attached to permanent foundations, meet DEO housing standards, meet safety codes and all other requirements of the City's Land Development Regulations.

Policy 3.4: The City shall identify and map existing and candidate sites for affordable and workforce housing serviceable by adequate infrastructure and accessible to transit corridors as part of a comprehensive strategy to promote sustainable housing and neighborhoods.

Objective 4: Provision Of Adequate Sites For Group Homes And Foster Care Facilities

The City will review and amend its land development regulations to ensure that adequate sites will be available for the location of group homes and foster care facilities licensed or funded by the State of Florida.

Measurable Targets: Revision of the land development regulations to accommodate State statute regarding group homes and foster care facilities; number of amendments made to accommodate adequate sites.

Policy 4.1: The City will continue to review and amend its land development regulations to establish non-discriminatory standards addressing the location of group homes and foster care facilities. The location criteria shall be:

• To provide clients adequate public facilities and services on the basis of a fair-share distribution of costs; and

• To permit group homes and foster care facilities of a residential scale in areas of compatible residential character.

Objective 5: Conservation Of Existing Housing

The City will ensure the conservation of housing through the application of code enforcement and community development block grant programs.
Policy 5.1: The City will review and, where necessary, amend its housing code and development standards regarding the care and maintenance of residential and neighborhood environments in order to ensure decent, safe and sanitary housing. The city shall adopt housing quality standards no less stringent than those of the U.S. Department of Housing and Urban Development Section 8 Existing Housing Program.

Policy 5.2: The City will continue to meet on a regular basis with representatives of the Polk County Housing and Neighborhood Development Division to ensure that implementation of CDBG program activities in Mulberry occurs in a timely and efficient manner.

Objective 6: Relocation Housing

The City of Mulberry shall ensure that persons displaced by federally-assisted programs receive uniform and equitable treatment in finding relocated housing.

Measurable Targets: Zero displacement by the City; number of persons displaced equal to the number of units provided.

Policy 6.1: The City will abide by the mandate of the U.S. Department of Housing and Urban Development Housing Relocation Act, ensuring that anyone who is temporarily or permanently displaced, as a result of federally-assisted action, will be provided relocation assistance.

Objective 7: Formulation of a Housing Implementation Program

The City of Mulberry will continue to implement a housing program designed to meet the stated objectives and policies in this Housing Element.

Measurable Targets: Affordable housing units built through partnerships; an increase in the number of persons qualified to purchase housing due to job training programs, home ownership programs and increased economic development opportunities.
Policy 7.1: The City will solicit the involvement, including partnerships, of local government with private and non-profit sectors to implement and monitor the Policies established in this Housing Element.

Policy 7.2: The City will solicit the involvement, including partnerships, of local government with private and non-profit groups, and with economic development groups, for the utilization of job training, job creation and economic solutions in order to prepare its citizens for home ownership, and in order to take advantage of any affordable housing programs within the jurisdiction of the City.

Policy 7.3: The City will designate within its jurisdiction sufficient sites at sufficient densities to accommodate the need for affordable housing over the planning timeframe.

OBJECTIVE 8: HISTORICALLY SIGNIFICANT HOUSING

MULBERRY SHALL IDENTIFY AND PROTECT HISTORICALLY SIGNIFICANT HOUSING.

Measurable Targets: number of units saved from demolition; number of units identified and designated per year, during the planning period.

Policy 8.1: The City shall assist local homeowners, businesses, developers and non-profit organizations with the rehabilitation and adaptive reuse of designated historically significant housing by making available technical assistance and information on state and federal assistance programs.

Policy 8.2: The City shall establish procedures for the protection of locally designated historically significant housing, structures or sites, and shall develop criteria under which a locally designated structure or site may be altered or demolished. Action by the City Commission is required to authorize significant alteration or demolition of locally designated structures of historical significance, subject to established procedures regulating the alteration or demolition of any site or structure. Housing that has been identified as historically significant shall be so designated that way by the City of Mulberry on an as needed basis.

Policy 8.3: The conservation, rehabilitation, or demolition of locally designated historic housing units shall be carried out in cooperation with recognized historic preservation organizations, including the Polk County Historical Society.

OBJECTIVE 9: REDUCTION OF GREENHOUSE GASES AND INCREASE IN ENERGY EFFICIENCY
THE CITY SHALL SUPPORT ENERGY EFFICIENCY AND THE USE OF RENEWABLE ENERGY RESOURCES IN EXISTING HOUSING AND IN DESIGN AND CONSTRUCTION OF NEW HOUSING.

Policy 9.1: The City shall encourage support for 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.

Policy 9.2: The City shall not prohibit the appropriate placement of photovoltaic panels. The City shall develop and adopt review criteria to establish standards for the appropriate placement of photovoltaic panels.

Policy 9.3: The City shall provide educational materials on the strategic placement of landscape materials to reduce energy consumption.

Policy 9.4: The City shall, through policies adopted in the Future Land Use Element, encourage a higher concentration of densities, pedestrian-oriented urban neighborhoods having convenient access to transit 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.
INFRASTRUCTURE ELEMENT

GOAL: IT SHALL BE A GOAL OF THE CITY OF MULBERRY TO PROVIDE ITS CITIZENS PUBLIC SERVICES IN SUCH A MANNER THAT THE DELIVERY OF THESE SERVICES PROTECTS INVESTMENTS THROUGH FISCAL RESPONSIBILITY, PROMOTES ORDERLY GROWTH AND REDEVELOPMENT OF THE CITY, ANDENSURES THE PROTECTION AND PRESERVATION OF THE ENVIRONMENT.

OBJECTIVE 1: CORRECTING EXISTING FACILITY DEFICIENCIES AND MAXIMIZING CURRENT FACILITIES

THE CITY OF MULBERRY SHALL CORRECT ANY EXISTING DEFICIENCIES IN THE MUNICIPAL WATER AND WASTEWATER SYSTEMS, THROUGH A CONTINUED PROGRAM OF REGULAR INSPECTION, MAINTENANCE, RENOVATION, AND REPLACEMENT.

Measurable Targets: Number of inspections of wastewater and potable water facilities; number of deficiencies identified; number of deficiencies corrected.

Policy 1.1: The City shall continue a program to replace or repair segments of the water and wastewater systems as necessary to maintain the level of service standards established in this plan.

Policy 1.2: The City shall continue its current program to prioritize necessary replacement, correct any deficiencies, and provide for future needs of the City for all municipal services.

OBJECTIVE 2: EXPANSION OF CURRENT FACILITIES TO MEET FUTURE NEEDS

THE CITY OF MULBERRY WILL INCREASE FACILITY CAPACITY OR SERVICE AREA AS NECESSARY TO ENSURE THE PROVISION OF SERVICES AT OR ABOVE THE ESTABLISHED LEVEL OF SERVICE FOR ALL MUNICIPAL SERVICES AND FACILITIES AVAILABLE TO ACCOMMODATE FUTURE DEMANDS.

Measurable Targets: Meet or exceed the adopted level of service standards of all municipal services and facilities (measured by the CMS) to accommodate future growth.

Policy 2.1: Septic tanks shall be permissible only when municipal sanitary sewer facilities are unavailable and when conditions are favorable for their use. Through the use of zoning and building codes, the City shall prohibit the
installation of conventional or above-grade on-site septic systems in areas of the City containing soils rated "severe" by the Soil Conservation Service, or in areas which do not pass percolation tests conducted by the Florida Department of Health. Septic tanks shall be considered temporary, and their use shall be discontinued upon availability of municipal sanitary sewer facilities. Septic tanks shall be considered only for residential uses.

**Policy 2.2:** The City will extend municipal sanitary sewer or potable water facilities only if such expansion will not adversely impact the ability of the City to provide adequate service to the existing service area.

**Policy 2.3:** The City shall approve extension of the geographical area of service for municipal sanitary sewer and potable water facilities into new developments only at the expense of the developer. The City shall require that any new subdivisions constructed within the city limits, or existing subdivisions annexed into the city, must be connected to the municipal water and wastewater system at the developer's expense.

**Policy 2.4:** The City will continue to ensure, through land development regulations and the City's concurrency management system, that no development order will be issued that would result in a level of service deficiency.

**Policy 2.5:** The extension of municipal sanitary sewer and potable water facilities beyond the City limits of Mulberry shall be extended to those areas suitable for higher densities and intensities of use that are only contiguous to the City, and to discourage urban sprawl.

**Policy 2.6:** All improvements, including major repair and maintenance, upgrades and expansion of municipal sanitary wastewater and potable water facilities shall be included in the 5-Year Schedule of Capital Improvements.

**Objective 3:** Design/Operational Criteria and Level of Service Standards

The City shall design/operate and maintain level of service standards for all municipal services, as established by this comprehensive plan.

**Measurable Targets:** Meet or exceed adopted Level of Service standards during the planning period; number of deficiencies corrected to meet or exceed the water quality standards adopted by reference in Chapter 17-25 for all stormwater management facilities; number of times the system dropped below the operational minimums; number of variances approved to the stormwater
Policy 3.1:
The City establishes the following Levels of Service:

<table>
<thead>
<tr>
<th>Service</th>
<th>Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitary Sewer</td>
<td>87 gallons of treatment per person per day</td>
</tr>
</tbody>
</table>
| Potable Water              | • 147 gallons per capita per day (GPCD) as determined by average daily potable water consumption for the previous 12 months, divided by the permanent population of the City as estimated by the University of Florida Bureau of Economic and Business Research (BEBR) on an annual basis  
  • 110 gallons per capita per day (GPCD), based on a total of both permanent and seasonal residents of the City, as estimated and provided by the Southwest Florida Water Management District (SWFWMD) |
| Solid Waste                | Disposal of 8.0 pounds per person per day |
| Stormwater Management      | Designed for a 3-year, 24-hour storm event |
| Facilities for existing development |                                  |
| Stormwater Management      | Designed for a 25-year, 24-hour storm event |
| Facilities for new         |                                                  |
| development                |                                                  |

Policy 3.2:
The City establishes minimum design and operational criteria for public supply potable water facilities of:

- Pumping Capacity: 4,968,000 gallons per day;
- Storage Capacity: 400,000 gallons.
- Pressure: 65 pounds per square inch.

Policy 3.3:
Stormwater management facilities shall be designed to accommodate the 25-year, 24-hour design storm to meet the water quality and quantity standards that follow:

a. Water Quantity: Peak post-development runoff shall not exceed peak pre-development runoff rates.

b. Water Quality: 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 City or be a system to serve the entire City. Regardless of the area served and in accordance with Chapter 62-25, F.A.C., the stormwater treatment systems must provide a level of treatment for the runoff from the first one (1) inch of rainfall for projects in natural drainage basins of 100 acres or more, or as an option, for projects or project subunits in natural drainage basins of less than 100 acres, the first one-half (1/2) inch of runoff, from the design storm in accordance with Rule 62-25, F.A.C. in order to meet the receiving water quality standards of Rule 62-302, section 62-302.500, 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 necessary to maintain their classifications as established in Chapter 62-302, F.A.C. It is intended that all standards in these citations are to apply to all development and redevelopment and that any exemptions or exceptions in these citations, including project size thresholds, do not apply for concurrency determinations.

Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the run-off from the entire improved area or subdivision to degrade receiving water bodies and their water quality as stated above.

Policy 3.4: The City establishes a stormwater management level of service for existing development equal to a 3-year, 24-hour storm event. Stormwater will be handled by, and contained within existing stormwater management facilities.

Policy 3.5: No development permit will be issued if it will result in the inability of the City to maintain the Levels of Service at or above the levels established in this plan.

Objective 4: Conservation Of Potable Water Resources

The City of Mulberry shall conserve water resources.

Measurable Targets: Number of gallons of water saved per capita per year; lowering of the LOS for potable water.

Policy 4.1: The City shall conduct audits of the municipal water system to determine areas that may be in need of repair and may be contributing to increased
water consumption through leaking pipes, and prioritize accordingly.

**Policy 4.2:** The City shall conserve water resources by continuing to require that all new development and redevelopment utilize native drought tolerant landscaping, efficient irrigation design, and low volume water-conserving plumbing fixtures. Require rain sensors or soil moisture sensors to be installed on new irrigation systems to override automatic sprinkler operations when sufficient soil moisture is already present.

**Policy 4.3:** The City will cooperate with the Southwest Florida Water Management District in regard to any future water shortage conservation plans or strategies. The City shall comply with water use restrictions during SWFWMD declared water shortages.

**Policy 4.4:** The City shall adopt the conservation standards established by SWFWMD and its SWUCA for per capita consumption. The level of service (LOS) standard for potable water is established as follows, not to exceed:

- 147 gallons per capita per day (GPCD) as determined by average daily potable water consumption for the previous 12 months, divided by the permanent population of the City as estimated by the University of Florida Bureau of Economic and Business Research (BEBR) on an annual basis; and

- 110 gallons per capita per day (GPCD), based on a total of both permanent and seasonal residents of the City, as estimated and provided by the Southwest Florida Water Management District (SWFWMD)

**Policy 4.5:** The City shall continue to work towards and implement regional water supply solutions with Polk County, Lakeland, and other neighboring communities to ensure available future water supplies for the City and the region.

**Policy 4.6** The City shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plan and the policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

**Policy 4.7** The City shall through concurrency review process, ensure sufficient sources of water shall be in place, or scheduled to be in place, to serve new development. Prior to issuance of a building permit, the City, shall verify that its water system, and any State-approved private water
provider, can provide an adequate supply of potable water to serve a new
development or construction by the anticipated date of issuance of a
certificate of occupancy or its functional equivalent signifying that the
impact of the development may occur.

Policy 4.8: In addition to groundwater, the City's future water needs shall be supplied
from a variety of alternative sources, including reclaimed water and
surface water where permitted and State regulated. Explore the feasibility
of utilizing converted historic mining uses as an alternative source of
water.

Policy 4.9: The City shall consider providing water reuse capabilities for public
irrigation, with the target of reducing the proportion of potable water used
for irrigation City-wide by fifteen percent (15%) by 2020. The City shall
require applicants for new subdivisions to construct dry or pressurized
lines for projects located in areas deemed financially feasible for
accommodating water reuse, and the City shall require that reuse water,
when available, be used for landscaping throughout the year.

Policy 4.10: Upon agreement with the Water Management District, allow transfers of
consumptive use permits to the City where existing agricultural wells are
abandoned and plugged upon a conversion to urban development. As land
transitions from agricultural and mining uses to urban use, the City shall
inventory such areas periodically and work with landowners and the
Southwest Florida Water Management District to maximize and ensure
that an appropriate volume of the groundwater is converted to urban use in
a timely and appropriate manner.

Objective 5: Aquifer Protection

Protect groundwater recharge areas within the City's jurisdiction from any avoidable contamination or damage.

Measurable Targets: Degree of elimination of any hazardous wastes within the 1-year zone of wellheads; number of hazardous uses or sources of contamination eliminated near wells.

Policy 5.1: The City will cooperate with the Southwest Florida Water Management District in designating areas of aquifer recharge to the Floridan aquifer.

Policy 5.2: The City shall enforce its land development regulations that include restrictions on land use activities known to adversely affect groundwater, particularly in areas of known high aquifer recharge. These regulations further establish criteria regarding the location and extent of impervious
surfaces, based on pollution potential to surface and ground waters.

**Policy 5.3:** The City will maintain a list of all hazardous wastes and uses within the one year time-of-travel delineated zone of every wellhead, as delineated by the Southwest Florida Water Manager District, which will be known as the Zone of Protection. The list of hazardous wastes and uses that will be tracked within the Zone of Protection shall be identified in the City’s Unified Land Development Code. Wellheads and wellhead protection time-of-travel zones shall be mapped on the Future Land Use Map. Wellhead protection areas shall be identified in order to prohibit the establishment of new uses from locating within the identified zone of protection that may be a potential source of pollution to the potable water system. The City will prohibit existing uses within the Zone of Protection that use or create hazardous materials (such use is known as a nonconforming use) from being re-established once the use has ceased. Regulations and the procedures for administration of nonconforming uses are adopted within the Unified Land Development Code of the City of Mulberry.

**Objective 6:** Protection of Natural Drainage Features and Man-Made Drainage Structures

**Protect Natural Drainage Features, Man-Made Drainage Structures (the City’s Lakes) and the Alafia River from Receiving Stormwater Runoff that Could Degrade Water Quality in the City or Downstream from the City.**

**Measurable Targets:** Compliance with standards of the Florida Department of Environmental Protection; number of site plans modified or rejected due to impacts on drainage features or structures, or impacts to the Alafia River; number of inspections of retention facilities and amount of clean-up done.

**Policy 6.1:** The City shall continue its monitoring program to eliminate point and non-point sources of pollution to the Alafia River and to the City’s lakes.

**Policy 6.2:** The City will enforce land development regulations to restrict land use activities which may adversely affect natural drainage features and man-made drainage structures. Submitted site plans shall include an identification and analysis of natural drainage features and man-made drainage structures, and the impacts of proposed development on drainage and topographic features.

**Policy 6.3:** The City shall regulate stormwater run-off for all new development through the enforcement of performance standards for design and treatment of
stormwater facilities at least as stringent as those specified in Section 17-25, F.A.C.

Policy 6.4: The City shall continue to participate in the Federal Flood Insurance Program.

Policy 6.5: The City shall institute a program to remove sediments from retention/detention ponds as well as silt and vegetation from ditches and storm sewers to ensure the design capacity of these facilities is maintained. This Policy shall only be applicable to facilities owned or maintained by the City of Mulberry.

Policy 6.6: The City shall correct all identified stormwater management facility deficiencies. Deficiencies for existing development shall be defined as the inability to manage a 25-year, 24 hour storm event, or contributing to the degradation of the receiving body below minimum conditions necessary to assure the suitability of water for the designated use of its classification as classified by the water management district. The expenditure of public funds on stormwater management facility improvements shall be prioritized as follows: to fulfill legal obligations; to prevent further degradation of surface or water bodies; to provide adequate stormwater management facilities for existing development in the City; to provide adequate stormwater management for new development in the City; and to extend municipal stormwater management facilities to areas outside of the City.

Policy 6.7: The City shall ensure that stormwater management facility improvements requiring correction shall be included in the 5-Year Schedule of Capital Improvements (CIP).

Policy 6.8: The City shall not extend stormwater management facilities to new areas if such an extension would exceed the present ability of the City to provide protection from flooding to presently served areas, consistent with the established level of service standard for new stormwater management facilities.

Objective 7: Provision for Collection of Solid Waste

The City of Mulberry will provide for the environmentally sound collection and disposal of solid waste to meet the needs of the residents of the City.

Measurable Targets: all residents of the City receive service.

Policy 7.1: The City of Mulberry shall ensure that all solid waste generated within the City limits is collected.
Policy 7.2: The City will ensure that the necessary solid waste facilities to support development are in place concurrent with the impacts of development.

Policy 7.3: Continue the interlocal agreement with Polk County for the disposal of solid waste in county landfills.

Policy 7.4: The City will maintain a level of service of 8.0 pounds per person per day for solid waste consistent with the level of service established by Polk County based on landfill capacity.

Objective 8: Reducing the Volume of the Municipal Solid Waste Stream

In order to implement efficient recycling efforts to return valuable materials to productive use, conserve energy, and protect natural resources, the City shall continue to coordinate with Polk County and the Florida Department of Environmental Protection in meeting the county's and state's goals for recycling.

Measurable Targets: Volume of recycled household waste collected

Policy 8.1: The City's efforts to recycle should be consistent with the Polk County Solid-Waste Management and Resource-Recovery Master Plan.

Policy 8.2: To increase public participation in recycling efforts, the Town shall take part in countywide public education efforts and provide information to Mulberry citizens on the location of facilities for the disposal of oil, tires, and other recyclable materials.
City of Mulberry
Polk County, Florida

2030 Comprehensive Plan
Conservation Element
CONSERVATION ELEMENT

GOAL: IT SHALL BE THE GOAL OF THE CITY OF MULBERRY TO ENHANCE, CONSERVE, AND APPROPRIATELY MANAGE ITS NATURAL RESOURCES FOR EXISTING AND FUTURE RESIDENTS.

OBJECTIVE 1: PROTECTION OF AIR QUALITY

THE CITY SHALL MEET OR EXCEED THE MINIMUM AMBIENT AIR QUALITY LEVELS ESTABLISHED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

Measurable Targets: Data reported by FDEP where allowable levels of pollutants in the ambient air are exceeded, and controls established.

Policy 1.1: The City, in cooperation with the Florida Department of Environmental Protection, will continue to ensure that air quality within the City's jurisdiction will meet ambient air quality standards, as adopted by FDEP consistent with Rule 62-204, FAC.

Policy 1.2: The City, in order to reduce the potential for automotive air pollution, requires vegetative buffer strips between roadways and future residential development, and requires operation of roadways at established levels of service.

Policy 1.3: The City of Mulberry will work toward achieving State and national targets for the reduction of greenhouse gas emissions. Actions pursued by the City shall include, but not be limited to, anti-sprawl land-use policies, public information campaigns, energy efficient building designs, recycling programs, and environmentally friendly procurement.

OBJECTIVE 2: CONSERVATION AND PROTECTION OF WATER SOURCES

THE CITY OF MULBERRY WILL TAKE SPECIFIC STEPS TO PROTECT AND ENHANCE THE QUALITY AND QUANTITY OF SURFACE AND GROUNDWATER SOURCES WITHIN ITS JURISDICTION.

Measurable Targets: Implementation of local water conservation programs; and reduction of per capita consumption of water from 147 gallons per person per day (gpppd) to goal of 110 gpppd by 2020.
Policy 2.1: The City will continuously monitor the quality of groundwater at its potable water wells as a normal practice of treating and distributing the municipal water supply.

Policy 2.2: The City shall adopt and strive with all means available to meet the conservation standards for potable water consumption consistent with SWFWMD regional water supply plans.

Policy 2.3: The City shall implement water conservation measures and practices to achieve the conservation standards set forth in the City's Water Supply Plan and Potable Water Sub-Element of the Comprehensive Plan.

Policy 2.4: The City will maintain a list of all hazardous wastes and uses within the one year time-of-travel delineated zone of every wellhead, as delineated by the Southwest Florida Water Manager District, which will be known as the Zone of Protection. The list of hazardous wastes and uses that will be tracked within the Zone of Protection shall be identified in the City's Unified Land Development Code. Wellheads and wellhead protection time-of-travel zones shall be mapped on the Future Land Use Map. The establishment of new uses within the identified zone of protection shall be prohibited where such uses may be a potential source of pollution to the potable water system. The City will prohibit existing uses within the Zone of Protection that use or create hazardous materials (such use is known as a nonconforming use) from being re-established once the use has ceased. Regulations and the procedures for administration of nonconforming uses are adopted within the Unified Land Development Code of the City of Mulberry.

Policy 2.5: The City shall comply with the provisions of the Southwest Florida Water Management District's "Water Shortage Plan" during periods of drought, declared water shortages, or water shortage emergencies. The City shall coordinate its water shortage plan with Polk County, and include provisions for cooperative agreements with neighboring jurisdictions, back-up water supplies and storage facilities, and organized procedures for emergency response.

Policy 2.6: Conventional or above-grade on-site septic systems shall be prohibited in areas containing "severe" rated soils by the Soil Conservation Service, or in areas which do not pass percolation tests conducted by the State. Existing conventional septic systems located in "severe limitation" areas may be replaced by alternative systems, where approved by the Health Department.

Policy 2.7: The City shall assess projected water needs and sources for at least a ten year planning period by creating and maintaining the Ten-Year Water
Supply Plan (WSP). The WSP shall maximize the efficient use of groundwater and, where possible and financially feasible, substitute alternative water sources for the use of groundwater.

Policy 2.8: The City shall consider and be consistent with the Southwest Florida Water Management District Regional Water Supply Plan adopted on December 1, 2006, when proposing and/or amending its Ten-Year Water Supply Plan.”

OBJECTIVE 3: CONSERVATION AND APPROPRIATE USE OF MINERALS, SOILS, AND NATURAL VEGETATIVE COMMUNITIES

The City Of Mulberry shall conserve, appropriately use and protect the quality and quantity of minerals, soils, and native vegetative communities. [9J-5.013(2)(b)3]

Measurable Targets: Acres of land with native vegetative communities annexed, identified and protected during the planning period.

Policy 3.1: The City shall designate on the Future Land Use Map as Agriculture any rural, low intensity agricultural types of uses within the City limits of Mulberry.

Policy 3.2: When reviewing new development and redevelopment proposals, the City will refer to data from the SWFWMD, and the guidelines of the Natural Resources Conservation Service of the U.S. Department of Agriculture, to determine soil capability, suitability, and limitations.

Policy 3.3: The City shall limit land use intensity in areas where soils or topography are not conducive to development. The City shall continue the bank stabilization program to prevent erosion along the north prong of the Alafia River, and the un-reclaimed mine pits throughout the City.

Policy 3.4: The City will coordinate with Polk County, the Florida Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission to conserve, appropriately use and protect unique vegetative communities located jointly within the City and the county.

Policy 3.5: The extraction of mineral resources within the City limits of Mulberry shall be prohibited.

OBJECTIVE 4: CONSERVATION OF WILDLIFE HABITAT
THE CITY OF MULBERRY SHALL CONSERVE, APPROPRIATELY USE, AND PROTECT THE QUALITY AND NATURAL FUNCTION OF WILDLIFE AND WILDLIFE HABITAT WITHIN ITS JURISDICTION.

Measurable Targets: Acres of wildlife habitat annexed, identified and protected during the planning period; comparison of quality of City lakes annually throughout the planning period.

Policy 4.1: Mulberry shall continue to enforce its land development regulations to provide for the protection of wildlife and wildlife habitat within the City boundaries. Identified endangered, threatened or species of special concern and their habitats shall be protected from activities that would adversely affect their survival. These protective measures may include, but are not limited to:

a) Requiring a developer to either restore disturbed wetlands to their original status or create new wetlands to mitigate the loss;

b) Requiring clustering of development away from sensitive ecological communities;

c) Discouraging the fragmentation of large vegetative community associations;

d) Requiring buffering of sensitive ecological areas; and

e) Providing for conservation easements.

Policy 4.2: The City has designated the lakes within its jurisdiction as water resource amenities and wildlife habitat areas and declares them to be "environmentally sensitive lands". These lakes shall be mapped and classified as Conservation on the Future Land Use Map. The City will protect the lakes by restricting development activities, enforcing minimum setback requirements from the lakes, and restricting access to structures such as boat ramps and boardwalks.

Policy 4.3: During the development review process, the City will utilize the services of the Florida Fish and Wildlife Conservation Commission to identify and avoid adverse impacts on wildlife habitats by new development and redevelopment.

OBJECTIVE 5: MANAGEMENT OF HAZARDOUS WASTES TO PROTECT NATURAL RESOURCES
During the planning period, the City of Mulberry shall meet its obligations under Federal and State laws and regulations regarding the management of hazardous wastes produced in the City, to ensure the protection of the City's natural resources.

Measurable Targets: Documented participation in hazardous waste recycling and disposal programs.

Policy 5.1: The City shall continue to participate in a program to provide for the periodic, environmentally safe disposal of household hazardous wastes. The program may also include, but not be limited to, the following measures:

a) An emergency response plan to handle accidents involving hazardous waste;

b) Promotion of recycling of hazardous wastes by publicizing lists of approved recyclers; and

c) Participation in the County’s Amnesty Days to collect small quantities of hazardous wastes in the City.

Policy 5.2: The City shall participate in programs that emphasize education, monitoring, inspections and proper disposal of small quantities of hazardous waste.

Objective 6: Protection and Conservation of Wetlands

The City of Mulberry will protect and conserve wetlands and the natural function of wetlands, and shall direct incompatible uses away from wetlands. [9J-5-013(3)]

Measurable Targets: Acres of land designated as flood plain, wetlands or sensitive lands and protected from development or development impacts during the planning period.

Policy 6.1: The City will ensure that new and proposed development complies with all applicable wetland regulations of the Florida Department of Environmental Protection and Southwest Florida Water Management District. Site review will not proceed until all applicable permits are obtained from either or both agencies.
Policy 6.2: The City will utilize the technical expertise and assistance of the Southwest Florida Water Management District when reviewing new developments and redevelopment projects adjoining the 100-year floodplain of the North Prong of the Alafia River; or when reviewing development of any other identified wetland.

Policy 6.3: The wetlands and 100-year floodplains the North Prong of the Alafia River is designated as "environmentally sensitive lands." Its hydrologic function and habitat characteristic shall be protected through the enforcement of land development regulations, including zoning, site plan review, buffer zones, minimum setback requirements, regulation and prohibition of certain uses, and stormwater treatment regulations.

Policy 6.4: The City will enforce its land development regulations to eliminate expansion of nonconforming uses and ultimately eliminate nonconforming uses that threaten wetlands and the function of wetlands.

Objective 7: Integrated Green Infrastructure

The City of Mulberry shall encourage the integration of public and private investments in green infrastructure (interconnected network of open spaces, and natural areas).

Policy 7.1: The City shall support efforts to acquire or conserve an interconnected network of open spaces, natural areas, and agricultural lands. The network will provide for:

a) Protection of natural resources and wildlife habitat;

b) Habitat corridors through linked open spaces;

c) Protection of historic and cultural resources;

d) Recreational opportunities;

e) Community health benefits;

f) Economic development opportunities; and

g) Multi-use trails connecting population centers to natural areas.

Policy 7.2: The City will coordinate with Polk County efforts to maintain and update the Polk Green Overlay and in the development and implementation of policies to acquire, conserve, or construct green infrastructure.
CITY OF MULBERRY
Polk County, Florida

2030 Comprehensive Plan
Recreation and Open Space Element
RECREATION AND OPEN SPACE ELEMENT

GOAL: TO PROVIDE AND MAINTAIN A SUFFICIENT NUMBER OF RECREATIONAL SITES AND FACILITIES AND OPEN SPACE AREAS TO MEET CURRENT AND FUTURE NEEDS OF THE RESIDENTS OF MULBERRY.

OBJECTIVE 1: ENSURE PUBLIC ACCESS

The City shall ensure access to all public recreation facilities in the City of Mulberry.

Measurable Targets: Survey for opinions of users as to the level of accessibility. Percent increase in signage for parks. Any improvements to public access during the planning period.

Policy 1.1: The City shall provide appropriate signage clearly indicating the location of new and existing recreational sites.

Policy 1.2: The City shall bicycle racks at all public recreational facilities.

Policy 1.3: The City will ensure that public access to all lakes within the City limits will be made accessible through continued implementation of its park maintenance program.

OBJECTIVE 2: COORDINATION OF PUBLIC AND PRIVATE RESOURCES

The City shall coordinate with other local governments and private entities to enhance recreational opportunities for its residents.

Measurable Targets: Number of facilities with inter-local agreements in place. Increase in number of user days during the planning period.

Policy 2.1: The City shall, through periodic meetings, continue to encourage private property owners and other public agencies to allow public usage of their recreational facilities.

Policy 2.2: The City will work with the Polk County Parks and Natural Resources Division regarding the location and development of future county
Policy 2.3: The City shall support continued public access to recreation facilities owned or maintained by the School Board.

Policy 2.4: The City will coordinate with the School Board to co-locate public recreation facilities.

Policy 2.5: The City shall participate in discussions with the Polk Leisure Services Association (LSA) in the development of a comprehensive Parks and Open Space Master Plan. The City will coordinate recreation programs and the use of facilities with surrounding municipalities and the County in order to maximize the recreation opportunities available to Mulberry residents. This shall be accomplished through discussions with the County and nearby municipalities.

OBJECTIVE 3: ENSURE ADEQUATE PROVISION OF RECREATION FACILITIES

The City of Mulberry shall ensure that parks and recreational facilities are adequately and efficiently provided for residents of the City by establishing and maintaining level of service standards for such facilities.

Measurable Targets: Number of acres of recreation land increased during the planning period and any other levels of service established for facilities. Increase in acres of land for recreation facilities in direct proportion to new subdivisions built during the planning period.

Policy 3.1: The City of Mulberry establishes a recreation level of service standard of 4.5 acres of recreation land per 1,000 residents of the City.

Policy 3.2: The City shall continue to ensure, through its Concurrency Management System, that no development order will be issued for any development or redevelopment that would result in the failure of the City's recreational facilities to meet the adopted level of service standards.

Policy 3.3: The City will add recreation equipment to sites that need additional recreation facilities, based on service area needs, age of equipment, etc., and these needs shall be programmed into the Five Year Schedule of Capital Improvements.

Policy 3.4: As part of the Transportation Element, identify and designate bicycle and/or
pedestrian routes along local streets linking public recreational facilities. In addition, provide the appropriate signage along such routes to improve accessibility.

OBJECTIVE 4: PROVISION OF OPEN SPACE

THE CITY SHALL ENSURE THE PROVISION OF ADEQUATE OPEN SPACE.

Measurable Targets: Any addition to acreage classified as Conservation or Recreation on the Future Land Use Map.

Policy 4.1: The City shall continue to include and enforce in its Land Development Regulations, specific open space definitions and standards that address the protection of conservation areas and natural reservations as well as the use of open space for buffering incompatible land uses.

Policy 4.2: The City shall continue to enforce, as part of its Land Development Regulations, provisions that require developers to provide adequate open space (buffers or visual breaks) within new developments.

Policy 4.3: The City will depict areas designated as “Outdoor Recreation” on the Future Land Use map. These areas are to be preserved and/or developed in accordance with the “Outdoor Recreation” land use policy, Policy 1.7(7) of the Future Land Use Element.

Policy 4.4: The City shall coordinate with Polk County, the Regional Planning Council, Florida Department of Environmental Protection, and Southwest Florida Water Management District to implement and extend the Integrated Habitat Network Greenways System, Rails to Trails, and other programs that provide open space connectivity for leisure activities, natural resource protection, wildlife, etc.
INTERGOVERNMENTAL COORDINATION ELEMENT

GOAL: TO ESTABLISH AN EFFICIENT COORDINATION MECHANISM AMONG THE RELEVANT PUBLIC AND PRIVATE ENTITIES THAT PROVIDES THE MOST EFFICIENT UTILIZATION OF AVAILABLE RESOURCES.

OBJECTIVE 1: CONSIDER OTHER AGENCY PLANS

CONSIDER THE PLANS OF OTHER AGENCIES, SPECIAL DISTRICTS AND ALL LEVELS OF GOVERNMENTS.

Measurable Targets: Plans of other government agencies reviewed; coordination meetings held.

Policy 1.1: The City will review the facility plans and reports of the County and independent special districts, any airport master plans and any college and/or university master plans presented to the City, and identify and resolve conflicts with the City of Mulberry Comprehensive Plan, including concurrency related items.

Policy 1.2: The City will consider amending its Comprehensive Plan based upon the review of plans and conflicts identified under Policy 1.1.

Policy 1.3: The office of the City Manager shall be the clearinghouse for the provision of services and information regarding the City of Mulberry Comprehensive Plan, ongoing development activities and the provision of public facilities and services within the City and extensions into unincorporated areas of Polk County.

OBJECTIVE 2: JOINT PLANNING AREAS

IDENTIFY, IMPLEMENT, AND COORDINATE JOINT PLANNING AREAS FOR ANNEXATION AND SERVICE PROVISION.

Measurable Targets: Number of meetings held; creation of annexation planning maps; utility service agreements executed.

Policy 2.1: The City will coordinate with Polk County, and other jurisdictions as appropriate, to establish a joint planning process and delineate the direction and extent of municipal annexation for the planning period.
Policy 2.2: The City and Polk County shall coordinate, and develop an interlocal agreement as necessary for planning within Mulberry’s utility service area, and for the exclusive provision of water and sewer service to all development therein.

Policy 2.3: Mulberry will coordinate with the City of Lakeland to ensure that each has a copy of a map which delineates the utility service planning area for their community for the planning period.

Objective 3: Joint Processes for Population Projections

Identify and describe joint processes for collaborative planning on population projections.

Measurable Targets: Number of plans reviewed; number of meetings held; population figures supplied to other agencies.

Policy 3.1: The City will coordinate with Polk County Planning Department and Central Florida Regional Planning Council to develop countywide population projections that include expected growth projections in the Mulberry area.

Policy 3.2: The City will review the draft population projections and consider using them in implementing and revising its comprehensive plan.

Policy 3.3: The City will forward the population projections used in its comprehensive plan to the School Board so they can consider projected growth and development as it relates to the future need for schools in the School Board’s 5, 10, and 20-year facility plans.

Objective 4: Joint Processes for School Siting

Identify and describe joint processes for collaborative planning on school siting.

Measurable Targets: Number of plans reviewed; number of meetings held; number of school sitings negotiated during the planning period.

Policy 4.1: The City shall cooperate with the School Board and other local jurisdictions to implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes, which includes procedures for school
Policy 4.2: The coordination of school siting shall be conducted in accordance with the Interlocal Agreement taking into consideration the needs identified in the current School Board Five Year Program of Work and annual general education facilities report updates.

Policy 4.3: The planning for new or expanded educational facilities must consider the effects of the location of public education facilities, including the feasibility of keeping central city facilities viable, in order to encourage central city redevelopment and the efficient use of infrastructure while discouraging urban sprawl. The City will encourage the collocation of public facilities of any kind, including parks, libraries, recreation opportunities and schools, when planning and reviewing a proposed site for a new or expanded educational facility.

Policy 4.4: If the proposed site for a new or expanded educational facility is consistent with the future land use policies and categories of the Mulberry Comprehensive Plan, the City may not deny an application for such a facility but may impose reasonable development standards and conditions which consider the site plan and its adequacy related to environmental concerns, health, safety and welfare, and effects on adjacent property.

OBJECTIVE 5: JOINT PROCESSES FOR FACILITIES SUBJECT TO CONCURRENCY

IDENTIFY AND DESCRIBE JOINT PROCESSES FOR COLLABORATIVE PLANNING FOR FACILITIES SUBJECT TO CONCURRENCY.

Measurable Targets: Number of plans reviewed; number of meetings held; 5-Year Schedule of Capital improvements updated and adopted annually.

Policy 5.1: City staff will coordinate as needed with Polk County Planning and Utility staffs for the purpose of determining future daily and emergency needs for water and sewer within both the City and unincorporated areas served by the City, and for potential growth areas of the City that might be accommodated by County utilities.

Policy 5.2: For the purpose of obtaining comments pertaining to development expected in the Polk County Comprehensive Plan, the City will notify Polk County planning staff of plans to adopt construction schedules within its capital improvements element for water and sewer facilities in unincorporated areas within the City's service areas.
Policy 5.3: The City will coordinate, through the Polk Transportation Planning Organization (PTPO), the transportation and mobility needs of the City with the needs of Polk County and the Florida Department of Transportation (FDOT).

Policy 5.4: The City will forward requests for access to county or state maintained roadways to each respective agency for comment concerning their respective plans and policies.

Policy 5.5: The City will continue to coordinate with the Polk County Board of County Commissioners staff for the provision of solid waste collection and disposal.

Policy 5.6: The City will enter into an interlocal agreement with Polk County for joint projects identified in the City’s stormwater management plan and the County’s Stormwater Management Plan.

Objective 6: Joint Processes for Facilities with Regional Significance

Identify and Describe Joint Processes for Collaborative Planning for Facilities with Regional Significance.

Measurable Targets: Number of plans reviewed; number of meetings held; data and information exchanged regarding planning for regional facilities.

Policy 6.1: The City will continue to coordinate with the Polk County Board of County Commissioners staff for the provision of countywide essential services, including but not limited to emergency services, animal control, social services, etc.

Policy 6.2: The City will coordinate with the TPO and Polk Transit Authority for the provision of major transportation facilities and mass transit, and promote a seamless transportation system facilitating the linkage of Mulberry with the rest of the county.

Policy 6.3: The City will coordinate with the Central Florida Regional Planning Council (CFRPC) and the Polk County Emergency Management Division to determine hurricane shelter space availability and the effect of population growth trends on evacuation clearance times and routes.

Policy 6.4: The City will forward notice of proposed comprehensive plan policies that would affect any regional resource identified in the Strategic Regional Policy Plan of the CFRPC to the Central Florida Regional Planning Council.
Policy 6.5: The City will coordinate with the Central Florida Regional Planning Council (CFRPC) to identify and protect Natural Resources of Regional Significance as identified in the CFRPC’s Strategic Regional Policy Plan, October 1997. The City will cooperate with Florida Department of Environmental Protection (FDEP) and CFRPC to identify and include greenways and an integrated habitat network of uplands on all planning maps.

Policy 6.6: The City will coordinate with Polk Vision, MyRegion.org’s How Shall We Grow – Growth Scenario, and the Heartland 2060 Vision.

Policy 6.7: The City will coordinate with Polk County’s PolkGreen Overlay comprehensive plan policies and incentives to acquire, conserve, or construct green infrastructure; i.e., an interconnected network of open spaces, natural areas, and agricultural lands.

Objective 7: Joint Processes for Identifying Problematic Land Uses and Regulations

The City will establish, maintain, and improve intergovernmental coordination of development review activities, especially collaborative planning and review of locally unwanted land uses, and regulatory concerns.

Measurable Targets: Number of plans reviewed; number of meetings held; county-wide regulations adopted and city-wide regulations adopted.

Policy 7.1: The City will conduct a review of its locational standards to determine whether conflicts exist between its regulations and neighboring jurisdiction regulations, what can be done to resolve any conflicts found, and any improvement in the effectiveness or efficiency to be gained through a countywide approach to standards that would be more uniform in their application.

Policy 7.2: The City will coordinate with the County, the CFRPC, or the appropriate ad hoc committees, in the development, review, and recommendation of efficient citywide guidelines to coordinate the location of problematic land uses.

Policy 7.3: The City shall provide a formal notification to abutting jurisdictions of any proposed comprehensive plans or plan amendments that could affect land
use, including locally undesirable land uses, in the adjoining jurisdiction by providing a detailed description of the proposed amendment and sending a map showing the location of the amendment.

**OBJECTIVE 8: VOLUNTARY DISPUTE RESOLUTION PROCESSES**

**BRING INTERGOVERNMENTAL DISPUTES TO CLOSURE IN A TIMELY MANNER THROUGH THE USE OF VOLUNTARY DISPUTE RESOLUTION PROCESSES.**

*Measurable Targets: Number of voluntary dispute resolution processes received. Number facilitated.*

**Policy 8.1:** The City will pursue the resolution of conflicts that may arise from the coordination of these ICE goals, objectives, and policies using the appropriate voluntary dispute resolution processes adopted by the City.

**Policy 8.2:** The City will coordinate with the County and the CFRPC, as appropriate, to resolve local government future land use plan disputes, as well as other planning related intergovernmental disputes.

**Policy 8.3:** The City will pursue the resolution of conflicts that may arise from the coordination of these ICE goals, objectives, and policies using the appropriate voluntary dispute resolution processes adopted by the City.

**Policy 8.4:** The City will utilize the CFRPC's role as a mediator and conciliator as outlined in the adopted Rule to reconcile differences on planning and growth management issues as outlined in the Rule.

**OBJECTIVE 9: JOINT PROCESSES FOR ENSURING FUTURE WATER RESOURCES AND SUPPLY**

**THE CITY OF MULBERRY SHALL WORK WITH SURROUNDING GOVERNMENTS AND COORDINATE ITS COMPREHENSIVE PLAN WITH THE WATER SUPPLY PLAN APPROVED BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, TO ENSURE THAT MEETING FUTURE POTABLE WATER NEEDS IS COORDINATED ON A REGIONAL BASIS.**

*Measurable Targets: Interlocal agreements entered into; consistency with Regional Water Supply Plan.*

**Policy 9.1:** The City hereby adopts by reference the Southwest Florida Water Management District Regional Water Supply Plan. The City will update its Water Supply Plan within 18 months of adoption of future updates to the Regional Water Supply Plan, and shall be consistent with the
Policy 9.2: The City shall continue coordination with SWFWMD, Polk County and adjacent municipalities regarding cooperative water supply planning and joint projects that may collectively conserve groundwater and enhance use of reclaimed water.
City of Mulberry
Polk County, Florida

2030 Comprehensive Plan
Capital Improvement Element
CAPITAL IMPROVEMENTS ELEMENT

GOAL: THE GOAL OF THIS ELEMENT IS THE PROVISION OF PUBLIC FACILITIES AND SERVICES IN A TIMELY, EFFICIENT, AND FISCALLY SOUND MANNER IN ORDER TO MEET CURRENT AND FUTURE NEEDS OF THE COMMUNITY.

OBJECTIVE 1.1: THE CAPITAL IMPROVEMENT ELEMENT WILL SERVE AS A MEANS TO CORRECT DEFICIENCIES IN PUBLIC FACILITIES OR SERVICES, TO PROVIDE THOSE FACILITIES AND SERVICES IN ORDER TO MEET THE NEEDS OF FUTURE GROWTH, AND TO REPLACE OBSOLETE OR WORN OUT FACILITIES. A 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS WILL BE MAINTAINED. THE SCHEDULE WILL MEET CONCURRENCY REQUIREMENTS OF CHAPTER 163.F.S. THAT REQUIRE PUBLIC FACILITIES AND SERVICES BE AVAILABLE, AT LEVELS OF SERVICE CONSISTENT WITH THOSE ADOPTED IN THE COMPREHENSIVE PLAN, WHEN THE IMPACTS OF DEVELOPMENT OCCUR.

Policy 1.1.1: The City will annually adopt a budget that provides a 5-year schedule of capital projects, including project cost and revenue sources to support the project.

Policy 1.1.2: The City shall determine the status and capabilities of existing and proposed facilities to accommodate current, new, and redevelopment demands. Required improvements will be added to the 5-year Capital Improvements Plan.

Policy 1.1.3: Prioritization of Capital Improvements projects will be based on several criteria, including the elimination of public hazards, the elimination of capacity deficits, and financial feasibility.

Policy 1.1.4: Prioritization of funding improvements shall include meeting adopted levels of service, increasing efficiency, and expanding services.

Policy 1.1.5: Prioritization of funding improvements shall involve coordination with adjacent incorporated communities if appropriate, in addition to those of the County, Regional Planning Council, State, the Florida Department of Transportation, the South West Florida Water Management District, and any other state agencies that provide public facilities in the City.
OBJECTIVE 1.2: THE CITY WILL MANAGE ITS LONG-TERM DEBT IN A FISCALLY SOUND MANNER.

Policy 1.2.1: Debt service shall not exceed 20 percent of annually budgeted revenues.

Policy 1.2.2: The City shall assess new developments a proportional share of costs to provide improvements to public facilities in order to meet the needs of the development.

Policy 1.2.3: The City shall replace capital facilities that have been destroyed. This shall be accomplished in a manner that is in compliance with the Comprehensive Plan.

OBJECTIVE 1.3: CONSTRUCTION, IMPROVEMENT, OR REPLACEMENT OF PUBLIC FACILITIES SHALL BE PROVIDED AT A LEVEL THAT MAINTAINS LEVEL OF SERVICE STANDARDS AS ADOPTED IN THE COMPREHENSIVE PLAN. FACILITIES NECESSARY TO MAINTAIN LEVEL OF SERVICE STANDARDS WILL BE INCLUDED ANNUALLY IN THE 5-YEAR CAPITAL IMPROVEMENT PLAN.

Policy 1.3.1: The City shall evaluate impacts resulting from new developments to ensure that adequate facilities are either in place or planned so that levels of service standards are not reduced.

Policy 1.3.2: Land use decisions that impact the provision of public services or facilities shall be based upon the City's capability to maintain adequate service levels as described in the elements of the Comprehensive Plan.

Policy 1.3.3: The City shall provide public facilities and services to serve developments for which development orders were issued prior to adoption of the City's Comprehensive Plan. The ability of facilities to serve new development at levels of service at or above adopted levels shall be established prior to issuance of a development order or permit.

Policy 1.3.4: The City shall ensure that developments that benefit from the extension or provision of services or facilities shall pay a proportionate share of the provision of such service or facility, or make contributions to the City to offset the cost of that service or facility.

Policy 1.3.5: The assessment of needed capital improvements shall be based on the Level of Service standards adopted in the Comprehensive Plan. These Level of Service standards include:
<table>
<thead>
<tr>
<th>Facility</th>
<th>Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Circulation (Principal arterials)</td>
<td>D</td>
</tr>
<tr>
<td>Traffic Circulation (Minor arterials)</td>
<td>E</td>
</tr>
<tr>
<td>Traffic Circulation (Other roadways)</td>
<td>E</td>
</tr>
<tr>
<td>Sanitary Sewer (Wastewater)</td>
<td>87 gallons of treatment per person per day</td>
</tr>
<tr>
<td>Drainage (Stormwater management)</td>
<td>Stormwater facilities shall be designed to accommodate the 25-year 24-hour storm event for new developments; and 3-year 24-hour storm event for existing developments</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>Disposal of 4.5 pounds per person per day</td>
</tr>
<tr>
<td>Potable Water</td>
<td>147 gallons per person per day</td>
</tr>
<tr>
<td></td>
<td>Pumping Capacity: 4,968,000 gallons per day</td>
</tr>
<tr>
<td></td>
<td>Storage Capacity: 400,000 gallons</td>
</tr>
<tr>
<td></td>
<td>Pressure: 65 pounds per square inch</td>
</tr>
<tr>
<td>Parks and Open Space</td>
<td>4.5 acres per 1.000 residents</td>
</tr>
<tr>
<td>Public Schools</td>
<td>Consistent with Policy 2.2.2 of Public Schools Facilities Element</td>
</tr>
</tbody>
</table>

**Policy 1.3.6:** The City hereby adopts by reference, the Polk County School District 5-year Facilities Work Program, as approved by the Polk County School Board for the years 2011/2012 through 2015/2016 as part of its Schedule of Capital Improvements.

**Policy 1.3.7:** The City of Mulberry hereby adopts, by reference, the Southwest Florida Water Management District Regional Water Supply Plan and District Water Management Plan, the Polk County Transportation Planning Organization Transportation Improvement Plan, and the Florida Department of Transportation Five-Year Work Program 2012-2016, into the City’s 5 Year Schedule of Capital Improvements.

**Policy 1.3.8:** The City shall not allow exceptions for developments of de minimis impact.

**OBJECTIVE 1.4:** FUNDING MECHANISMS NECESSARY TO MEET THE FACILITIES REQUIREMENTS OF THE COMPREHENSIVE PLAN SHALL BE ADOPTED AND MAINTAINED.

**Policy 1.4.1:** In order to adequately maintain adopted Level of Service standards, the City shall maintain an effective and appropriate schedule of user charges and shall employ other appropriate means to properly collect necessary funds including, but not
limited to, developer contributions as detailed in developer agreements, proportionate share dollars, and impact fees if applicable.

OBJECTIVE 1.5: LAND USE DECISIONS AND AVAILABLE RESOURCES WILL BE COORDINATED WITHIN THE 5-YEAR CAPITAL IMPROVEMENTS PLAN. THE PLAN WILL BE ADOPTED ANNUALLY.

Policy 1.5.1: The City shall review changes to the Land Use Plan for consistency with the 5-year Capital Improvements Plan.
<table>
<thead>
<tr>
<th>Project Category, Number, and Name</th>
<th>FY11-12</th>
<th>FY12-13</th>
<th>FY13-14</th>
<th>FY14-15</th>
<th>FY15-16</th>
<th>Total Project Cost</th>
<th>Comp Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TRANSPORTATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>1. Landstar - Transportation Facilities Improvements</td>
<td></td>
<td></td>
<td>$9,905,000</td>
<td>$9,905,000</td>
<td>$10,810,000</td>
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<tr>
<td>2. Aloha Preserve - Transportation Facilities Improvements</td>
<td>$1,261,666</td>
<td>$1,261,666</td>
<td></td>
<td>$2,023,332</td>
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<td>Yes</td>
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<tr>
<td>3. Donaldson Knoll - Transportation Facilities Improvements</td>
<td>$702,500</td>
<td>$782,500</td>
<td></td>
<td></td>
<td>$1,985,000</td>
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<tr>
<td>4. Eagle Ridge - Transportation Facilities Improvements</td>
<td>$1,090,000</td>
<td>$1,090,000</td>
<td></td>
<td></td>
<td>$2,180,000</td>
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<tr>
<td>5. NE 9th Avenue Extension</td>
<td></td>
<td></td>
<td></td>
<td>$6,256,286</td>
<td>$6,256,286</td>
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<td></td>
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<tr>
<td>6. Diesel Road Acquisition</td>
<td></td>
<td></td>
<td></td>
<td>$1,029,470</td>
<td>$1,926,479</td>
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<td>7. SW 4th Street Extension</td>
<td></td>
<td></td>
<td></td>
<td>$2,314,179</td>
<td>$2,314,179</td>
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<tr>
<td>8. Sidewalk Improvements - Citywide</td>
<td></td>
<td></td>
<td></td>
<td>$441,250</td>
<td>$441,250</td>
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<td></td>
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<tr>
<td>9. Street Paving Program - Citywide</td>
<td>$35,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$435,000</td>
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<tr>
<td><strong>Transportation Total</strong></td>
<td>$35,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$13,680,416</td>
<td>$23,638,107</td>
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<tr>
<td><strong>POTABLE WATER</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>1. Southside Water Plant Improvements</td>
<td>$1,115,612</td>
<td>$1,115,612</td>
<td></td>
<td></td>
<td>$2,231,224</td>
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<tr>
<td>2. Water Line Improvements</td>
<td>$1,175,270</td>
<td>$1,175,270</td>
<td></td>
<td></td>
<td>$2,350,540</td>
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<tr>
<td>3. North Plant Well Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$136,236</td>
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<tr>
<td>4. Water Line Improvements in the SE quadrant</td>
<td>$648,000</td>
<td></td>
<td></td>
<td></td>
<td>$648,000</td>
<td>Yes</td>
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### CITY OF MULBERRY - FIVE YEAR CIP

<table>
<thead>
<tr>
<th>Project Category, Number, and Name</th>
<th>FY11-12</th>
<th>FY12-13</th>
<th>FY13-14</th>
<th>FY14-15</th>
<th>FY15-16</th>
<th>Total Project Cost</th>
<th>Comp Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Interconnect to Polk County Water - WEST LOCATION</td>
<td></td>
<td></td>
<td>$75,000</td>
<td>Ent. Fund</td>
<td>$75,000</td>
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<th>FY15-16</th>
<th>Total Project Cost</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>PARKS AND RECREATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Ruth Stewart Park -Expansion</td>
<td>$10,000</td>
<td>General Fund</td>
<td>$10,000</td>
<td>General Fund</td>
<td>$10,000</td>
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<tr>
<td>2 Ruth Stewart Park - Rest Room Facility</td>
<td>$20,000</td>
<td>Polk County CDBG</td>
<td>$20,000</td>
<td>Polk County CDBG</td>
<td>$20,000</td>
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<td></td>
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<tr>
<td>3 Celia Williams Park - Equipment &amp; Improvements</td>
<td>$15,260</td>
<td>Polk County CDBG</td>
<td>$15,260</td>
<td>Polk County CDBG</td>
<td>$15,260</td>
<td>Yes</td>
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<tr>
<td>4 Land Acquisition - adjacent to Alafia Nature</td>
<td>$30,000</td>
<td>General Fund</td>
<td>$30,000</td>
<td>General Fund</td>
<td>$30,000</td>
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<tr>
<td>5 Alafia Preserve - Parks Facilities</td>
<td>$825,000</td>
<td>CDD Funding by Project Developer</td>
<td>$825,000</td>
<td>CDD Funding by Project Developer</td>
<td>$1,650,000</td>
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<tr>
<td>6 Sage Ridge - Parks Facilities</td>
<td>$60,000</td>
<td>Polk County</td>
<td>$60,000</td>
<td>Polk County</td>
<td>$60,000</td>
<td>Yes</td>
<td></td>
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<tr>
<td>7 NE 4th Avenue Park Improvements/Rehabilitation</td>
<td>$75,000</td>
<td>Polk County</td>
<td>$75,000</td>
<td>Polk County</td>
<td>$75,000</td>
<td>Yes</td>
<td></td>
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<tr>
<td>8 Janie Eason Park Improvements/Rehabilitation</td>
<td>$200,000</td>
<td>Polk County</td>
<td>$200,000</td>
<td>Polk County</td>
<td>$200,000</td>
<td>Yes</td>
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<tr>
<td>9 Swimming Pool Improvements/Rehabilitation</td>
<td>$227,475</td>
<td>Polk County</td>
<td>$227,475</td>
<td>Polk County</td>
<td>$227,475</td>
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<tr>
<td>10 State Park/Spence Field Improvements</td>
<td>$460,000</td>
<td>Grant Funds</td>
<td>$460,000</td>
<td>Grant Funds</td>
<td>$460,000</td>
<td>Yes</td>
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<tr>
<td>11 Civic Center Improvements/Rehabilitation</td>
<td>$50,000</td>
<td>Stimulus/Federal Grant Funds</td>
<td>$50,000</td>
<td>Stimulus/Federal Grant Funds</td>
<td>$50,000</td>
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<tr>
<td>12 Lake Pointe Village Boat Ramp</td>
<td>$75,260</td>
<td>General Fund</td>
<td>$75,260</td>
<td>General Fund</td>
<td>$75,260</td>
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<tr>
<td><strong>Parks and Recreation Total</strong></td>
<td>$75,260</td>
<td>$30,000</td>
<td>$1,650,000</td>
<td>$4,957,735</td>
<td>$4,957,735</td>
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<tr>
<td><strong>STORMWATER DRAINAGE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Stormwater Drainage System Improvements - Citywide</td>
<td>$121,000</td>
<td>SWFWMD Grant, Storm Water Fund</td>
<td>$121,000</td>
<td>SWFWMD Grant, Storm Water Fund</td>
<td>$121,000</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>2 Purchase property on SW 5th Road</td>
<td>$10,000</td>
<td>SWFWMD Grant, Storm Water Fund</td>
<td>$10,000</td>
<td>SWFWMD Grant, Storm Water Fund</td>
<td>$10,000</td>
<td>Yes</td>
<td></td>
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<tr>
<td>3 Mulberry Nature Park - Restoration Project</td>
<td>$81,000</td>
<td>SWFWMD Grant</td>
<td>$81,000</td>
<td>SWFWMD Grant</td>
<td>$81,000</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>
## CITY OF MULBERRY - FIVE YEAR CIP

<table>
<thead>
<tr>
<th>Project Category, Number, and Name</th>
<th>FY11-12</th>
<th>FY12-13</th>
<th>FY13-14</th>
<th>FY14-15</th>
<th>FY15-16</th>
<th>Total Project Cost</th>
<th>Comp Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 NW 10th Olive Pipe Replacement &amp; Re-establish Swales</td>
<td>$ 35,000</td>
<td>Stormwater Fund</td>
<td></td>
<td></td>
<td></td>
<td>$ 35,000</td>
<td>Yes</td>
</tr>
<tr>
<td>5 SE Second versus the North prong of the Alafia River (AKA New Road Bridge)</td>
<td></td>
<td></td>
<td></td>
<td>$ 250,000</td>
<td>General Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 NE MLK (near Civic Center) 30&quot; Pipe Replacement</td>
<td></td>
<td></td>
<td></td>
<td>$ 30,000</td>
<td>SWFWMQ Grant, Storm Water Fund</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>7 City Wide Stormwater Pipe Replacement</td>
<td></td>
<td></td>
<td></td>
<td>$ 20,000</td>
<td>SWFWMQ Grant, Storm Water Fund</td>
<td>$ 50,000</td>
<td>Yes</td>
</tr>
<tr>
<td>8 Donaldson Hollow - Collection System and Ponds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 498,000</td>
<td>Yes</td>
</tr>
<tr>
<td>9 Alafia Preserve - Collection System and Ponds</td>
<td></td>
<td></td>
<td></td>
<td>$ 3,535,000</td>
<td>CDD Funding by Project Developer</td>
<td>$ 3,535,000</td>
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</tr>
<tr>
<td>10 Eagle Ridge - Collection System and Ponds</td>
<td></td>
<td></td>
<td></td>
<td>$ 3,897,500</td>
<td>CDD Funding by Project Developer</td>
<td>$ 7,795,000</td>
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</tbody>
</table>

**Stormwater Drainage Total** $ 247,000 $ 75,000 $ 380,000 $ 7,762,500 $ 7,920,500 $ 16,165,000

**SCHOOLS**

<table>
<thead>
<tr>
<th>Project Category, Number, and Name</th>
<th>FY11-12</th>
<th>FY12-13</th>
<th>FY13-14</th>
<th>FY14-15</th>
<th>FY15-16</th>
<th>Total Project Cost</th>
<th>Comp Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Landstar - Elementary School Site &amp; Facility</td>
<td></td>
<td></td>
<td></td>
<td>$ 27,000,000</td>
<td>Developer Donation and Park County School District</td>
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<tr>
<td>2 Landstar - Middle School Site &amp; Facility</td>
<td></td>
<td></td>
<td></td>
<td>$ 44,000,000</td>
<td>Developer Donation and Park County School District</td>
<td></td>
<td>Yes</td>
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</tbody>
</table>

**Schools Total** $ - $ - $ - $ - $ 71,000,000 $ 71,000,000

**SANITATION**

<table>
<thead>
<tr>
<th>Project Category, Number, and Name</th>
<th>FY11-12</th>
<th>FY12-13</th>
<th>FY13-14</th>
<th>FY14-15</th>
<th>FY15-16</th>
<th>Total Project Cost</th>
<th>Comp Plan</th>
</tr>
</thead>
</table>

**Sanitation Total** $ - $ - $ - $ - $ - $ -

**TOTAL ALL CATEGORIES** $ 6,254,525 $ 4,963,400 $ 400,000 $ 36,702,891 $ 121,808,107 $ 174,309,823
City of Mulberry
Polk County, Florida

2030 Comprehensive Plan
Public School Facilities Element
GOAL 1: COORDINATE WITH THE POLK COUNTY SCHOOL BOARD AND OTHER JURISDICTIONS TO ENSURE QUALITY EDUCATIONAL FACILITIES AND SUPERIOR EDUCATIONAL OPPORTUNITIES WHICH IN TURN ENCOURAGES ECONOMIC GROWTH FOR INDIVIDUALS AND FAMILIES IN MULBERRY AND POLK COUNTY.

OBJECTIVE 1.1: The City of Mulberry shall implement the approved Interlocal Agreement for Public School Facility Planning (hereafter referred to as the Interlocal Agreement) as amended to maximize opportunities to share information.

Policy 1.1.1: Elected Officials Annual Meeting (aka “Schools Summit”). The City shall meet at least annually with the School Board and other jurisdictions to review issues related to the Public School Facilities Element and the Interlocal Agreement and to determine the need to revise these documents.

Policy 1.1.2: Planners Working Group Annual Meetings. The Planners Working Group as established in the Interlocal Agreement shall meet at least twice a year to set direction, plan for the annual meeting as described in Policy 1.1.1, formulate recommendations and discuss issues related to this element and the Interlocal Agreement as well as ancillary infrastructure improvements needed to support schools and ensure safe access to school facilities.

Policy 1.1.3: The City shall coordinate with the School Board and other jurisdictions to base Plans on consistent projections, including population projections that are developed in coordination with the School Board, and student enrollment projections district-wide and by planning areas which are agreed upon by the Planners Working Group. The School Board’s student enrollment projections shall consider the impacts of development trends and data required to be reported in accordance with the Interlocal Agreement.

Policy 1.1.4: The City shall at least annually report on growth and development trends within its jurisdiction to the School Board. The City shall provide the information as specified in the Interlocal Agreement. The School Board will use the information to distribute student enrollment by concurrency service area to make the most efficient use of public school facilities.

Policy 1.1.5: Support School Board efforts to identify long-range school site needs and select sites based on the criteria established in this element and the Interlocal Agreement.
Policy 1.1.6: The City shall seek and consider School Board comments on relevant comprehensive plan amendments and other land use decisions which may impact schools, as provided for in Florida Statute.

Policy 1.1.7: The City shall review their annually updated copy of the Polk County School Board's Five Year Program of Work and other reports from the School Board including a general educational facilities report with information outlined in the Interlocal Agreement.

Policy 1.1.8: The City shall appoint a representative selected by the School Board to serve at a minimum as an ex-officio member of their local planning agency but could be a full member with voting rights.

OBJECTIVE 1.2: The City of Mulberry will encourage partnerships that will ensure adequate educational facilities which in turn will encourage economic growth and provide for a trained and stable labor force, resulting in a higher quality of life.

Policy 1.2.1: Support and encourage community and business partnerships for educational support services, to include, but not be limited to, magnet programs, work training, and job placement in order to improve productivity, earning potential, standard of living, and retention of labor force.

Policy 1.2.3: Consider the economic impact of school locations on neighborhoods such as, but not limited to the following factors: infrastructure, property and housing values, as well as surrounding land uses.

Policy 1.2.4: Encourage public/private partnerships between schools, business community, and other employers through mentoring programs, and Adopt-A-School programs with employees.

OBJECTIVE 1.3: The City of Mulberry shall establish new and review existing coordination mechanisms relating to school facility planning that evaluate and address the comprehensive plan's effects on adjacent local governments, the school board, and other units of local government providing services but not having regulatory authority over use of land and the State.
Policy 1.3.1: The City shall cooperate with the School Board and other local jurisdictions to implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes, which includes procedures for:
   a. Coordination and Sharing of Information
   b. Planning Processes
   c. School Siting Procedures
   d. Site Design and Development Plan Review
   e. School Concurrency Implementation
   f. Implementation and Amendments
   g. Resolution of Disputes

Policy 1.3.2: The coordination of school siting shall be conducted in accordance with the Interlocal Agreement taking into consideration the needs identified in the current School Board Five Year Program of Work and the annual general education facilities report.

Policy 1.3.3: In order to coordinate the effective and efficient provision and siting of public educational facilities with associated infrastructure and services within the Polk County School District, the Board of County Commissioners, School Board, and Commissions from other jurisdictions shall meet jointly to develop mechanisms for coordination. Such efforts may include:
   a. Coordinated submittal and review of the annual capital improvement program of the City, the annual educational facilities report and Five Year Program of Work of the School Board.
   b. Coordinated review and assessment of the associated costs and expenditures of siting and developing schools with needed public infrastructure.
   c. Coordinated review of residential planned developments or mixed use planned developments involving residential development.
   d. Use of a unified data base including population (forecasts of student population), land use and facilities.
   e. Assistance from Polk Leisure Services (with representatives from each of the entities) to review coordinated siting of schools with parks for multi-functional use. Directives resulting from the joint meeting shall be incorporated into the Comprehensive Plan, Land Development Regulations, and other appropriate mechanisms as deemed necessary.
GOAL 2: THE CITY OF MULBERRY WILL IMPLEMENT PUBLIC SCHOOL FACILITIES CONCURRENCY UNIFORMLY WITH OTHER LOCAL JURISDICTIONS IN ORDER TO ENSURE THE AVAILABILITY OF PUBLIC SCHOOL FACILITIES CONSISTENT WITH AN ADOPTED LEVEL OF SERVICE PROVIDING ADEQUATE SCHOOL CAPACITY AND ELIMINATING OVERCROWDED CONDITIONS IN EXISTING AND FUTURE SCHOOLS.

OBJECTIVE 2.1: Establish a minimum level of service for schools and consider school capacity within development impact reviews, e.g. for Planned Developments, re-zoning requests, site plans, DRIs, or where there are specific development plans proposed.

Policy 2.1.1: The City shall establish development plan review procedures with an effective date of March 1, 2008, for all residential and mixed use development proposals in order to implement school concurrency.

Policy 2.1.2: The long term target for Polk County Schools, based upon State Requirements for Educational Facilities (SREF) is 100% of Permanent Student Station Capacity.

An annual Utilization Analysis will be conducted by the Polk County School Board Facilities Division to determine the operation and efficiency of each school as compared to the Department of Education's standards determined by the Florida Inventory of School Houses (FISH).

Policy 2.1.3: The City shall collaborate with the School Board to identify methods to achieve targeted utilization that include:

- a. Improvements to existing school facilities (shared facilities, redistricting, expansion or remodeling, etc.).
- b. Retrofitting of existing structures.
- c. New school construction.
- d. Encouraging multi-story school facilities in an urban environment.
- e. Exploring re-use of former non-residential centers as potential urban school sites.

OBJECTIVE 2.2: The City of Mulberry shall ensure that the capacity of schools is sufficient to support students at the adopted level of service (LOS) standards within the period covered by the Five Year Program of Work. These standards shall be consistent with the Interlocal Agreement.

Policy 2.2.1: The City shall apply the LOS standards set forth herein consistently with all local jurisdictions and the School Board on a district-wide basis within the adopted concurrency service areas for each school type.
Policy 2.2.2: Consistent with the Interlocal Agreement, the uniform district-wide level-of-service standards are established as a percent of permanent Florida Inventory of School Houses (FISH) capacity. Permanent capacity cannot be increased by adding relocatables.

The LOS standards are set as follows:

**TIERED LEVEL OF SERVICE — SCHOOL YEAR 2008-2013**

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>122%</td>
<td>122%</td>
<td>115%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Middle</td>
<td>113%</td>
<td>113%</td>
<td>110%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>High School</td>
<td>110%</td>
<td>110%</td>
<td>105%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

a. Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.

b. Other: K-8, 6th grade centers, 9th grade centers, 6-12th grade schools are at one hundred percent (100%) of permanent DOE FISH capacity.

c. Special Facilities: Including alternative education or special programmatic facilities are designed to serve the specific population on a countywide basis or for temporary need and are not zoned to any specific area. Therefore, they are not available or used for concurrency determinations.

d. Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited control over how many students the schools enroll.

Policy 2.2.3: Where schools operate below their respective LOS standard, their facility needs should be addressed in the School Board’s Five Year Program of Work. Facility needs which cannot be addressed by the Five Year Program of Work would require a long term concurrency management program to be adopted by the School Board.

Policy 2.2.4: The City shall coordinate with the School Board to achieve an acceptable LOS at all applicable schools as part of the School Board’s financially feasible Five Year Program of Work concurrency management program. The student population shall not exceed the core dining capacity at any time.
OBJECTIVE 2.3: The City of Mulberry, in coordination with other jurisdictions and the School Board, shall establish School Concurrency Service Areas within which a determination is made of whether adequate school capacity is available based on the adopted level of service standards.

Policy 2.3.1: The School Concurrency Service Areas (CSAs) for the Polk County School District, as agreed in the Interlocal Agreement, shall be school attendance zones (excluding attendance "spot zones"). When a proposed adjustment to the established school attendance zones is to be considered by the School Board, The City shall coordinate with the School Board to provide technical and public input prior to an official public hearing. The school attendance CSAs are hereby adopted by reference and included in the Public Schools Facility Element data and analysis.

Policy 2.3.2: Concurrency service areas shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards, taking into account minimizing transportation costs, limiting maximum student travel times, the effect of desegregation plans, achieving socioeconomic and diversity objectives as required by the Florida Department of Education, and recognizing the capacity commitments resulting from the local governments' within Polk County’s [City’s] development approvals for the CSA and for contiguous CSA’s.

Policy 2.3.3: Concurrency service areas shall be designed so that the adopted level of service will be able to be achieved and maintained within the bounds of the School Board’s requirement for a financially feasible five year capital facilities plan.

OBJECTIVE 2.4: In coordination with the School Board, the City of Mulberry will establish a process for implementation of school concurrency which includes capacity determinations and availability standards. The City shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

Policy 2.4.1: Final subdivision and site plan approvals for residential development shall be conditioned upon the availability of adequate school capacity as per the adopted level of service standards (LOS) of this element and as required by Section 163.3180(13) F.S.

Policy 2.4.2: School concurrency shall apply only to residential development or a phase of residential development that generate students requiring a final development approval including subdivision plat approval, site plan, or its functional equivalent, proposed or established after the effective date of this element.
Policy 2.4.3: The City shall prepare a report on the development projects not subject to school concurrency at the time of the adoption of the Public School Facilities Element.

Policy 2.4.4: The City, in consultation with Polk County School Board staff, will develop and adopt land development regulations which establish application procedures and processes for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement.

Policy 2.4.5: The City may provide a non-binding schools concurrency decision earlier in the approval process, such as at the time of preliminary plan approvals, if requested by the applicant. The School Board must approve the concurrency determination, allocations of capacity, and school concurrency mitigation commitments, as provided herein.

Policy 2.4.6: School concurrency decisions should support and not be in conflict with the local goals and objectives of the comprehensive plan regarding growth management, as articulated in the other elements of the local comprehensive plan.

Policy 2.4.7: The City will issue a concurrency determination based on the School Board’s concurrency review findings and recommendations consistent with the Interlocal Agreement. The School Board’s findings and recommendations shall address whether adequate capacity exists for elementary, middle, and high schools, based on the level of service standards, or if adequate capacity does not exist, whether appropriate mitigation can be accepted, and if so, acceptable options for mitigation consistent with the policies set forth herein.

Policy 2.4.8: The City shall only issue a concurrency approval for a subdivision plat or site plan for residential development where:

a. The School Board’s findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site plan for each level of school;

b. Adequate school facilities are available in the relevant CSA or adjacent CSA where the impacts of development can be shifted to that area; or

c. 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.
Policy 2.4.9: In the event that there is not sufficient capacity in the affected concurrency service area based on the adopted level of service standard to address the impacts of a proposed development, and the availability standard for school concurrency cannot be met, one of the following shall apply:

a. The project shall provide capacity enhancement(s) sufficient to meet its impact through proportionate share or other school board approved mitigation; or,

b. The project shall be delayed to a date when the level of service can be ensured through capital enhancement(s) or planned capacity increases; or,

c. A condition of approval of the subdivision or site plan shall be that the project’s impact shall be phased and each phase shall be delayed to a time when capacity enhancement and level of service can be ensured; or,

d. The project shall not be approved.

Policy 2.4.10: If the impact of the project will not occur until years 2 or 3 of the School Board’s financially feasible Five Year Program of Work, then any relevant programmed improvements in those years shall be considered available capacity for the project and factored into the level of service analysis. If the impact of the project will not be felt until years 4 or 5 of the Five Year Program of Work, then any relevant programmed improvements shall not be considered available capacity for the project unless funding of the improvement is ensured through School Board funding to accelerate the project, through school concurrency mitigation, or some other means.

OBJECTIVE 2.5: The City of Mulberry shall allow for mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School Board’s financially feasible Five Year Program of Work.

Policy 2.5.1: Mitigation shall be allowed where the adopted level of service standards cannot be met. Mitigation options shall include options listed below for which the School District assumes operational responsibility through incorporation in the adopted School Board’s financially feasible Five Year Program of Work and which will maintain adopted level of service standards.

a. The donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities created by the proposed development; and,
b. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.

Policy 2.5.2: Mitigation shall not be required if the needed capacity for the development is available in one or more contiguous concurrency service areas and the impacts of the development can be shifted to that concurrency service area and where such is consistent with the other provisions of this Element.

Policy 2.5.3: Mitigation shall be directed to permanent capacity improvement projects on the School Board's financially feasible Five Year Program of Work that will satisfy the demand created by that development approval consistent with the adopted level of service standards, and shall be assured by a legally binding development agreement between the School Board, the City, and the applicant executed prior to the issuance of the subdivision plat or the site plan as required by the local government. If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in its Five Year Program of Work in a timely manner. However, if a new development triggers the need for additional capacity which can only be met by a new school and such new school would not otherwise be needed for more than five years, the mitigation agreement shall not trigger concurrency nor a change to the Five Year Program of Work Plan until the time at which conditions for the agreement are acceptable to the School Board. The development agreement shall include the landowner's commitment to continuing renewal of the development agreement upon its expiration. Relocatable classrooms will not be accepted as mitigation.

Policy 2.5.4: The amount of mitigation required for each school level shall be determined by multiplying the number of new student stations required to serve the new development by the average costs per student station applicable to the Polk County School District. The average cost per student station shall include school facility development costs and land costs.

Policy 2.5.5: As provided in the Interlocal Agreement, the student generation rates used to determine the impact of a particular development application on public schools, shall be reviewed and updated as apparent and necessary in accordance with professionally accepted methodologies at a minimum of five (5) years.

OBJECTIVE 2.6: The City of Mulberry, in coordination with other jurisdictions, shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools.
Policy 2.6.1: The City, in coordination with other jurisdictions, shall ensure that future development pays a proportionate share of the costs of the capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

Policy 2.6.2: The City hereby incorporates by reference the School Board's financially feasible Five Year Program of Work.

Policy 2.6.3: The City shall continue to investigate the feasibility of additional funding sources for additional public schools.

GOAL 3: Partner with the School Board and other jurisdictions to promote schools as focal points of existing and future neighborhoods through siting for new schools, redevelopment of existing school facilities, and co-location and shared use of facilities and services.

OBJECTIVE 3.1: The City of Mulberry, in collaboration with the School Board and other jurisdictions, shall provide for the location and expansion of existing schools in a coordinated manner ensuring the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and to ensure compatibility and consistency with the Comprehensive Plan.

Policy 3.1.1: The City will provide the School Board with potential sites for consideration when notified by the School Board of the need for new school facilities in accordance with the Interlocal Agreement.

Policy 3.1.2: The City will coordinate with the School Board to ensure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan and will consider each site as it relates to environmental, health, safety and welfare concerns, effects on adjacent property and other guidelines as outlined in the Interlocal Agreement.

Policy 3.1.3: The City shall coordinate with the School Board and other jurisdictions on the planning and siting of new schools facilities to ensure appropriate timing of necessary services and infrastructure and are compatible and consistent with the Comprehensive Plan.
Policy 3.1.4: The City will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools. Schools are an allowable land use in all current and future land use plan categories, except heavy industrial and conservation or preservation type land uses designating environmentally sensitive areas. The City shall clearly identify in the Future Land Use Element and Land Development Regulations the land use and zoning categories in which schools are allowable uses.

Policy 3.1.5: The City will collaborate with the School Board and other jurisdictions to jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school, and will enter into a written agreement, if necessary, as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements as referenced in F.S. 1013.51.

Policy 3.1.6: The City shall protect schools from the intrusion of incompatible land uses by providing the School Board representatives the opportunity to participate in the review process for all proposed developments adjacent and in proximity to schools.

Policy 3.1.7: The preferred locations for public schools, whether elementary, middle or high School, are within the Urban Service Areas for utility services and expansions.

Policy 3.1.8: The City shall automatically process amendments to the Future Land Use Map upon the approval of a new school site, where necessary. The processing of any amendments shall be at no cost to the School Board.

Policy 3.1.9: The City shall participate in the School Site Selection process following the terms and limitations established in the Interlocal Agreement.

Policy 3.1.10: The City shall collaborate with the School Board and other jurisdictions to ensure the provision of supporting infrastructure as required by the Interlocal Agreement and applicable Florida Statutes.

Policy 3.1.11: The City shall establish an effective process for reserving, with conceptual School Board staff approval, school sites which could include:

a. Consideration of school siting during the completion of area wide studies,

b. Encouragement to developers to contribute towards the provision of school facilities.
OBJECTIVE 3.2 Enhance community and neighborhood design through effective school educational facility design, school siting standards, compatibility with surrounding land uses, schools as focal points for community planning, and making schools a central component, geographically or otherwise, to neighborhood-level planning.

Policy 3.2.1: Work with the School Board to identify new school sites that would be in locations to provide logical focal points for community activities and serve as the cornerstone for innovative urban design standards.

Policy 3.2.2: Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.

Policy 3.2.3: Support and encourage the location of new elementary and middle schools internal to residential neighborhoods and/or near other civic land uses, within the limits of School Board mandated desegregation.

Policy 3.2.4: Coordinate with the School Board to identify locations for new high schools based upon need and availability of viable properties within the search area identified by the School Board.

Policy 3.2.5: Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance to residential neighborhoods.

Policy 3.2.6: In cooperation with the School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.

Policy 3.2.7: Support the School Board in its efforts to locate appropriate school services, such as administrative offices, night classes and adult education on-site or in alternative locations, such as but not limited to commercial plazas, shopping malls, and community centers.

Policy 3.2.8: The City shall coordinate closely with School Board staff on preliminary design plans for new schools, generally seeking to maximize land via multi-story facilities, incorporating design elements which are community-friendly such as allowing for a shared media and/or meeting center and/or play fields on campus, respecting environmental features of a site, respecting the need to provide noise or visual buffers from adjacent owners, providing connectivity for pedestrians at multi-school properties, pedestrian, bicycle and other connectivity to the surrounding residential community.

Policy 3.2.9: Reduce capital expenditures for The City and the School Board via cost-effective design criteria and shared facilities.
OBJECTIVE 3.3: *Plan for the expansion and/or rehabilitation of existing school facilities to maintain and improve neighborhoods and communities.*

Policy 3.3.1: Where existing schools are proposed to be expanded, substantially renovated or new schools are proposed to be built, The City shall request that school board staff, local school-based faculty, and advisory councils coordinate with County staff and relevant neighborhood groups/leaders, and residents to integrate school facilities and activities with neighborhood planning and community development activities.

Policy 3.3.2: Coordinate with the School Board, Florida Department of Transportation (FDOT), the Transportation Planning Organization (TPO), and other jurisdictions to ensure that both existing educational facilities and proposed public school sites are accessible from, and integrated into, a planned system of sidewalks, trails, and bikeways and observe adopted local access management principles. Seek or assist the School Board in seeking grant funding to enhance access and inter-modal connectivity to and between schools, their co-located facilities, neighborhoods, and proximate community facilities such as parks.

OBJECTIVE 3.4: *Implement provisions of the Interlocal Agreement by coordinating the location of educational facilities and the co-location of other public facilities.*

Policy 3.4.1: The City will review future school and ancillary facility plans and identify opportunities for future co-location or joint use projects. The School Board will be notified of potential projects in a timely manner.

Policy 3.4.2: Encourage the location of parks, recreation and community or civic facilities in new and existing communities in conjunction with school sites. Seek out other co-location and joint use opportunities as outlined in the Interlocal Agreement that will benefit existing neighborhoods or redevelopment efforts.

Policy 3.4.3: The City will provide funding within their Capital Improvements Element to allow for identified and potential co-location projects.

OBJECTIVE 3.5: *Strengthen existing neighborhoods and enhance community and neighborhood design through the co-location and joint use of educational facilities.*

Policy 3.5.1: The City, in cooperation with the School Board and other jurisdictions, shall whenever possible coordinate the co-location and shared use of school facilities, parks, community facilities, and other facilities compatible with schools.
Policy 3.5.2: The City and other jurisdictions in cooperation with the School Board shall jointly plan jurisdictional co-location or joint use projects which overlap boundaries within areas defined for civic purposes. Civic uses near or adjacent to schools shall be a preferred land use in regard to land use decision making.

Policy 3.5.3: Continue to exercise joint use agreements between the School Board, the City, and other relevant agencies regarding shared use of facilities, including schools, community centers, libraries, parks, and other compatible facilities. Agreements shall include shared costs where feasible.

Policy 3.5.4: Support and encourage community-based programs for children's athletics, performing arts, and after-school enrichment in conjunction with school facilities. This may include exploring and supporting economically feasible multi-modal transportation system options that will enhance such opportunities.

Policy 3.5.5: Encourage the business community, developers, and other private organizations to coordinate with the City and the School Board to jointly fund and design community-based services and facilities in conjunction with existing and proposed school sites.

GOAL 4: MAINTAIN AND ENHANCE INTERGOVERNMENTAL COORDINATION AND JOINT PLANNING EFFORTS WITH THE SCHOOL BOARD AND OTHER JURISDICTIONS TO ENSURE PUBLIC INFRASTRUCTURE AND OTHER NECESSARY SERVICES ARE AVAILABLE IN A MULTI-JURISDICTIONAL ENVIRONMENT FOR PUBLIC SCHOOL FACILITIES.

OBJECTIVE 4.1: Integrate land use and school facility planning in Mulberry through a series of planning, coordination and implementation activities which ensure capital facilities and infrastructure necessary for school facilities are available to public schools.

Policy 4.1.1: Through development review processes, consider the possible need for expansion of existing school facilities or the provision of new facilities with land use planning.

Policy 4.1.2: Develop a process for an annual joint review of the capital plans for the school board and the local government.

Policy 4.1.3: Plan and locate new school facilities in areas where student population growth is expected due to new development approvals and/or agreed-upon area specific population projections.
Policy 4.1.4: The City shall coordinate with the efforts of the School Board to provide emergency shelter, in accordance with Florida Statutes, when the construction of new facilities or rehabilitation or when expansion of existing facilities are being considered.

OBJECTIVE 4.2: Support School Board programs to effectively and efficiently manage existing capital and operational funds and resources.

Policy 4.2.1: The City shall cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

Policy 4.2.2: Support School Board efforts to ensure sufficient capacity and operational resources for current and future school enrollment by partnering in the identification of capital needs, operational needs, and available funding sources for various campuses and school programs.

Policy 4.2.3: Support the School Board and encourage the State Legislature to allow flexibility in state, local and private sector participation in capital and operational funding of public school facilities.

Policy 4.2.4: Give priority in scheduling City programs and capital improvements which are consistent with and which meet the capital needs identified in the school facility planning program(s).

Policy 4.2.5: Coordinate with the School Board to ensure the appropriate methodology (i.e. student generation rates) is utilized to evaluate the impact of different types of residential units on student populations, school facilities, and fiscal impacts to schools.

Policy 4.2.6: Consider joint funding for expanding appropriate school facilities to function as community service centers.

Policy 4.2.7: Encourage the private sector to identify and implement creative solutions in developing adequate school facilities in residential developments. Creative solutions may include combining mitigation needs of several developments, creating or enhancing co-location opportunities, and/or conversion of structures to a school setting as long as they meet State Requirements for Educational Standards (SREF).

Policy 4.2.8: The City in consultation with the School Board on a case-by-case basis shall consider incentives such as, but not limited to, density bonus points, tax credits, waiver of fees or other innovative means to encourage developers to contribute to the provision of school facilities by:
a. donating school site(s)
b. reserving or selling sites at pre-development prices
c. constructing new facilities or renovating existing facilities
d. providing access to public transit

Policy 4.2.9: Support School Board efforts to allow the private sector to construct school facilities and/or lease land or facilities to the School Board.

Policy 4.2.10: The City shall identify infrastructure projects within its Capital Improvement Program which will permanently or temporarily impact an existing campus due to proximity or serviceability to a campus.

GOAL 5: MONITORING, EVALUATION, AND IMPLEMENTATION

OBJECTIVE 5.1: The City of Mulberry shall implement the objectives and policies of the Public School Facilities Element in coordination with the School Board and local municipalities.

Policy 5.1.1: The City Manager or his/her designee shall be responsible for implementing the educational facilities objectives and policies included in the Comprehensive Plan.

Policy 5.1.2: The City shall adopt development regulations as necessary to implement the objectives and policies of the Public School Facilities Element.

Policy 5.1.3: The City shall maintain intergovernmental agreements with other local governments in order to attain common objectives within the Public School Facilities Element.

Policy 5.1.4: The City shall establish contact with other governmental agencies and private organizations, as needed, to carry out Public School Facilities Element objectives and policies.

Policy 5.1.5: The City shall revise permitting or permit-related procedures, as necessary, to carry out the objectives and policies of the Public School Facilities Element.

Policy 5.1.6: The City shall develop and implement programs or methodology, and conduct any studies required by the Public School Facilities Element.

Policy 5.1.7: The City shall determine from the School Board the inventories required by the Public School Facilities Element.
Policy 5.1.8: The City shall continue to enforce existing regulations where specified within the Public School Facilities Element.

Policy 5.1.9: Any conflicts related to issues covered by the Public School Facilities Element and Interlocal Agreement shall be resolved in accordance with governmental conflict resolution procedures specified in Florida Statute.
PROPERTY RIGHTS ELEMENT

GOAL: CONSISTENT WITH THE STATEMENT OF RIGHTS IN SECTION 163.3177(6)(j)1., FLORIDA STATUTES (2021), THE CITY OF MULBERRY SHALL CONSIDER PRIVATE PROPERTY RIGHTS IN LOCAL DECISIONMAKING.

OBJECTIVE 1: CONSIDER PRIVATE PROPERTY RIGHTS IN LOCAL DECISIONMAKING IN MULBERRY, FLORIDA

Policy 1.1: The following rights shall be considered in local decisionmaking:

1) The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2) The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

3) The right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.

4) The right of a property owner to dispose of his or her property through sale or gift.
City of Mulberry
Polk County, Florida

2030 Comprehensive Plan
Definitions and Acronyms
DEFINITIONS AND ACRONYMS

AASHTO: American Association of State Highway and Transportation Officials.

ADJACENT MUNICIPALITIES: Those municipalities that could have an immediate effect on land use decisions.

ADF: Average daily flow.

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 households or persons indicated in s. 420.004, F.S. Affordable housing definitions that are prescribed by other affordable housing programs administered by either HUD or the State may be used by local governments 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; and silviculture areas.

AMENDMENT: Any action of a local government which has the effect of amending, adding to, deleting from or changing an adopted comprehensive plan element or map or map series, including an action affecting a prior plan or plan amendment adoption ordinance, but shall not mean a legislative act which only codifies local legislation or makes corrections, updates and modification of the capital improvements element concerning costs, revenue sources, acceptance of facilities or facility construction dates consistent with the plan as provided in Subsection 163.3177(3)(b), F.S., and corrections, updates or modifications of current costs in other elements, as provided in Subsection 163.3187(2), F.S.

AMNESTY DAYS: A period 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 standards set forth in Rule 9J-5.0055(2), Florida Administrative Code.

**BEST MANAGEMENT PRACTICE (BMP):** A practice or combination of practices that are determined to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

**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, barn, garage, church, hotel, packing house, or similar structure. Buildings may refer to a historically or architecturally-related complex, such as a house or jail, or a barn.

**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.

**CENTRAL BUSINESS DISTRICT:** A compact urban core area of a municipality or unincorporated urbanized area which serves as the primary center for economic activity in the jurisdiction.

**CIP (CAPITAL IMPROVEMENT PROGRAM):** A five year listing of proposed capital improvement projects.

**CIE:** Capital Improvements Element of the Comprehensive Plan of the City.

**CLUSTER DEVELOPMENT:** 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.

**CLUSTERING:** The grouping together of structures and infrastructure on a portion of a development site.

**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 PARK:** A park between 16 and 100 acres in size designed to serve more than one neighborhood.

**COMPATIBILITY:** A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

**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.

**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 USES:** Activities or conditions within land areas designated for the purpose of conserving or protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, commercially or recreationally valuable fish and shellfish, or protection of vegetative communities or wildlife habitats.

**CONSUMPTIVE USE PERMIT:** A permit issued by the Water Management District which allows the production (or pumping) of groundwater up to a specified amount, usually expressed in gallons per day.

**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.
\textbf{DCA (FDCA):} The Florida Department of Community Affairs.

\textbf{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.

\textbf{DENSITY:} An objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre. [s. 9J-5.003 F.A.C.]; "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.

\textbf{DEP (FDEP):} The Florida Department of Environmental Protection.

\textbf{DEVELOPER:} Any person, including a governmental agency, undertaking any development. [§380.031 F.S.]

\textbf{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 drilling, except to obtain soil samples, 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. [§380.04 F.S.]

**DEVELOPMENT CONTROLS:** Standards in the comprehensive plan which control the development or use of land and which are in addition to the densities, intensities, and uses assigned to land by the future conditions maps.

**DEVELOPMENT ORDER:** Any order granting, denying, or granting with conditions an application for a development permit. [§380.031 F.S.]

**DEVELOPMENT PERMIT:** Includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development. [§380.031 F.S.]

**DEVELOPMENT REVIEW:** See Site Plan Review.

**DOT (FDOT):** Florida Department of Transportation.

**DRAINAGE BASIN:** See Stormwater Basin.

**DRAINAGE DETENTION STRUCTURE:** See Stormwater Management Detention Structure.

**DRAINAGE FACILITIES:** See Stormwater Management Facilities.

**DRAINAGE RETENTION STRUCTURE:** See Stormwater Retention Structure.

**DRI:** Development of Regional Impact. 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 or jurisdiction. Thresholds that define when a proposed development would be a DRI, according to the number of dwelling units, parking spaces or square feet, are established for each county by State Statute.

**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.
**EAR:** An Evaluation and Appraisal Report as defined in 163.3191, F.S.

**ECOLOGICAL COMMUNITIES:** See Vegetative Communities.

**EDB:** Ethylene Dibromide.

**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:** Areas of land or water which are determined necessary by the local government, based on locally determined criteria, to conserve or protect natural habitats and ecological systems. Nothing in this definition shall be construed to prohibit silvicultural operations which employ the Florida Department of Agriculture and Consumer Affairs Best Management Practices as revised in 1993.

**EPA:** United States Environmental Protection Agency

**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 percentage threshold annually by rule based on whether the county is determined to be a lower income county or a higher income county.

**FAC:** Florida Administrative Code.

**FACILITY AVAILABILITY:** Whether or not a facility is available in a manner to satisfy the concurrency management system.

**FDCA (DCA):** Florida Department of Community Affairs; and the arm of the state government that administers the growth management act by reviewing all comprehensive plans and amendments.

**FDEP:** Florida Department of Environmental Protection.

**FDOT:** Florida Department of Transportation.

**FEMA:** Federal Emergency Management Agency.

**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 as required by s. 163.3180, F.S.

**FLOODPLAINS:** Areas inundated during a 100-year flood event or identified by the National Flood Insurance Program as a zone "A" or zone "V" on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

**FLOODPRONE AREAS:** Areas inundated during a 100-year flood event or areas identified by the National Flood Insurance Program as an “A” Zone or “V” Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps, produced by FEMA. [s. 9J 5.003 F.A.C.]

**FLOODWAYS:** The channel of a stream plus any adjacent flood plain 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.

**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")

**FS:** Florida Statutes, the laws of the state.

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

**GPCD:** Gallons per capita per day.

**GPD:** Gallons per day.

**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.
**GREENHOUSE EFFECT:** The action caused when the atmosphere contains gases that absorb and emit infrared radiation (greenhouse gases) which trap heat within the surface-troposphere system, causing heating at the surface of the Earth (global warming.)

**GREENHOUSE GASES:** Gases in the atmosphere that absorb and emit radiation and affect the temperature of the Earth.

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

**HAZARDOUS MATERIAL:** Any hazardous chemical, toxic chemical, or extremely hazardous substance, as defined in s. 329 of Title III. [§252.82 F.S.]

**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.

**HISTORIC RESOURCES:** All areas, districts or sites containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant. **HUD:** United States Department of Housing and Urban Development.

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

**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 manmade 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:** An objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on or below ground; the measurement of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services.
**LAND DEVELOPMENT REGULATIONS (LDR) OR UNIFIED LAND DEVELOPMENT CODE:** Includes local zoning, subdivision, building, and other regulations controlling the development of land. [§380.031 F.S.]

**LAND USE:** The development that has occurred on land. [§380.031 F.S.]

**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. [§380.031 F.S.]

**LOCAL PEACETIME EMERGENCY PLAN:** The plans prepared by the county civil defense or county emergency management agency addressing weather related natural hazards and man made disasters except nuclear power plant accidents and war. The plan covers hazard mitigation, emergency preparedness, emergency response, emergency recovery and in coastal counties, hurricane evacuation.

**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 INCOME PERSONS:** One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater. For the City of Mulberry, the median income of Polk County is used. [420.004, F.S. 1991]

**MAJOR TRIP GENERATORS OR ATTRACTORS:** Concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends.

**MANUFACTURED HOME OR MOBILE HOME:** A structure, transportable in one or more sections, which, in the traveling mode, is twelve body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with
the federal Manufactured Home Construction and Safety Standards. [320.01, F.S. 1992 Supplement]

**MGD:** Million gallons per day, as is referred to in potable water planning.

**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.

**MINI PARK:** A park that is usually less than one acre in size and serves the population of a sub-neighborhood and generally serves a radius of less than 1/4 mile.

**MODERATE INCOME PERSONS:** One or more natural persons or a family, the total annual adjusted gross household income of which does is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater. For the City of Mulberry, the median income of Polk County is used. [420.004, F.S. 1991]

**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 significant amounts of stormwater, such as streams, rivers, lakes, sloughs, floodplains, and wetlands.

**NATURAL DRAINAGE FLOW:** The pattern of surface and stormwater drainage through or from a particular site before the construction or installation of improvements or prior to regrading.

**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. This definition does not include privately owned land managed by a state agency on either a voluntary or a short-term contractual basis.

**NATURAL RESOURCES:** Land, air, water, groundwater, drinking water supplies, fish and their habitats, wildlife and their habitats, biota, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the State of Florida and situated in an area of critical state concern or offshore from an area of critical state concern. [§380.0558 F.S.]

**NEIGHBORHOOD PARK:** A park between one and fifteen acres in size that serves the
population of a neighborhood and is generally accessible by bicycle or pedestrian ways.

**NEW TOWN:** A new urban activity center and community designated on the future land use map and located within a rural area or at the rural-urban fringe, clearly functionally distinct or geographically separated from existing urban areas and other new towns. A new town shall be of sufficient size, population and land use composition to support a variety of economic and social activities consistent with an urban area designation. New towns shall include basic economic activities; all major land use categories, with the possible exception of agricultural and industrial; and a centrally provided full range of public facilities and services. A new town shall be based on a master development plan, and shall be bordered by land use designations which provide a clear distinction between the new town and surrounding land uses.

**NONCONFORMING USE:** Uses of land and structures, and characteristics of uses, which are prohibited under the terms of a zoning ordinance but were lawful at the date of the ordinance's enactment.

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

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

**OPEN SPACE:** Undeveloped lands suitable for passive recreation or conservation uses.

**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. [§380.031 F.S.]

**PHOTOVOLTAIC:** A method for generating electric power by using solar cells to convert energy from the sun into electricity.

**PLANNED UNIT DEVELOPMENT (PUD):** A form of development 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. Also, a process in which public officials have considerable involvement in determining the nature of development through site plan review. It includes aspects of both subdivision and zoning regulation and usually is administered either through a special permit or a rezoning process.

**PLAYGROUND:** A recreation area with play apparatus.

**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 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.

**PRIVATE RECREATION SITES:** Sites owned by private, commercial or non-profit entities available to the public for purposes of recreational use.

**P.S.I. (P.S.I.):** Pounds per square inch.

**PTPO:** The State designated metropolitan planning organization for the Lakeland/Winter Haven Urbanized Area, known as the Polk Transportation Planning Organization.

**PUBLIC ACCESS:** The ability of the public to physically reach, enter or use recreation sites including beaches and shores.

**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.

**PUBLIC HURRICANE SHELTER:** A structure designated by local emergency management
officials and the American Red Cross as a shelter during a hurricane. [§308.032 F.S.]

**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 WATER SYSTEM:** A public water system which serves at least 15 service connections used by year round residents or regularly serves at least 25 year-round residents. [§403.852 F.S.]

**PUBLIC RECREATION SITES:** Sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreational use.

**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.

**PURCHASE OF DEVELOPMENT RIGHTS:** The acquisition of a governmentally recognized right to develop land which is severed from the realty and held or further conveyed by the purchaser.

**RECONSTRUCTION:** The authentic reproduction of a building or site that once existed, but disappeared or was demolished.

**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.

**REDEVELOPMENT:** Undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area 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 in a community redevelopment area or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan. [§163-340 F.S.]

**REGIONAL PARK:** A park which is designed to serve two or more communities.

**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 PLANNING AND MANAGEMENT COMMITTEE OR COMMITTEE:** A committee appointed pursuant to s.380.045. [§380.031 F.S.]

**RESTORATION:** The creation of an authentic reproduction beginning with existing parts of an original object or building.

**REVITALIZATION:** The imparting of new economic and community life in an existing neighborhood, area, or business district while at the same time preserving the original building stock and historic character.

**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 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.

**RURAL AREAS:** Low density areas characterized by social, economic and institutional activities which may be largely based on agricultural uses or the extraction of natural resources in unprocessed form, or areas containing large proportions of undeveloped, unimproved, or low density property.

**RURAL VILLAGE OR RURAL ACTIVITY CENTER:** A small, compact node of development within a rural area containing development, uses and activities which are supportive of and have a functional relationship with the social, economic and institutional needs of the surrounding rural areas.

**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.

**SANITARY SEWER INTERCEPTOR:** A sewerage conduit which connects directly to, and
transmits sewage to a treatment plant.

**SANITARY SEWER TRUNK MAIN:** A sewerage conduit which connects directly to, and transmits sewage to, an interceptor.

**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.

**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. [§10D-6 F.A.C.]

**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.

**SFWMD:** South Florida Water Management District.

**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 land development regulations. 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 review the site plans and maps of a developer to assure that they meet the stated purposes and standards of land development regulations, provide for the necessary public facilities, and protect and preserve topographical features and adjacent properties through appropriate siting of structures and landscaping.

**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.

**STANDARD HOUSING:** Dwelling units that meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

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

**STORMWATER BASIN (FORMERLY DRAINAGE BASIN):** The area defined by topographic boundaries which contributes stormwater to a watershed, drainage system, estuarine waters, or oceanic water, including all areas artificially added to the basin.

**STORMWATER DETENTION STRUCTURE (FORMERLY DRAINAGE DETENTION STRUCTURE):** A structure which collects and temporarily stores stormwater for the purpose of treatment through physical, chemical or biological processes with subsequent gradual release of the stormwater.

**STORMWATER MANAGEMENT FACILITIES:** Manmade structures that are part of a stormwater management system designed to collect, convey, hold, divert, or discharge stormwater, and may include stormwater sewers, canals, detention facilities and retention facilities.

**STORMWATER MANAGEMENT RETENTION STRUCTURE (FORMERLY DRAINAGE RETENTION STRUCTURE):** A structure designed to collect and prevent the release of a given volume of stormwater by complete on-site storage.

**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. [§380.031 F.S.]

**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. [§10D-6 F.A.C.]

**SUBSTANDARD HOUSING:** Dwelling units that do not meet the federal Minimum Housing Quality Standards as established for the HUD Section 8 Program.

**SUBSTANDARD HOUSING UNIT:**
(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

**SUFFICIENCY REVIEW:** Department of Community Affairs (DCA) review of an adopted evaluation and appraisal report to determine whether it has been submitted in a timely fashion and whether it contains components in accordance with the prescribed criteria in Section 163.3191, F.S.

**SUPPORT DOCUMENTS:** Any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan. [§9J-5.003 F.A.C.]

**SWFWMD:** Southwest Florida Water Management District.

**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.

**TRANSFER OF DEVELOPMENT RIGHTS:** A governmentally recognized right to use or develop land at a certain density, or intensity, or for a particular purpose, which is severed from the realty and placed on some other property.

**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.

**URBAN AREAS:** An area of or for development characterized by social, economic and institutional activities which are predominantly based on the manufacture, production, distribution, or provision of goods and services in a setting which typically includes residential and nonresidential development uses other than those which are characteristic of rural areas.

**URBAN SPRAWL:** Urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity or 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 is typically manifested in one or more of the following land use or development patterns: leapfrog or scattered development; ribbon or strip commercial or other development; or large expanses of predominantly low-intensity, low-density, or single-use development.

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

**VERY-LOW INCOME PERSONS:** One or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the State or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical areas (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater. For the City of Bartow, the median income of Polk County is used. [420.004, F.S.]

**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 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.

**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.

**WELLHEAD PROTECTION AREA:** An area designated by local government to provide land use protection for the groundwater source for a potable water wellfield, as defined in this code, including the surface and subsurface area surrounding the wellfield. Differing levels of protection may be established within the wellhead protection area commensurate with the capacity of the well and an evaluation of the risk to human health and the environment. Wellhead protection areas shall be delineated using professionally accepted methodologies based on the best available data and taking into account any zones or contribution described in existing data.

**WETLANDS:** Those areas that are inundated or saturated by surface water or ground water 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. Wetlands as used in this rule has the meaning as defined in Subsection 373.019, F.S. (and repeated here) and as further described by the delineation methodology in Section 373.4211, F.S.

**ZERO LOT LINE:** A development approach in which a building is sited on one or more lot lines having no yard with the intent to allow more flexibility in site design and to increase the amount of usable open space on the lot.
City of Mulberry
Polk County, Florida

2030 Comprehensive Plan
Concurrency Management System
CONCURRENCY MANAGEMENT SYSTEM

Overview of the Concurrency Management System

The CMS is a mechanism to assist in the implementation of the goals, objectives, and policies of the City’s Comprehensive Plan. The purpose of the CMS is to establish an ongoing mechanism which ensures facilities and services needed to support development will be available concurrent with the impacts of such development.

Prior to the issuance of a development order and development permit, the CMS must ensure the adopted level of service standards required for the following facilities will be maintained:

a) Roads
b) Potable Water
c) Sanitary Sewer
d) Solid Waste
e) Stormwater Management
f) Parks and Recreation
g) Public school facilities

The Concurrency Management System is an accounting system that maintains a record of the existing levels of service and what impacts, if any, can be expected as a result of proposed developments, facility expansions, and other factors that can affect the established level of service standards of a community.

Requirements for Concurrency

The following shall meet the requirements for concurrency, .

Minimum Requirements for Concurrency. The City shall maintain a CMS to ensure public facilities and services needed to support development are available concurrent with the impacts of such development, and will address the following items.

a) For potable water, sewer, solid waste, and stormwater management, at a minimum, provisions in this comprehensive plan ensure that the following standards will satisfy the concurrency requirement:
1. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or

2. At the time the development order or permit is issued the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a certificate of occupancy or its functional equivalent. [s. 163.3180(2)(a), F.S.]

b) For parks and recreation, facilities, at a minimum, the City shall meet the following standards to satisfy the concurrency requirement:

1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or

2. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the local government, or funds in the amount of the developer’s fair share are committed; and

a. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government 5-Year Schedule of Capital Improvements; or

b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

c. At the time the development order or permit is issued, the necessary facilities and service are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent. [s. 163.3180(2)(b), F.S.]
c) For transportation facilities (roads and mass transit designated in the City's comprehensive plan), at a minimum, a local government shall meet the following standards to satisfy the concurrency requirement:

1. The necessary facilities and services are in place or under construction at the time the City approves a development order or permit or its functional equivalent that results in traffic generation; or

2. A development order or permit or functional equivalent that results in traffic generation is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than three years after its issuance as provided in the adopted 5-Year Schedule of Capital Improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted FDOT Five-Year Work Program. The Capital Improvements Element must include the following policies:

   a. The estimated date of commencement of actual construction and the estimated date of project completion.

   b. A provision that a plan amendment is 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 5-Year Schedule of Capital Improvements; or

3. At the time a development order or permit or functional equivalent that results in traffic generation is issued, the necessary facilities and services are the subject of a binding executed agreement that requires the necessary facilities and services to serve the new development to be in place or under actual construction no more than three years after its issuance; or

4. At the time the development order or permit or functional equivalent that results in traffic generation is issued, the necessary facilities and service are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than three years after its issuance. [s. 163.3180(2)(c), F.S.]

5. For the purpose of issuing a development order or permit or functional equivalent that results in traffic generation a proposed urban redevelopment project located within a defined and mapped Existing Urban Service Areas as established in the City's comprehensive plan pursuant to Section 163.3164(29), F.S., for up to 110 percent of the transportation impact generated by the previously existing development. For the purposes of this provision, a previously existing development
is the actual previous built use that was occupied and active within a time period established in the City's comprehensive plan. [Section 153.3180 (8), F.S.]

6. For the purpose of issuing a development order or permit or functional equivalent that results in traffic generation, a proposed development may be deemed to have a de minimis impact and may not be subject to the concurrency requirements of Rules 9J-5.0053(3)(c) 1.- 4., only if all of the conditions specified in Subsection 163.3180(6), F.S., are met.

d) For Public School Facilities, at a minimum, the City will apply the standards established in the Public School Facilities Element to satisfy the concurrency requirement. Implementation will be in coordination with the Polk County School Board according to the policies found in the Intergovernmental Coordination Element and the specific terms of the adopted Interlocal Agreement for Public School Facilities Planning.

**Issuance of Development Orders or Permits**

The City's CMS shall ensure all development can meet the requirements for concurrency prior to the issuance of a local development order or permit. All applicants for development orders or permits shall be required to provide all information deemed necessary by the City so that the impacts of the proposed development may be accurately assessed. Once the City has determined that a proposed development meets the requirements for concurrency, and has issued a City development order or permit, the City 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 City shall establish expiration dates for development orders, development permits, and for the reserved capacity of public facilities allocated to specific development orders or permits as required by concurrency.

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

**Goal, Objective and Policy Statements Supporting Concurrency**

The concurrency doctrine is supported by various goals, objectives and policies throughout the City of Mulberry Comprehensive Plan. These policy statements are adopted by the City, and will be implemented by the concurrency management system. The policy statements generally establish
standards and criteria for concurrency.

Public Facility Capacity and Level of Service Inventory
As part of its CMS, Mulberry will be responsible for the collection and maintenance of an inventory of all public facilities and services subject to the concurrency requirements of Section 9J-5.0055, FAC. The inventory shall be based on the most recently available information, and shall be used to monitor the established level of service standards and to determine public facility capacity. This information shall be made available to the public, and shall be updated annually by October 1 of each year.

The following inventories shall be maintained by Mulberry in order to evaluate the concurrency requirements of proposed development and expansions to an existing development and to assess existing and future capacity of public facilities and services.

Transportation

Mulberry will maintain an inventory of the level of service on roadway links within its jurisdiction. The existing level of service will be based on the most recent traffic count data reported by the Florida Department of Transportation for each segment identified in the Traffic Circulation Element of the Comprehensive Plan or plan amendment. Traffic count data and level of service standards will be updated yearly, based on reported information from the FDOT. The inventory shall, at a minimum, include the following:

a) The established level of service standard.
b) Existing facility capacities and deficiencies.
c) Capacity reserved for approved but unbuilt development.
d) The projected capacities or deficiencies attributable to approved but unbuilt development.
e) Any existing or scheduled road improvement to be made on City and state maintained roadways within the City's jurisdiction; or improvements to be made by other public agencies or in conjunction with approved development.
Potable Water

An inventory of the City's potable water system will, at a minimum, include the following:

a) The level of service standards established in the Comprehensive Plan for:
   1. Average and maximum daily flow capacity,
   2. Storage capacity, and
   3. Water pressure.

b) Existing design capacities and system deficiencies.

c) Capacity reserved for approved but unbuilt development.

d) The projected capacities or deficiencies attributable to approved but unbuilt development.

e) Any improvements or expansions made to the system by the City or any approved development order, in the current fiscal year, and the impact on existing capacities or deficiencies.

Sanitary Sewer

An inventory of the City's sanitary sewer system will, at a minimum, include the following:

a) The level of service standards established in the comprehensive plan for average and maximum daily flow capacities.

b) Existing design capacities and system deficiencies.

c) Department of Environmental Protection permitted capacity.

d) Capacity reserved for approved but unbuilt development.

e) The projected capacities or deficiencies attributable to approved but unbuilt development.

f) Any improvements or expansions made to design or permitted capacity by the City or any approved development order, in the current fiscal year, and the impact on existing capacities or deficiencies.

Solid Waste Disposal

An inventory of the City's solid waste disposal system will, at a minimum, include the following:
a) The level of service standards established in the Comprehensive Plan.

b) Existing and projected design capacities of all applicable solid waste disposal facilities.

c) The projected life of all applicable solid waste disposal facilities.

d) Capacity reserved for approved but unbuilt development.

e) The projected capacities or deficiencies attributable to approved but unbuilt development.

f) Any improvements or expansions made to the design capacity, and the impact on existing capacities or deficiencies.

**Stormwater Management**

An inventory of the City's stormwater management facilities will, at a minimum, include the following:

a) The level of service standards established in the Comprehensive Plan.

b) The existing level of service measured by storm event; to be determined by the City's consulting engineer.

c) Any existing and proposed stormwater management facilities improvement that will impact the capacity of the City's stormwater management facilities.

**Recreation and Open Space**

An inventory of the City's recreational sites and facilities will, at a minimum, include the following:

a) The existing acres of recreational sites and the number of recreational facilities as outlined in the Recreation and Open Space Element.

b) The established level of service standard as outlined in the Recreation and Open Space Element.

c) The existing capacities or deficiencies of the City's recreation facility system.

d) Capacity reserved for approved but unbuilt development.

e) The projected capacities or deficiencies attributable to approved but unbuilt development.
f) Any improvements or expansions made to the system by the City or any approved development order, in the current fiscal year, and the impact on existing capacities or deficiencies.

Concurrency Monitoring System

In addition to maintaining an inventory of public facilities and services, Mulberry will also be responsible for maintaining a record of public facility and service capacities or volumes which are committed for approved developments as a result of development orders issued by the City. If service is provided by an entity other than the City, this will require coordination between the service provider and the City in order to maintain an accounting system which accurately tracks approved developments.

Accountability shall be established by reserving capacity from the total available capacity for all approved development orders. Once capacity has been reserved for a specific development, it cannot be reassigned to another development prior to the expiration of the first development's development order or permit. Capacity reservations shall be renewed yearly in order to be accounted for in the annual budgetary process. Upon the expiration of an approved development order with concurrency standing, which has not been implemented, or which the City has determined to have been abandoned by the applicant, the capacity allocated to the proposed development shall be deleted. Deleted capacity shall then become available to other proposed developments. A priority waiting list shall be established for the purpose of allocating deleted capacity. When determining how much capacity is available for proposed developments, the City shall take into account all capacity that has been reserved for approved development orders.

Concurrency Assessment

The Mulberry City Commission or its designee will be responsible for determining whether concurrency will be met when it considers applications for development orders for final site plans and/or final subdivision plans. When reviewing applications for development orders, the Council shall perform an assessment to determine whether public facilities will be available concurrent with the impacts of the proposed development. A facility inventory, as outlined above, shall be used as a basis for establishing existing conditions. The ability of existing public facilities to service new development shall be determined based on the following criteria:

a) The ability of existing facilities to accommodate the proposed development at the established level of service.

b) Existing facility deficiencies which will need to be corrected prior to the completion of the proposed development.

c) Facility improvements or additions needed to accommodate the impacts of proposed development at the established level of service standard.
d) The date facility improvements or additions need to be completed in order to maintain the established level of service for the public facilities affected by the proposed development.