

## **CHAPTER 6-IMPACT STATEMENTS.**

### **ARTICLE 1. GENERAL.**

#### **Sec.6.1.1. INTENT**

Large and/or intensive land use developments, by their very nature, impact the City by creating demands for additional water, sewer and drainage facilities, public streets for access, parks and recreation areas and related services. In order to better plan for, respond to and address these issues, the City requires that an Impact Statement be prepared by the developer and/or property owner. The Impact Statement provides the City officials and the general public with factual information as they evaluate the effect the proposed development will have on the City and its residents.

#### **Sec. 6.1.2. APPLICATIONS.**

Applications for zoning amendments and special exceptions involving large land areas, relatively high densities, or intense uses shall be required to prepare and submit an Impact Statement for review by the City Staff and public agencies having jurisdictional concerns with the proposed development. Developments which qualify as a Development of Regional Impact (DRI) pursuant to Chapter 380.06, Florida Statutes, may substitute an Application for Development Approval (ADA) for the Impact Statement required by the Land Development Regulations.

#### **Sec. 6.1.3. DEVELOPMENTS REQUIRING IMPACT STATEMENTS.**

Developments that require impact statements are as follows:

- 6.1.3.1. Institutional, Commercial, Office, or Industrial zoning districts or developments involving a land area in excess of 2 acres;
- 6.1.3.2. Residential zoning districts or developments involving one or more of the following:
  - 6.1.3.2.1. More than 5 acres;
  - 6.1.3.2.2. More than 25 dwelling units;
  - 6.1.3.2.3. More than 3 acres at a density of 6 to 8 dwelling units per acre;
  - 6.1.3.2.4. More than 2 acres at a density of greater than 8 but not more than 12 dwelling units per acre;
  - 6.1.3.2.5. More than 12 dwelling units per acre.
  - 6.1.3.2.6. Planned Unit Developments shall be required to submit an Impact Statement report as applicable to the specific PUD classification, which requires the petitioner to address the impacts created by the entire PUD.
  - 6.1.3.2.7. The requirement for an Impact Statement shall not be subverted by applications for a fractional portion of a property. Applications may be made for a

portion of a property; however, a subsequent action for a contiguous property by the same owner within a 5-year period may be refused unless an Impact Statement for both properties is submitted with the subsequent applications.

**Sec. 6.1.4. IMPACT REVIEW PROCESS.**

- 6.1.4.1. Six copies of the Impact Statement shall be submitted to the Administrative Official. All documentation shall be submitted in the form of a bound or loose-leaf cover format, properly identified according to the information required, and not to exceed 11 by 14 inches in size. All maps and/or other large-scale documentation materials shall be at the scale and size required by the applicable actions being requested. Should the applicant feel that some portion of the information requested is not applicable, the applicant must provide supportive written reasons for this position.
- 6.1.4.2. The Impact Statement shall be reviewed by the Administrative Official for sufficiency Of the information, provided. If found insufficient, the Administrative Official .shall notify the applicant in writing, within 14 working days after the receipt of the application, of any additional information required. The applicant may supply the information requested or notify the Administrative Official in writing that the requested information will not be supplied. After notification of insufficiency, processing of the application shall halt until either the additional information is obtained or notification is received that the information will not provided.
- 6.1.4.3. When the Administrative Official determines the Impact Statement is sufficient or receives written notification from the applicant that the additional requested information will not be supplied, copies of the application and Impact Statement will be distributed to the Impact Review Committee.
- 6.1.4.4. The Administrative Official shall schedule and conduct a meeting of the Impact Review Committee of local, regional, State and Federal public agencies having jurisdictional concerns with the proposed development or accept letters from the agencies in the lieu of meetings. These agencies as applicable, include the following:
  - Polk County Health Department
  - Southwest Florida Water Management District
  - Central Florida Regional Planning Council
  - Soil Conservation Service, United States Department of Agriculture
  - United States Environmental Protection Agency
  - Florida Department of Transportation
  - Florida Department of Natural Resources
  - Florida Department of Community Affairs
  - Florida Department of Environmental Regulations
  - Health and Rehabilitative Services, and

United States Army Corps of Engineers

The reports of the participation public review agencies shall neither ensure nor preclude approval of any application, but will provide technical staff input to assist the Planning Commission and the City Commission in evaluating the request.

6.1.4.5. The Administrative Official shall prepare a composite report of the findings of the Impact Review Committee and forward the report to the appropriate Commissions.

6.1.4.6. The Polk County School Board shall be notified, at the time of receipt of complete petitions, for all residential development orders requiring an impact statement and shall be supplied with applicable information regarding the number of dwelling units and occupant profiles, if available.

**Sec. 6.1.5. GENERAL INFORMATION REQUIRED FOR THE IMPACT STATEMENT.**

Answers to the following questions or request for information must be provided to establish a basis for consideration by the City for the proposed action. The questions and information relate to such considerations as site conditions, suitability of the site for the proposed use or uses, relationship to adjoining land uses, compatibility with the Comprehensive Plan, infrastructure needs, changing conditions causing the need for the proposed development and the benefits to the City (public) should the request be granted. These responses will serve as an overview of the proposed development and will be used by City staff and the Commissions in public hearings.

6.1.5.1. Will the proposed change be contrary to the established land use pattern(s) in the surrounding area? If an incompatibility would be created between the proposed and existing land uses, describe the techniques and methods that would be used to minimize such differences.

6.1.5.2. Describe how the proposed development would be consistent with the city comprehensive Plan in relation to land use, transportation, recreation, utilities and related Plan Elements.

6.1.5.3. What changed or changing conditions in the area make the approval of this petition necessary?

6.1.5.4. Describe why the site is suitable for the uses permissible or permitted by the proposed zoning amendment (where applicable).

6.1.5.5. Describe the site and list all land uses (by area calculations) and structures existing on site as of the petition date.

6.1.5.6. Will the proposed development materially alter the population density of the area and thereby increase the demand on public facilities, i.e. schools, parks, sewers, water, etc.?

- 6.1.5.7. Will the proposed development adversely affect property values of adjacent property?
- 6.1.5.8. Will the proposed development create environmental problems? How will the proposed development take into account the natural features of the site, such as topography, wetlands and similar conditions and what steps will be taken to protect these features?
- 6.1.5.9. Will the proposed development encroach on or disturb rare, endangered, threatened and special concern species wildlife habitat? What steps will be established steps to be taken to protect these habitats.
- 6.1.5.10. Will the proposed development create or excessively increase traffic congestion or otherwise affect public safety?
- 6.1.5.11. Will the proposed development adversely impact living conditions on adjoining properties or within the neighborhood?
- 6.1.5.12. If the proposed development is located in an area presently undeveloped, describe how the proposed development may or may not influence future land uses in the area.
- 6.1.5.13. Is it impossible to find other sites within the City suitable for the type of development proposed on land already zoned for such use(s)?

**Sec. 6.1.6. SPECIFIC INFORMATION REQUIRED FOR THE IMPACT STATEMENT.**

- 6.1.6.1. LAND USES. Describes each of the proposed land uses and identify the following where applicable:
  - 6.1.6.1.1. The density, typical floor areas and types of residential dwelling units;
  - 6.1.6.1.2. Types of commercial industrial or other land uses proposed of the development;
  - 6.1.6.1.3. The customer service area for commercial and/or industrial land uses;
  - 6.1.6.1.4. The gross land area proposed for each type of use, including parking, open space, recreation and the gross areas of pervious and impervious surfaces, including structures, for the site.
- 6.1.6.2. POPULATION POTENTIAL.
  - 6.1.6.2.1. Calculate the projected resident (and seasonal) population of the proposed development and/or the population generated in the case of commercial or industrial land uses.
  - 6.1.6.2.2. If the proposed development is a commercial or industrial use, describe the employment characteristics, including the anticipated number of employees, type of job skills or training required for the new jobs, percentage of local people

that will be employed and/or will be brought in from other locations, number of shifts per day and peak shift employees.

6.1.6.2.3. Describe the demographic composition of any additional population generated as a result of the proposed development.

6.1.6.2.4. Describe the proposed development's service area and indicate the service areas present population.

6.1.6.3. STREETS AND ACCESS.

6.1.6.3.1 Estimate the number of vehicle trips per day expected to be generated and at what peak hour(s), for all streets impacted by the development. Use the trip generation equations for each applicable land use contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, as revised. Establish background traffic counts and determine the impact on those streets affected by the proposed development.

6.1.6.3.2. Any proposed development generating more than 750 trips per day shall be required to provide a trip distribution model and traffic analysis prepared by a licensed traffic engineer.

6.1.6.3.3. What modifications would be required of the present transportation system (streets) of the City, County and/or State to meet the needs of the proposed development?

6.1.6.3.4. Describe the off street parking facilities to be used and the total number of spaces required for the proposed development.

6.1.6.3.5. Describe the methods to be utilized for provision of ingress and egress to the site.

6.1.6.3.6. What walkway or other systems are planned for accommodating pedestrian traffic?

6.1.6.4. SITE CONDITIONS, SURFACE AND STORMWATER MANAGEMENT, WILDLIFE HABITAT.

6.1.6.4.1. Describe the impact the proposed development will have on surface and storm water management, including methods to be utilized to control discharges of detergents, solvents, fuel, oils, silts, sediments and surface run-off.

6.1.6.4.2. Describe any alteration of the site's natural drainage features or systems that would be necessary for the proposed development.

6.1.6.4.3. Describe the local aquifer recharge system, groundwater conditions and well cones of influence and any changes to these water supplies which would result from the proposed development.

6.1.6.4.4. Identify all rare, endangered, threatened and special concern species of wildlife and their habitats found on the site. Describe the impact of the proposed development on this wildlife and the proposed mitigation of these impacts.

6.1.6.5. POTABLE WATER.

6.1.6.5.1. Indicate the location of the City water main that will serve the proposed development, size of line, extensions required, number of units of customers to be served, estimated gallons per day required, and impact and connection fees to be paid to the City.

6.1.6.6. SEWAGE.

6.1.6.6.1. Indicate the location of the City sewer main that will serve the proposed development, size of line, extensions required, number of units or customers to be served, estimated gallons per day to be generated, and impact and connection fees to be paid to the City.

6.1.6.7. SOLID WASTE MANAGEMENT.

6.1.6.7.1. Calculate the solid waste volume anticipated to be generated in pounds per capita per day or tons per day, as a result of the proposed development.

6.1.6.7.2. If contract services are to be considered, identify the solid waste disposal site and the entity responsible for collection and disposal.

6.1.6.8. RECREATION.

6.1.6.8.1. Calculate the number of users to be created, as a result of the proposed development, of City recreation facilities. Use the LOS standards contained in the Concurrency Management System (Chapter 23 of the LDR) as the basis for calculations.

6.1.6.9. GENERAL INFORMATION.

6.1.6.9.1. Describe the user demands and provisions for the following services:

6.1.6.9.1.1. Educational facilities (K- 12);

6.1.6.9.1.2. Health care;

6.1.6.9.1.3. Fire protection;

6.1.6.9.1.4. Police protection;

6.1.6.9.1.5. Electric power, gas and phone.

6.1.6.10. TAXES.

6.1.6.10.1. Calculate the estimated ad Valorem tax yield to the city government, school board and any special taxing districts that levy taxes on the property, for the next 5 years.

- 6.1.8.11. REQUIRED EXHIBITS, MAPS. Exhibits and maps shall be of sufficient size and type to facilitate understanding of the components of the proposed development. The scale shall be dependent upon the specific application and applicable requirements detailed in the Land Development Regulation & Dates of preparation and any amendments shall be noted on all exhibits and maps. The following exhibits and maps shall be provided as a part of all Impact Statements:
- 6.1.6.11.1. A location map showing the proposed development in relationship to streets, community facilities, schools and natural features of the area such as lakes and drainage ways.
  - 6.1.6.11.2. A topographic map with contour intervals meeting the requirements as spelled out for the particular petition and delineation of areas special flood hazard (100 year flood plain) as identified on the Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the City or for Polk County in the case of annexation.
  - 6.1.6.11.3. An existing land use and zoning map of the site and the abutting properties.
  - 6.1.6.11.4. A soils map with the accompanying soils classifications as provided by the Soils Conservation Service. If other sources are utilized for this information, such data and maps shall be fully explained and interpreted.
  - 6.1.6.11.5. A traffic circulation map identifying existing streets on or adjacent to the proposed development site, identifying them by name, maintenance responsibility, pavement width and right of way dimensions.
  - 6.1.6.11.6. A site plan meeting the requirements of the specific petition but in any case showing at a minimum the proposed land uses, type and maximum density for each residential area, typical minimum lot sizes and dimensions for each use and unit by type, dimensions of buffers, easements, open space areas, parking and loading areas, setbacks and circulation routes.
  - 6.1.6.11.7. A drainage plan showing existing and proposed drainage areas, water retention sites, structures, easements, canals, wetlands, water courses and any other drainage features that may be necessary for the proposed development.