

# *City of Davenport*

*Polk County, Florida*



*"Gateway to the Ridge"*

## *2030 Comprehensive Plan*

**Future Land Use Element**

## FUTURE LAND USE ELEMENT

**GOAL:** TO THE GREATEST EXTENT POSSIBLE, ENSURE A COMPATIBLE MIX OF LAND USES THAT MAINTAINS A QUALITY LIVING ENVIRONMENT AND ENHANCES THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY. [9J-5.006(3)(a)]

**OBJECTIVE 1:** BEGINNING ON THE DATE OF ADOPTION OF THE COMPREHENSIVE PLAN, NEW DEVELOPMENT WILL BE GUIDED BY THE AVAILABILITY OF SUPPORTING PUBLIC FACILITIES AND SERVICES AND THE APPROPRIATE SOIL CONDITIONS AND TOPOGRAPHY. THIS SHALL BE ACCOMPLISHED THROUGH THE ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS AND THE CONCURRENCY MANAGEMENT SYSTEM. [9J-5.006(3)(B)1]

**Policy 1.1:** The City shall continue to implement a Concurrency Management System that will: (1) permit development to occur only where adequate public facilities and services are 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 development as established within all Elements of the City of Davenport Comprehensive Plan, including the level of service standards listed within the following Elements:

1. Infrastructure Element
2. Transportation Element
3. Capital Improvements Element
4. Public School Facilities Element  
[9J-5.006(3)(c)3]

**Policy 1.2:** Through the implementation of a Concurrency Management System, the City will issue a Development Order only if the adopted level of service standards for those public facilities that are available have been met. [9J-5.006(3)(c)3]

**Policy 1.3:** The City shall continue to implement development standards regulating the density and intensity of land use in areas where soils and/or topography are not conducive to development. [9J-5.006(3)(c)7]

- Policy 1.4:** Through the development review process, the developer shall be responsible to provide adequate information on the suitability of soils for proposed developments. *[9J-5.006(3)(c)6]*
- Policy 1.5:** The City shall prohibit the use of conventional on-site septic systems in areas which contain soils rated as "severe" by the Polk County Soil Conservation Service or which do not pass percolation tests conducted by the HRS. Areas with "severe limitations" may use aerobic treatment or other alternative wastewater treatment systems outlined in the Florida Land Development Manual and approved by the Florida Department of Environmental Protection. *[9J-5.006(3)(c)(6)]*
- Policy 1.6:** Request the assistance of the Natural Resource Conservation Service to develop and incorporate Best Management Practices in the City's Land Development Regulations which minimize potential soil erosion. *[9J-5.006(3)(c)(6)]*
- Policy 1.7:** A criteria for issuance of a Development Order by the City will be the site's ability to support the proposed use without adversely affecting the natural function of the environment. This shall be determined through: (1) the development review process; (2) the application of appropriate mitigation procedures; and (3) the securing of all required permits from the applicable agencies. *[9J-5.006(3)(c)6]*
- Policy 1.8:** All new development shall utilize the central sewage system facilities, where available.
- Policy 1.9:** The City shall require that all new subdivisions constructed within the city limits, or existing subdivisions annexed into the City must be connected to the municipal sanitary sewer and potable water systems.
- Policy 1.10:** The City shall require property owners to hook up to the municipal water system and sanitary sewer system, within one year of notice from the City that municipal service is available.
- Policy 1.11:** In support of the 2035 Polk County Mobility Plan, the City shall require new development and redevelopment to conform with the following criteria:
1. Provide access to transit facilities;
  2. Connect to centralized potable water and wastewater systems;

3. Incorporate design features that promote green building principles;
4. Integrate pedestrian-oriented features, including sidewalks, trail, or walkways into all development including pedestrian shelters or awnings;
5. Provide accesses to civic space, parks, green areas, and open space and other amenities;
6. Be supported by public safety (fire, EMS, law enforcement); and
7. Have access to public schools.

**OBJECTIVE 2:** THE CITY SHALL IMPLEMENT STRATEGIES FOR THE REDEVELOPMENT AND RENEWAL OF "BLIGHTED AREAS" OF THE CITY; AS DEFINED IN CHAPTER 163.340 FLORIDA STATUTES. *[9J-5.006(3)(B)2]*

**Policy 2.1:** The City shall continue to identify blighted areas of the City and, where necessary, prioritize redevelopment programs and activities.

**Policy 2.2:** The City of Davenport shall continue to 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) coordinate infrastructure improvements with rehabilitation activities.

**Policy 2.3:** Throughout the planning period the City shall continue to seek federal, state, and local funding earmarked for the demolition or rehabilitation of substandard structures and for their replacement where necessary.

**OBJECTIVE 3:** BEGINNING ON THE DATE OF ADOPTION OF THE COMPREHENSIVE PLAN, THE CITY SHALL: (1) DISCOURAGE THE EXPANSION OF URBAN SPRAWL AND "LEAP FROG" DEVELOPMENT AND PROMOTE COMPACT URBAN GROWTH SUPPORTED BY AVAILABLE PUBLIC FACILITIES AND SERVICES; AND (2) REDUCE GREENHOUSE GAS EMISSIONS WHILE ENCOURAGING ENERGY EFFICIENCY. THIS SHALL BE ACCOMPLISHED THROUGH THE DESIGNATION OF FUTURE LAND USES, THE ADOPTION OF LAND USE DENSITY AND INTENSITY STANDARDS, AND THROUGH THE ADOPTION AND ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS THAT PROVIDES THE MOST EFFICIENT USE OF PUBLIC FACILITIES AND SERVICES. *[9J-5.006(3)(B)3,7]*

**Policy 3.1:**

The following land use categories shall be delineated on the Future Land Use Map and shall be used to establish the density and intensity of development and to implement the Davenport Comprehensive Plan:

a) **Residential Low (RL):**

The primary function of the Residential Low classification is to accommodate low density residential development consisting primarily of single-family dwellings. Permitted uses include one single-family unit on each lot and accessory structures. Maximum density may not exceed 4.99 dwelling units per gross acre.

1. Ordinance 688: The 203 +/- acres, generally located at the eastern edge of the city limits (Site 25 of the 2010 EAR Based FLU Amendments), shall be designated “Residential Low” on 141.10 acres and “Conservation” on 62.26 acres on the Future Land Use Map, identified by reference to Ordinance 688 on the Future Land Use Map; and the 141.10 acres of land designated as Residential Low shall be limited to a maximum development potential of 1 dwelling unit per 5 acres; and shall be subject to other applicable Land Development Regulations within the City (*Ordinance 688, October 25, 2010, adoption*)

b) **Residential Park (RP):**

The primary function of the Residential Park classification is to provide locations for recreational vehicles, mobile homes, and manufactured homes as defined by the Florida Statutes. Permitted uses include dwelling units that in a whole or major component can be transported along a public roadway. Maximum density may not exceed 7.99 dwelling units per gross acre with an approved sanitary sewer system.

c) **Residential Medium (RM):**

The primary function of the Residential Medium classification is to accommodate medium density residential development. Permitted uses include apartments, duplexes, condominiums, and single-family houses. The minimum density may not be lower than 5.0 dwelling units per gross acre and the maximum density may not exceed 9.99 dwelling units per gross acre.

d) **Residential High (RH):**

The primary function of the Residential High classification is to accommodate higher density residential development. Permitted uses include apartments, condominiums, townhouses, and other similar types of multi-family, multi-story attached residential units; and

schools. The minimum density may not be lower than 10.0 dwelling units per gross acre and the maximum density may not exceed 20 residential units per gross acre.

e) **Mixed-Use (MU):**

The primary function of the Mixed-Use classification is to encourage human-scaled, pedestrian-oriented, interconnected residential neighborhood projects that include a mix of commercial uses, civic amenities, and institutional uses that complement each other. This classification permits uses that are mixed-use, multi-story development in a new urbanism style as long as residential units are included as at least one level of a multi-story building at a minimum. This classification is intended for development of buildings of two or more stories and may be applied to existing historic commercial areas in the downtown that are proposed for conversion to mixed-use commercial and residential uses. Maximum density may not exceed 20 residential units per gross acre. A floor-area-ratio of 2.0 is hereby established. Residential uses permitted include lofts and those uses listed in the Residential High Future Land Use Classification of the City of Davenport. Commercial uses permitted are those listed in the Commerce Activity Center Future Land Use Classification of the City of Davenport. Schools are a permitted use in this classification.

f) **Commerce Activity Center (CAC):**

The primary function of the Commerce Activity Center classification is to meet the City's need for retail goods and services, while promoting an efficient use of infrastructure. Permitted uses include office, retail, wholesale, and related commercial activities. The floor area ratio in the Commerce Activity Center classification shall not exceed 2.0.

g) **Office Park (OP):**

The primary function of the Office Park is to provide for and encourage the development of employment centers with a mix of business park and professional office uses, designed in an attractive park-like environment with landscaping and architectural amenities that create a sense of place and an aesthetically attractive urban development. It is intended that the business park district provide for the grouping and clustering of professional offices, non-hazardous research and development facilities, high technology manufacturing, financial institutions, retail services, institutional, cultural facilities, medical facilities, hotels/motels, and recreational facilities that functionally interact well together. Development standards of this district are intended to provide compatibility with and protection to

surrounding residential and commercial properties by minimizing, noise, glare, vibration, odors, airborne particulate, and toxic substances. The floor area ratio in the Office Park classification shall not exceed 1.0.

h) **Manufacturing/Warehouse (MW):**

The primary function of the Manufacturing/Warehouse Future Land Use Category is to provide a wide range of light industrial uses, warehousing, and distribution which does not generally produce potential off-site impacts related to noise, odor, emissions of particulate matter, lighting, and other potential off-site impacts or undesirable effects upon nearby residential or business property, and which provide compatibility between permitted uses and those in nearby commercial and residential categories. This category consists of light industrial land uses oriented toward the storage, processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, within fully enclosed buildings with no outdoor storage, but may allow for parking of vehicles outside. Floor area ratio in the Manufacturing/Warehouse classification shall not exceed 1.0.

i) **Industrial (IND):**

The primary function of the Industrial classification shall be to accommodate facilities necessary for the processing, fabrication, manufacturing, and distribution of goods, and closely related uses that may involve potential impacts in terms of noise, odor, emissions of particulate matter, lighting, and other potential impacts or undesirable effects upon nearby residential or business property. Permitted uses include manufacturing or processing activities and may allow for outdoor storage or parking of vehicles. Industrial areas shall be compatible with adjacent land uses, promote a variety of employment opportunities and facilitate a diversified economic base, and promote efficient use of public facilities and services. Floor area ratio in the Manufacturing/Warehouse classification shall not exceed 1.0.

j) **Recreation (REC):**

The primary function of the Recreation classification is to indicate areas of existing or future public and/or privately owned parks and open space areas. Permitted uses include publicly- or privately-owned properties which are open to recreational use by the public. Other uses may include conservation uses, open space, or environmentally sensitive areas. The Floor Area Ratio is 0.01 for

public parks.

k) **Government/Institutional (GI):**

The primary function of the Government/Institutional classification is to provide areas for existing or future government owned or leased buildings or grounds. Permitted uses include schools, government buildings, fire and police stations, and other non-recreational public properties. Uses may also include municipal water well protection zones. Floor area ratios for structures in this category shall not exceed 2.0.

l) **Conservation (CON):**

The primary function of the Conservation district is to protect natural resources, lake water quality, and groundwater quality. The Conservation District designation includes public or private lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation lands may include: (1) areas within the 100-year floodplain as delineated by the Federal Emergency Management Agency (FEMA); (2) areas that contain jurisdictional wetlands designated by the Department of Environmental Protection and/or the Southwest Florida Water Management District; (3) wetland areas identified on the National Wetlands Inventory maps completed by the U.S. Department of the Interior, Fish and Wildlife Service; or (4) other lands identified for conservation/preservation. Development within the Conservation District shall not exceed one unit per ten acres and will be permitted upon confirmation by the developer that all required permits from the Florida Department of Environmental Protection and/or the Southwest Florida Water Management District have been obtained.

Recreational land uses, such as boat docks, trails, parks, and public recreational areas are permissible, provided that land disturbance is minimized 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 ten acres. The Floor Area Ratio is 0.001 for public conservation areas.

- m) Sites 1, 3-10, 12-19, 21-23, and 25 of the 2010 EAR-Based Amendments (included in the Data and Analysis Section) shall be limited to 2,613 dwelling units and 3.075 million square feet of non-residential development until such time as the Capital Improvements Element and 5-Year Schedule of Capital Improvements are revised



to provide for central water and wastewater services, paved roads, and public school facilities to accommodate the increased development potential associated with these sites. At such time, this policy shall be amended to provide for increased development potential consistent with the Future Land Use designations of the sites and the capacities of the aforementioned systems.

- Policy 3.2:** The City shall maintain a Zoning Map and Land Development Regulations consistent with the Comprehensive Plan. *[9J-5.006(3)(c)2]*
- Policy 3.3:** The City shall include in its Land Development Regulations; standards for buffering between incompatible and unlike land uses. Buffering may include open space, wetlands, and floodplains to mitigate adverse impacts resulting from incompatible and unlike land uses. *[9J-5.006(3)(c)2,4,6]*
- Policy 3.4:** Where the application of Policy 3.3 cannot adequately mitigate the incompatibility between proposed and existing land uses, the proposed use shall be disapproved. *[9J-5.006(3)(c)2,4,6]*
- Policy 3.5:** The expansion of potable water facilities shall be restricted to those unserved areas of the City or unincorporated Polk County that have been determined to be suitable for future development. Development suitability shall be based on the development standards adopted in the Comprehensive Plan. *[9J-5.006(3)(c)3]*
- Policy 3.6:** The City shall continue to implement Land Development Regulations to ensure that land use decisions are consistent with the Future Land Use Map or map series and provide the most efficient use of public facilities and services. *[9J-5.006(3)(c)1]*
- Policy 3.7:** The City will issue a Development Order only when supporting public facilities and services are available concurrent with the impacts of development. Supporting public facilities and services must be at or above the levels of service adopted in the Comprehensive Plan. *[9J-5.006(3)(c)3]*
- Policy 3.8:** Public schools are allowed in all land use classifications except Manufacturing/Warehouse, Industrial, Recreation, and Conservation. This provision applies to lands contiguous to existing schools and is meant to accommodate expansion of existing schools, as well as development of lands 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.

- Policy 3.9:** Electric distribution substations are allowed in all land use classifications, but not in historic neighborhoods. Land Development Regulations shall be adopted to establish compatibility standards, including setback and buffering standards, and to establish procedures for the review of applications for locating electric substation sites. *[163.3208, F.S.]*
- OBJECTIVE 4:** **BEGINNING ON THE DATE OF ADOPTION OF THE COMPREHENSIVE PLAN, THE CITY SHALL PROTECT THE QUALITY AND QUANTITY OF ITS NATURAL AND HISTORIC RESOURCES. THIS SHALL BE ACCOMPLISHED THROUGH THE ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS AND THROUGH THE DEVELOPMENT REVIEW PROCESS. *[9J-5.006(3)(B)4]***
- Policy 4.1:** Areas of prime recharge to the Floridan Aquifer and cones of influence for municipal water wells as identified and included on the Future Land Use Map and Environmental Map series shall be updated by January 2012. *[9J-5.011(2)(c)4]*
- Policy 4.2:** Consistent with Policy 4.1, proposed land uses which are incompatible with designated prime groundwater aquifer recharge areas or water well cones of influence shall be disapproved. The use or storage of hazardous substances within designated prime groundwater aquifer recharge areas or water well cones of influence shall be regulated through enforcement of the City's Land Development Regulations. *[9J-5.006(3)(c)6]*
- Policy 4.3:** As part of its Land Development Regulations, the City shall adopt criteria for the designation and protection of historically significant properties. The demolition and/or alteration of such properties may only be permitted following a majority vote by the Davenport City Council. *[9J-5.006(3)(c)8]*
- Policy 4.4:** It shall be the responsibility of the developer to obtain the required permits from the Department of Environmental Protection, the Southwest Florida Water Management District, and the Polk County Public Health Unit when a proposed development: (1) is located within the 100-year floodplain as delineated by the Federal Emergency Management Agency (FEMA); (2) contains jurisdictional wetlands designated by the 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. Upon adoption of this Comprehensive Plan, the City shall not issue a Development Order prior to proof, by the developer, that all required permits have been obtained. *[9J-5.006(3)(c)1,4,6]*

- Policy 4.5:** The City shall adopt Land Development Regulations establishing an Environmental Site Review process to be applied to all development proposals exceeding one-half acre in size, excluding applications for single-family building permits. The Environmental Site Review shall identify environmentally sensitive areas and conditions limiting development potential, establish procedures to mitigate the destruction of natural systems, and ensure the structural integrity of manmade structures. The Environmental Site Review shall include: (1) soils suitability based on the analysis presented in the Soils Survey of Polk County; (2) areas containing jurisdictional wetlands designated by the 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; (3) areas located within the 100-year floodplain as delineated by the Federal Emergency Management Agency (FEMA); and (4) the types and location of existing vegetative communities and identified wildlife habitats. *[9J-5.006(3)(c)1,4,6]*
- Policy 4.6:** The City shall include in its Land Development Regulations standards for proposed development to provide for equivalent storage of stormwater in order to prevent other areas from flooding. *[9J-5.006(3)(c)1,4,6]*
- Policy 4.7:** The City shall continue to enforce wellhead protection standards to limit the types and intensity of land uses within a 200-foot radius of a public supply well. *[9J-5.011(2)(c)4]*
- OBJECTIVE 5:** **THE CITY SHALL CONTINUE TO ENSURE THAT SUITABLE LAND IS AVAILABLE FOR UTILITY FACILITIES NECESSARY TO SUPPORT PROPOSED DEVELOPMENT.** *[9J-5.006(3)(B)8]*
- Policy 5.1:** Public utilities which provide essential services to existing and future land uses authorized by the Comprehensive Plan shall be permitted in all Future Land Use categories. *[9J-5.006(3)(c)3]*
- Policy 5.2:** The City shall review and, where necessary, amend its zoning, subdivision, and other Land Development Regulations to ensure that adequate land for the provision of public facilities are available concurrent to the impacts of new development. *[9J-5.006(3)(c)1,3]*
- OBJECTIVE 6:** **THE CITY SHALL MANAGE FUTURE GROWTH THROUGH ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS. LAND DEVELOPMENT REGULATIONS SHALL INCLUDE PROVISIONS FOR THE USE OF INNOVATIVE LAND DEVELOPMENT TECHNIQUES THAT PROVIDE THE**

**MOST EFFICIENT USE OF CITY RESOURCES. [9J-5.006(3)(B)9]****Policy 6.1:**

The City shall adopt Land Development Regulations to ensure that future uses are consistent with the Future Land Use map or map series and to provide compatibility between different land use intensities. Land Development Regulations shall, at a minimum:

- a) Regulate the subdivision of land;
- b) Regulate land development to provide for open space;
- c) Regulate land development to protect lakes, wetlands, and other environmentally sensitive areas;
- d) Regulate land development in areas subject to seasonal or periodic flooding and provide for drainage and stormwater management;
- e) Regulate land development to protect potable water wells and aquifer recharge areas;
- f) Regulate signage; and
- g) Regulate on-site traffic flow, parking, and vehicular access.  
*[9J-5.006(3)(c)1,4,5,6]*

**Policy 6.2:**

The City shall include in its Land Development Regulations provisions for the use of innovative land development techniques which may include, but not be limited to: Transfer of Development Rights (TDR); Planned Unit Developments (PUD); zero lot line subdivisions; and cluster development.  
*[9J-5.006(3)(c)5]*