ORDINANCE NO. 5885

PROPOSED ORDINANCE NO. 21-016

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR THE ADOPTION OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030 AS TEXT AND MAP AMENDMENTS (CPA 20-003); REPEALING ORDINANCE 5188, AS AMENDED, AND ALL OTHER AMENDMENTS SUBSEQUENT THERETO AS SET FORTH HEREIN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City of Lakeland to prepare and endorse comprehensive plans for the development of the City; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and requires the City Commission of the City of Lakeland to: (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, the Lakeland Planning and Zoning Board has been established pursuant to the City of Lakeland Resolution 193, dated July 19, 1955; and

WHEREAS, pursuant to Part II, Chapter 163, Florida Statutes, the City Commission of the City of Lakeland by Ordinances 1967 and 2823, duly designated said Planning and Zoning Board as the Local Planning Agency for the incorporated area of the City of Lakeland; and

WHEREAS, the City of Lakeland is updating the Lakeland Comprehensive Plan to the 2030 planning horizon; and

WHEREAS, the guidance for the Plan update includes the 2019 City Community Values Survey, the 2019 Look Forward Lakeland Survey, the 2019 Lakeland Vision: Our Community, Our Future, Our Vision, and the 2019 and 2020 City Commission Budget including the Capital Improvement Program; and

WHEREAS, the Plan update has been reorganized and provided in a user-friendly format, and accomplished and duplicative policies have been removed; and

WHEREAS, Plan elements have been organized by chapters; and

WHEREAS, supporting data and analysis have been updated and located in a separate Technical Support Resources Document; and

WHEREAS, the Lakeland Planning and Zoning Board, empowered by the above-cited laws and ordinances, and by Sections 163.3161 through 163.3215, Florida Statutes, prepared the comprehensive plan update titled Lakeland Comprehensive Plan: Our Community 2030, identified as CPA 20-003 and replacing in its entirety the existing Lakeland Comprehensive Plan: 2000-2010, to more adequately address and plan for Lakeland's future growth and development to the 2030 planning horizon; and

WHEREAS, the Lakeland Planning and Zoning Board has, in the preparation of the Lakeland Comprehensive Plan: Our Community 2030, caused the performance of necessary studies and surveys; the collection of relevant and appropriate data provided in the Technical Support Resources Document; the holding of public hearings, public workshops, and public meetings; and has effectively provided for full public participation, dissemination of proposals and alternatives, and opportunity for written comments, open discussions, communication programs, and consideration and response to public and official comments; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Lakeland Planning and Zoning Board as the Local Planning Agency held a public hearing on the updated Lakeland Comprehensive Plan: Our Community 2030, with due public notice having been provided; and having reviewed and considered all comments received during the public hearings and having provided necessary revisions, recommended the updated Lakeland Comprehensive Plan: Our Community 2030 to the Lakeland City Commission for approval; and

WHEREAS the City of Lakeland held two public work sessions on February 16, 2021 with the Lakeland Planning and Zoning Board and on February 26, 2021 with the Lakeland City Commission to present and answers questions on the proposed Lakeland Comprehensive Plan: Our Community 2030; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission of the City of Lakeland held the required public hearing on the Lakeland Comprehensive Plan: Our Community 2030, with due public notice having been provided, to obtain public comment, and, having considered all written and oral comments received during the work sessions and public hearings, and recommendations of the Lakeland Planning and Zoning Board as made on March 16, 2021, and having provided necessary revisions, on April 5, 2021, approved the updated comprehensive plan in its entirety for transmittal as CPA 20-003 to the State Land Planning Agency (Florida Department of Economic Opportunity) for review and comment; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission of the City of Lakeland on April 5, 2021 transmitted the Lakeland Comprehensive Plan: Our Community 2030 to the Florida Department of Economic Opportunity as the State Land Planning Agency for review and written comment, and transmitted copy of the Lakeland Comprehensive Plan: Our Community 2030 to each of the local governments or government agencies in the State of Florida having filed with the City Commission a request for a copy of the Plan; and

WHEREAS, the Florida Department of Economic Opportunity, by letter dated June 11, 2021, transmitted its objections, recommendations and comments based upon review of the Lakeland Comprehensive Plan: Our Community 2030; and

WHEREAS, the updated version of the comprehensive plan was revised in view of comments provided by the Florida Department of Economic Opportunity; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on July 19, 2021, the City Commission of the City of Lakeland held a public hearing with due public notice having been provided, on the updated version of the comprehensive plan, and with written notice of such public hearing having been provided to the State Land Planning Agency; and

WHEREAS, the City Commission of the City of Lakeland further considered all oral and written comments received during public hearings, and the recommendations of the Lakeland Planning and Zoning Board; and comments from the Florida Department of Economic Opportunity; and

WHEREAS in exercise of its authority, the City Commission of the City of Lakeland has determined it necessary and desirable to adopt the Lakeland Comprehensive Plan: Our Community 2030 to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; overcome present deficiencies; and deal effectively with future problems that may result from the use and development of land within the City of Lakeland; and

WHEREAS the City of Lakeland complies with all respects with the requirements of Florida Statute 163.3246, The Local Government Comprehensive Planning Certification Program.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AS FOLLOWS:

SECTION 1. FINDINGS. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. STATEMENT OF INTENT. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Section 163.3161 through 163.3215, Florida Statutes.

SECTION 3. TITLE OF COMPREHENSIVE PLAN. The updated version of the comprehensive plan for the City of Lakeland shall be entitled: Lakeland Comprehensive Plan: Our Community 2030.

SECTION 4. CHAPTER 1 – INTRODUCTION. The Introduction Chapter includes the foundation of the Lakeland Comprehensive Plan: Our Community 2030 and is hereby adopted to include the text attached hereto as Exhibit "A" and incorporated herein.

SECTION 5. CHAPTER 2 – VIBRANT AND INCLUSIVE COMMUNITY. The Vibrant and Inclusive Community Chapter includes the Future Land Use Element, Housing Element, Recreation and Open Space Element and the Neighborhoods and Historic Preservation Element (new element) of the Lakeland Comprehensive Plan: Our Community 2030 and is hereby adopted to include:

(A) The text attached hereto as Exhibit "A" and incorporated herein by reference for the Future Land Use Element, Housing Element, Recreation and Open Space Element, and the Neighborhoods and Historic Preservation Element:

1) Guidance
2) Vision
3) Trends
4) Goals, Objectives and Policies
5) Influence on Other Plan Elements

(B) Future Land Use Map Series
(C) Recreation and Open Space Map Series
(D) Neighborhoods and Historic Preservation Map Series

SECTION 6. CHAPTER 3 – EFFICIENT AND WELL-MAINTAINED INFRASTRUCTURE. The Efficient and Well-Maintained Infrastructure Chapter includes the Infrastructure Element of the Lakeland Comprehensive Plan: Our Community 2030 is hereby adopted to include:

(A) The text attached hereto as Exhibit "A" and incorporated herein by reference for the Infrastructure Element addressing potable water, wastewater, solid waste, stormwater, and natural groundwater aquifer recharge:

1) Guidance
2) Vision
3) Trends
4) Goals, Objectives and Policies
5) Influence on Other Plan Elements

(B) Infrastructure Map Series

SECTION 7. CHAPTER 4 – SAFE AND CONVENIENT MOBILITY OPTIONS. The Safe and Convenient Mobility Options Chapter includes the Transportation Element of the Lakeland Comprehensive Plan: Our Community 2030 and is hereby adopted to include:

(A) The text attached hereto as Exhibit "A" and incorporated herein by reference for the Transportation Element addressing roadway transportation, public transportation, bike, pedestrian and other transportation modes, and land use and transportation coordination to include:

1) Guidance
2) Vision
3) Trends
4) Goals, Objectives and Policies
5) Influence on Other Plan Elements

(B) Transportation Map Series

SECTION 8. CHAPTER 5 – ATTRACTIVE AND ENVIRONMENTALLY-FRIENDLY COMMUNITY. The Attractive and Environmentally-Friendly Community Chapter includes the Conservation Element of the Lakeland Comprehensive Plan: Our Community 2030 and is hereby adopted to include:

(A) The text attached hereto as Exhibit "A" and incorporated herein by reference:

1) Guidance
2) Vision
3) Trends
4) Goals, Objectives and Policies
5) Influence on Other Plan Elements

(B) Conservation Map Series

SECTION 9. CHAPTER 6 – RESPONSIBLE AND ACCESSIBLE GOVERNMENT. The Responsible and Accessible Government Chapter includes the Intergovernmental Coordination Element, Public School Facilities Element, and the Capital Improvement Element of the Lakeland Comprehensive Plan: Our Community 2030 and is hereby adopted to include:

(A) The text attached hereto as Exhibit "A" and incorporated herein by reference for the Intergovernmental Coordination Element, Public School Facilities Element, and the Capital Improvement Element:

1) Guidance
2) Vision
3) Trends
4) Goals, Objectives and Policies
5) Influence on Other Plan Elements

(B) Intergovernmental Coordination Map Series
(C) Public Schools Facilities Map Series
(D) Appendix – Capital Improvements Element Schedule of Capital Improvements

SECTION 10. Chapter 7 DEFINITIONS. The Definition Chapter includes definitions of terms pertinent to the Lakeland Comprehensive Plan: Our Community 2030 and is hereby adopted to include the text attached hereto as Exhibit "A" and incorporated herein.

SECTION 11. APPLICABLITY AND EFFECT. The applicability and effect of the Lakeland Comprehensive Plan: Our Community 2030 shall be provided by the Community Planning Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

SECTION 12. SEVERABILITY. If any provision of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 13. COPY ON FILE.

(A) A certified copy of the enacting ordinance, as well as certified copies of the Lakeland Comprehensive Plan: Our Community 2030 and any amendments thereto, shall be filed with the City Clerk.

(B) To make the Lakeland Comprehensive Plan: Our Community 2030 available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Lakeland Comprehensive Plan: Our Community 2030 shall be located in Community and Economic Development Department of the City of Lakeland at 228 S. Massachusetts Avenue, Lakeland, Florida 33801. The Community and Economic Development Department Director shall also make copies available to the public for a reasonable publication charge; electronic copies may also be available on the City's internet-based website.

SECTION 14. Ordinance 5188, as amended, of the City of Lakeland, Florida is hereby repealed.

SECTION 15. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 16. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder

of this ordinance shall not be affected thereby.

SECTION 17. The effective date of this Plan amendment shall be 21 days after the date a Final Order is issued by the Florida Department of Economic Opportunity or the date that the Administration Commission finds the amendment in compliance in accordance with Section 163.3284(4), Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent upon this amendment may be issued or commence before it has become effective. If a Final Order of Noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Economic Opportunity, Bureau of Community Planning, the Caldwell Building, 107 East Madison Street, MSC 160, Tallahassee, Florida 32399-4120.

PASSED AND CERTIFIED AS TO PASSAGE this 19th day of July, A.D. 2021.

H. WILLIAM MUTZ, MAYOR

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS,
CITY ATTORNEY

EXHIBIT "A"

Text and Map Amendments (CPA 20-003)

Lakeland Comprehensive Plan: Our Community 2030