

APPENDIX C: EXISTING POLICIES AND REGULATIONS

POLICIES AND REGULATIONS

Tables C-1 through C-4 list the policies and regulations in each jurisdiction that support the local mitigation strategy. The language included in these tables is verbatim from each jurisdiction's plan.

**TABLE C-1:
HARDEE COUNTY POLICIES AND REGULATIONS**

Source (Document, Number, Chapter, Section)	Text/Description
Comprehensive Plan	Future Land Use Element
Objective L1	NEW OR AMENDED USES OF LAND SHALL BE CONSISTENT WITH THE FUTURE LAND USE DESIGNATIONS AS DESCRIBED IN THIS ELEMENT AND AS DEPICTED ON THE HARDEE COUNTY FUTURE LAND USE MAP. THE FUTURE LAND USE DESIGNATIONS ARE INTENDED TO: A) COORDINATE LAND USE WITH THE NATURAL ENVIRONMENT, INCLUDING SOILS, TOPOGRAPHY, AND OTHER RESOURCES, B) APPROPRIATELY MIX AND DISTRIBUTE RESIDENTIAL, COMMERCIAL, INDUSTRIAL, RECREATION, PUBLIC AND MINING LAND USES, C) ENCOURAGE AN EFFICIENT PATTERN OF DEVELOPMENT AND DISCOURAGE SPRAWL AND D) PROMOTE ENERGY EFFICIENCY AND THE REDUCTION OF GREENHOUSE GAS EMISSIONS. THE HARDEE COUNTY FUTURE LAND USE MAP SERIES, AS PART OF THIS PLAN, SHALL BE APPLIED ONLY IN CONJUNCTION WITH THE POLICIES OF THIS ELEMENT AND OTHER ELEMENTS OF THIS PLAN.
Policy L1.19	<p>In order to protect the natural function of the Special Flood Hazard Area (base floodplain) of the Peace River, Horse Creek, Charlie Creek and Payne Creek, a setback from the banks of the waterways is hereby established, in which only pasturing of livestock and residential development at a density of not more than one dwelling unit per twenty gross acres are permitted. The Board of County Commissioners may grant an exception to said gross density for a lot of record, established and recorded in the public records of Hardee County prior to the effective date of this policy; provided however, that the maximum gross density permitted on any such lot of record shall not be greater than one dwelling unit per five acres. Structures must be flood-proofed and the floor level shall be at least one foot above the base flood elevation.</p> <p>The setback shall be 500 feet on each side of the river and creeks or the width of the base floodplain as shown on the FEMA flood map, whichever is less. In considering such an exception for a lot of record, the Board shall review the proposed exception for consistency with the review criteria established for Variances in the Hardee County Unified Land Development Code and shall further require additional mitigation measures to protect the waterbodies, such as the creation of a conservation easement over the floodway and associated wetlands on the lot. In addition, the primary structure, drainfield and driveway must</p>

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	be located on the least environmentally-sensitive portion of the lot as determined by the Planning Director after consultation with a professional biologist or hydrologist from Hardee County, the Florida Department of Environmental Protection, or the Southwest Florida Water Management District.
Policy L.1.21	The County shall coordinate future land uses by encouraging the elimination or reduction of uses that are inconsistent with any interagency hazard mitigation report recommendations that the County determines to be appropriate.
Comprehensive Plan	Infrastructure Element
Goal 1	HARDEE COUNTY WILL PROVIDE, OR REQUIRE THE PROVISION OF, NEEDED FACILITIES IN A MANNER THAT CORRECTS EXISTING DEFICIENCIES, PROTECTS INVESTMENTS IN EXISTING FACILITIES, AND PROMOTES COMPACT AND ORDERLY GROWTH. HARDEE COUNTY WILL: ENSURE THAT ADEQUATE STORMWATER DRAINAGE WILL BE PROVIDED TO ENSURE REASONABLE PROTECTION FROM FLOODING AND PREVENT DEGRADATION OF RECEIVING WATER QUALITY; TAKE ACTIONS NECESSARY TO ASSURE THAT THE FUNCTION OF NATURAL GROUNDWATER RECHARGE AREAS WITHIN THE COUNTY WILL BE PROTECTED; AND, ENSURE AN ADEQUATE SUPPLY OF POTABLE WATER FOR PRESENT AND FUTURE DEMANDS WITHOUT ADVERSELY AFFECTING THE QUANTITY AND QUALITY OF THE COUNTY'S ENVIRONMENTAL RESOURCES.
Policy S.2.5	Hardee County's Land Development Regulations shall be consistent with Chapter 10D-6, FAC "Standards for On-Site Sewage Disposal Systems". Standards shall include: minimum performance specifications for the placement of septic systems in unsuitable soils and in soils prone to seasonal flooding for determining the size, design, and location of drain fields; and minimum specifications for the placement of septic tanks above seasonal high water and for minimum setback restrictions from potable water wells, natural water bodies, and protected natural resources.
Objective S.8	THROUGH LAND DEVELOPMENT REGULATIONS, HARDEE COUNTY WILL PROTECT THE FUNCTION OF AREAS OF HIGH NATURAL GROUNDWATER AQUIFER RECHARGE AND NATURAL DRAINAGE FEATURES.
Policy S.8.1	As part of its Land Development Regulations, Hardee County will include provisions protecting the function of natural drainage features and areas of high groundwater aquifer recharge as identified by the Southwest Florida Water Management District. Regulations shall include criteria for appropriate setbacks, buffers, provisions for the use of open space and native vegetation as buffers, regulation of the use or storage of hazardous materials, and appropriate land uses and densities and intensities of land use within and adjacent to natural drainage features and areas of high natural groundwater aquifer recharge.

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Policy S.8.2	Hardee County will utilize public service announcements to publicize the hazards of inappropriate solid waste disposal and the potential for groundwater contamination.
Comprehensive Plan	Conservation Element
Policy C.2.5	In order to protect the natural function of the Special Flood Hazard Area (base floodplain) of the Peace River, Horse Creek, Charlie Creek, and Payne Creek, a setback from the banks of the waterways is hereby established, in which only pasturing of livestock and residential development at a density of not more than one dwelling unit per twenty gross acres are permitted. The Board of County Commissioners may grant an exception to said gross density for a lot of record, established and recorded in the public records of Hardee County prior to the effective date of this policy; provided however, that the maximum gross density permitted on any such lot of record shall not be greater than one dwelling unit per five acres. Structures must be flood-proofed and the floor level shall be at least one foot above the base flood elevation. The setback shall be 500 feet on each side of the river and creeks or the width of the base floodplain as shown on the FEMA flood map, whichever is less. In considering such an exception for a lot of record, the Board shall review the proposed exception for consistency with the review criteria established for Variances in the Hardee County Unified Land Development Code and shall further require additional mitigation measures to protect the waterbodies, such as the creation of a conservation easement over the floodway and associated wetlands on the lot. In addition, the primary structure, drainfield, and driveway must be located on the least environmentally sensitive portion of the lot as determined by the Planning Director after consultation with a professional biologist or hydrologist from Hardee County, the Florida Department of Environmental Protection, or the Southwest Florida Water Management District.
Policy C.3.5	Hardee County shall adopt provisions to prevent artificial inter-basin transfers of surface and groundwater, except for exceptional cases of overriding public interest, and with prior approval of the County Commission. Inter-basin transfers of water may be used only after all available water conservation and reuse alternatives have been exhausted, only after thorough assessment and proven mitigation of adverse impacts to water resources and natural systems, and only after reasonable compensation to the County has been established.
Comprehensive Plan	Capital Improvement Element
	Hardee County shall evaluate and prioritize its capital improvements projects based on the following criteria. These criteria are ranked in order of importance: <ul style="list-style-type: none"> • Preservation of the health and safety of the public by eliminating public hazards;

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	<ul style="list-style-type: none">• Compliance with all mandates and prior commitments;• Elimination of existing deficiencies;• Maintenance of adopted levels of service;• Provision of infrastructure concurrent with the impact of new development;• Protection of prior infrastructure investments;• Consistency with the county plan and plans of other agencies;• Accommodation of new development and redevelopment facility demands;• Consistency with plans of state agencies and water management districts that provide public facilities within the local government's jurisdiction;• Demonstration of linkages between projected growth and facility location;• Reduction of operating costs;• Adjustment for unseen opportunities, situations, and disaster
Land Development Code	Section 7.01.00 Development in Flood Prone Areas
Section 7.01.00 and Subsections	These regulations shall be known as the Floodplain Management Ordinance of Hardee County, hereinafter referred to as "this Section."

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**TABLE C-2:
BOWLING GREEN POLICIES AND REGULATIONS**

Source (Document, Number, Chapter, Section)	Text or Description
Comprehensive Plan	Future Land Use Element
Policy 7.1	Bowling Green shall regulate the use of land consistent with the Future Land Use Element and the Future Land Use Map, shall ensure the compatibility of adjacent land uses, and at a minimum, shall: <ul style="list-style-type: none"> a. Regulate the subdivision of land; b. Regulate land development to provide for open space; c. Regulate land development to protect 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.
Comprehensive Plan	Infrastructure Element
Policy 3.1	Bowling Green shall coordinate with the Southwest Florida Water Management District to undertake a stormwater management study that identifies water quality and flood control deficiencies for its stormwater facilities contingent upon funding. The City will continue to seek funding to make stormwater drainage improvements.
Comprehensive Plan	Conservation Element
Objective 3	THE CITY SHALL INCLUDE IN ITS LAND DEVELOPMENT REGULATIONS, DEVELOPMENT STANDARDS AND MITIGATION PROCEDURES TO CONSERVE, APPROPRIATELY USE, AND PROTECT THE NATURAL FUNCTION OF FLOODPLAINS AND WETLANDS.
Policy 3.1	As part of Land Development Regulations, require the floor elevation of all permanent structures be constructed at least one foot above the 100-year flood elevation.
Land Development Code	Chapter 20 Floods
Chapter 20 and All Subsections	These regulations shall be known as the "Floodplain Management Ordinance of the City of Bowling Green," hereinafter referred to as "this article."

**TABLE C-3:
WAUCHULA POLICIES AND REGULATIONS**

Source (Document, Number, Chapter, Section)	Text or Description
Comprehensive Plan	Future Land Use Element

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Source (Document, Number, Chapter, Section)	Text or Description
Objective 9	<p>COORDINATION WITH THE OBJECTIVES AND PROGRAMS IN THE HARDEE COUNTY HAZARD MITIGATION STRATEGY; AND COORDINATION WITH CHAPTER 380 PLANS.</p> <p>THE CITY SHALL COORDINATE FUTURE LAND USE DESIGNATIONS WITH THE COUNTY AND SURROUNDING MUNICIPALITIES TO ELIMINATE OR REDUCE DEVELOPMENT IN AREAS IDENTIFIED AS HAVING REPETITIVE LOSS DUE TO NATURAL HAZARDS AND WHICH ARE IDENTIFIED IN THE HARDEE COUNTY HAZARD MITIGATION STRATEGY; AND THE CITY SHALL COORDINATE WITH ANY RESOURCE PLANNING AND MANAGEMENT PLAN PREPARED PURSUANT TO CHAPTER 380. [9J-5.006 (3)(B)6,7]</p>
Policy 9.1	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, in an effort to reduce potential conflicts. [9j-5.006(3)(b)6]
Policy 9.2	The City, through the implementation of its land development regulations, will ensure that development approvals are consistent with the objectives and policies of the Hardee County Hazard Mitigation Strategy, August 1999, 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
Policy 9.3	The City shall identify and include in the 5-Year Capital Improvements Plan equipment and facility improvements needed to ensure 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 9.4	In conjunction with the American Red Cross and the Hardee County School Board, the City will develop plans for reduction of the shelter deficit state-wide.
Policy 9.5	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 9.6	The City will 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 with written evacuation procedures and the location of shelters.

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Source (Document, Number, Chapter, Section)	Text or Description
Policy 9.7	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.
Comprehensive Plan	Infrastructure Element
Policy 1.6.5	The City shall continue to participate in the Federal Flood Insurance Program.
Policy 1.6.6	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 Wauchula.
Policy 1.6.7	The City shall ensure that stormwater management facility improvements requiring correction shall be included in the 5-Year Schedule of Capital Improvements (CIP).
Policy 1.6.8	The City shall only extend stormwater management facilities to new areas if such an extension will not 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.
Comprehensive Plan	Capital Improvement Element
Policy 1.1.3	Prioritization of capital improvements projects will be based on several criteria, including: financial feasibility; the elimination of public hazards; and the elimination of capacity deficits.
Policy 2.5	<p>Fiscal Implications of Existing Public Facility Deficiencies, Priorities of Need, and Costs of Mitigating Deficiencies</p> <p>The City intends to finance its Capital Improvements Plan using retained earnings and future operating revenues in addition to state or federal funds, contributions from developers, or other private funding sources. The Capital Improvements Plan will not place an excessive burden on the City's revenue generation capabilities. The prioritization of the capital improvements is based on their relative importance to implementing the goals, objectives, and policies of the Comprehensive Plan. High priority improvements are to be funded earlier and lower priority improvements are to be funded in later years.</p> <p>Capital improvement needs identified in each element of the Comprehensive Plan will be evaluated. If budget or other constraints exist, capital improvement needs identified in elements pertaining to</p>

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	public safety and welfare will be given priority over needs relating to local amenities, such as parks and recreation. The evaluation of capital improvements projects will include consideration of the following items: the elimination of public hazards and any existing capacity deficits; the impact on the City's budget; financial feasibility; the demands created by any development or redevelopment, including related location needs; and the plans of state agencies.
Comprehensive Plan	Conservation Element
Objective 3 (and all policies)	ENSURE PROTECTION OF THE PEACE RIVER COOPERATE WITH AND ASSIST SWFWMD, FDEP, AND OTHER AGENCIES IN IMPLEMENTING THE RESOURCE PROTECTION PLANS OF THESE AGENCIES, INCLUDING BUT NOT LIMITED TO, SWFWMD SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) PROGRAM, DEP ECOSYSTEM MANAGEMENT PROGRAM, SWFWMD SAVE OUR RIVERS (SOR) UPPER PEACE RIVER CORRIDOR PROGRAM, NATIONAL ESTUARY PROGRAM (NEP) AND THE CHARLOTTE HARBOR ECOSYSTEM GREENWAY CORRIDOR, LAND WITHIN THE CITY LIMITS IN THE UPPER PEACE RIVER CORRIDOR SHALL BE DESIGNATED FOR CONSERVATION ON THE FUTURE LAND USE ELEMENT MAP AND MANAGED TO ENSURE THAT SURFACE WATER QUALITY AND QUANTITY ARE PROTECTED WITHIN THE PEACE RIVER CORRIDOR. IN ADDITION, ANY OTHER WETLANDS WITHIN THE CITY LIMITS SHALL ALSO BE DESIGNATED AS CONSERVATION AND SHALL BE PROTECTED IN THE SAME MANNER, AS LISTED BELOW.
Objective 4 (and all policies)	FLOODPLAINS THE CITY OF WAUCHULA WILL PROTECT FLOODPLAINS AND THE NATURAL FUNCTION OF FLOODPLAINS, AND SHALL DIRECT INCOMPATIBLE USES AWAY FROM FLOODPLAINS.
Objective 8 (and all policies)	MANAGEMENT OF HAZARDOUS WASTES TO PROTECT NATURAL RESOURCES THE CITY OF WAUCHULA WILL WORK TOWARD THE ELIMINATION OF IMPROPER HANDLING AND DISPOSAL OF HAZARDOUS WASTES.
Land Development Code	Section 5.01.00 Development in Flood Prone Areas
Section 5.01.00 and all subsections	These regulations shall be known as the Floodplain Management Ordinances of the City of Wauchula, hereinafter referred to as "this ordinance" or "this article."

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**TABLE C-4:
ZOLFO SPRINGS POLICIES AND REGULATIONS**

Source (Document, Number, Chapter, Section)	Text or Description
Comprehensive Plan	Infrastructure Element
Goal	THE TOWN SHALL PROVIDE NEEDED PUBLIC FACILITIES IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITIES AND PROMOTES ORDERLY, COMPACT URBAN GROWTH; THE TOWN WILL PROVIDE SANITARY SEWER, SOLID WASTE, DRAINAGE, AND POTABLE WATER FACILITIES AND SERVICES TO MEET EXISTING AND PROJECTED DEMANDS IDENTIFIED IN THIS PLAN; STORMWATER DRAINAGE WILL BE PROVIDED TO AFFORD REASONABLE PROTECTION FROM FLOODING AND TO PREVENT DEGRADATION OF QUALITY OF RECEIVING WATERS.
Policy 1.5	Zolfo Springs shall coordinate with the Southwest Florida Water Management District to undertake a stormwater management study that identifies water quality and flood control deficiencies for its stormwater facilities, contingent upon funding. The Town will continue to seek funding to make stormwater drainage improvements as needed.
Policy 6.7	Zolfo Springs shall continue to cooperate with Hardee County in holding periodic "Amnesty Days" as an incentive to collect hazardous wastes generated in the Town.
Policy 6.8	Zolfo Springs shall continue to cooperate with Hardee County in the use of the collection center for household hazardous wastes generated in the Town.
Comprehensive Plan	Conservation Element
Policy 2.2	The 100-year floodplain of the Peace River located within the jurisdiction of the Town shall be designated as "environmentally sensitive land", and shall be protected in accordance with Policy 1.1 of the Future Land Use Element
Policy 2.3	The Town shall continue to implement regulations and procedures for the enforcement of state water quality standards.
Policy 2.4	<p>Zolfo Springs shall continue to implement the Town's Land Development Regulations that provide protection measures for floodplains from development activities. This shall be accomplished by:</p> <ul style="list-style-type: none"> a) Requiring new development to locate on non-sensitive portions of development site; b) Requiring developers to adhere to applicable Southwest Florida Water Management District or Florida Department of Environmental Protection stormwater management standards; c) Requiring the clustering of dwelling units away from sensitive portions of site; d) Disapproval of proposed development which would fragment large ecological communities; e) Requiring buffering of sensitive areas; and f) The provision of conservation easements.

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Source (Document, Number, Chapter, Section)	Text or Description
Comprehensive Plan	Intergovernmental Coordination Element
Objective 4	THE TOWN OF ZOLFO SPRINGS SHALL COOPERATE WITH HARDEE COUNTY TO DEVELOP A HAZARDOUS WASTE MANAGEMENT PROGRAM FOR THE PROPER STORAGE, RECYCLING, COLLECTION, AND DISPOSAL OF HAZARDOUS WASTES.
Policy 4.1	The Town of Zolfo Springs shall, in cooperation with Hardee County, develop an emergency response plan to handle accidents involving hazardous wastes.
Policy 4.2	The Town of Zolfo Springs shall coordinate with the Department of Environmental Regulation and Hardee County in the design of a transfer/storage facility and collection network for hazardous waste.
Land Development Code	Chapter 166 Flood Damage Prevention
Chapter 166 and all subsections	These regulations shall be known as the "Floodplain Management Ordinance of Town of Zolfo Springs, Florida," hereinafter referred to as "this chapter."