



STATE OF FLORIDA

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## DEPARTMENT OF COMMUNITY AFFAIRS

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CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

June 19, 2009

The Honorable James F. Clements  
Mayor, City of Bartow  
450 North Wilson Avenue  
Bartow, Florida 33830

Dear Mayor Clements:

The Department has completed its 60-day preliminary sufficiency review of the adopted Evaluation and Appraisal Report for the City of Bartow, adopted on April 6, 2009, by Ordinance Number 2009-03. The Department has determined that the adopted Evaluation and Appraisal Report (EAR) is sufficient, pursuant to Subsection 163.3191(2), Florida Statutes. This finding of sufficiency also serves as the Department's final determination on the Report.

Please note that a sufficiency determination does not constitute a compliance review of the proposed plan amendments identified in the Report. The amendments referenced in the Report, as well as any other amendments shall be reviewed for consistency with Chapter 163, Part II, Florida Statutes, and Rule 9J-5, Florida Administrative Code, when submitted as proposed amendments.

Although the EAR has been determined to be sufficient, the Department offers the following recommendations and comments in order for the document to provide effective guidance in the development of the subsequent EAR based amendments.

- The EAR identifies that between the years 2008-2015 the City's projected population is expected to increase from 17,097 to 27,675, an increase of 10,578 residents, or 61.9 percent within the span of seven years. This increase stems largely from estimates of development likely to be generated from the Clear Springs development within the 2015 timeframe. The population estimates are inconsistent with the amount of development identified in the adopted City of Bartow 09-2 Clear Springs Amendment recently found to be "in-compliance" by the Department on May 29, 2009. The data and analysis with that amendment indicates that no residential development will occur in the subject area within the next five years. Phase I of the project, scheduled to end in 2018, includes 3,000 residential units. Given the restrictions on residential development within the first five years of the project and the current state of the economy, the City's assumption that an extensive amount of residential development for Phase I will occur by 2015, appears

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to be unduly optimistic. Please revise the population projection to be based on a more realistic assumption of future growth. Also, the population projection did not include seasonal residents. The population projection should be revised to include an analysis of seasonal residents in order to properly project the functional population that will be used for planning purposes.

- The Department issued an ORC report on the City's proposed 10-year water supply plan (WSP) on December 8, 2008. To date, the Department has not received the City's adopted WSP. The City should adopt its WSP so that it will be incorporated as part of the City's comprehensive plan.
- The EAR identifies that all roadway facilities within the City's jurisdiction are operating within the respective adopted level of service standards. However, the FDOT has identified that a portion of US 98 within the City's jurisdiction maybe operating below its adopted level of service.
- Item 149 in Section 5 of the EAR asserts that the City has already addressed the requirement of Section 163.3177(2)(c), F.S., in its comprehensive plan. Section 163.3177(2)(c), F.S. provides that for concurrency management purposes, transportation facilities must be in place, or under construction, within 3 years after approval of the building permit. Policy c.2 of the City's Concurrency Management Element, however, does not identify that that transportation improvements must be in place three years from the issuance of a building permit. Instead the Policy refers to a timeframe for the completion of transportation improvements of three years from the issuance of a certificate of occupancy. This is not consistent with the statute and should be corrected in the City's EAR based amendment.

The Department commends the City for successfully completing its EAR. The Department's staff is available to provide assistance to the City as it prepares the EAR-based amendments. If you have any questions, please do not hesitate to call Dan Evans, Principal Planner, at (850) 922-1805, or Bernard O. Piawah, Regional Planning Administrator, at 850-922-1810.

Sincerely,



Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/de

cc: Ms. Patricia Steed, Executive Director, Central Florida Regional Planning Council  
Mr. Bob Wieggers, Director, City of Bartow Planning Department