



TOWN COMMISSION SPECIAL MEETING AUGUST 29, 2024

Ordinance 24-09

Temporary Development Moratorium



WHY A TEMPORARY MORATORIUM IS NEEDED

Due to the historically high number of proposed and/or approved new residential development projects within the boundaries of the Town, the Town is at and/or has exceeded its maximum allocable daily potable water capacity allowed under the Town's current consumptive water use permits (WUPs) issued by the Southwest Florida Water Management District (SWFWMD); and

How is the Town mitigating for the increase in growth and its impact on the potable water availability?

- August 23, 2022, at a duly noticed public meeting the Town Commission approved the *Interlocal Agreement For The Interconnection of Potable Water Between The City of Winter Haven, and The Town of Dundee*, giving the town **500,000 gpd** of potable water.
- The Town of Dundee has applied for an expansion of its public supply WUP and that application is under review by SWFWMD.
- The Town has conditionally approved CSP's for **approximately twelve (12)** applicants and, in certain instances, entered into a Water Supply Allocation Agreement for the transfer of capacity associated with applicable **agricultural wells** associated with such proposed residential developments; and



How long will this moratorium be active?

Beginning on the effective date of this Ordinance, the moratorium shall continue for twelve (12) consecutive months.

WHO WILL BE AFFECTED BY THIS MORATORIUM?



The moratorium shall be imposed on the Town's consideration of applications for annexation(s), permit applications, planned developments, master planned communities, rezonings, special exceptions, and residential development permits and/or development orders as defined in §380.031, Florida Statutes (2024) (collectively hereinafter referred to as the "Applications"); and, during the pendency of the moratorium, the Town of Dundee shall not accept, review, or process any of the Applications.



No Applications (including applications that may have been submitted prior to July 23, 2024) for properties subject to the moratorium established herein may be processed by Town staff until the expiration and/or termination of this moratorium, unless provided for by this Ordinance.



The Applications for properties subject to the moratorium established herein received by the Town on or before July 23, 2024, will be held in abeyance until the conclusion of the moratorium, unless provided for by this Ordinance.

WHO WILL **NOT** BE AFFECTED BY THIS MORATORIUM?



The moratorium imposed by this Ordinance shall not apply to any vested right and/or vested status as provided for by this Ordinance.



The moratorium shall not apply to the Town's acceptance of a petition for the establishment of a Community Development District (CDD), which is a local unit of special-purpose government, created pursuant to chapter 190, Florida Statutes. In the event a petition for the establishment of a CDD includes any other matter(s) which are the subject of the moratorium, this exception shall not prevent the abeyance of the subject petition until the termination of the moratorium.



The moratorium imposed by this Ordinance shall not apply to any development in the General Retail Commercial (CC), Highway Commercial (CH), and Service Commercial (CS) Zoning Districts within the Town and all such developments shall be otherwise subject to applicable laws, Code of Ordinances, LDC's and/or other applicable rules and regulations for such development.

WATER SOURCES

WINTER HAVEN
INTERLOCAL
AGREEMENT

500,000 GPD

PRWC 2028-
2032

410, 000 GPD

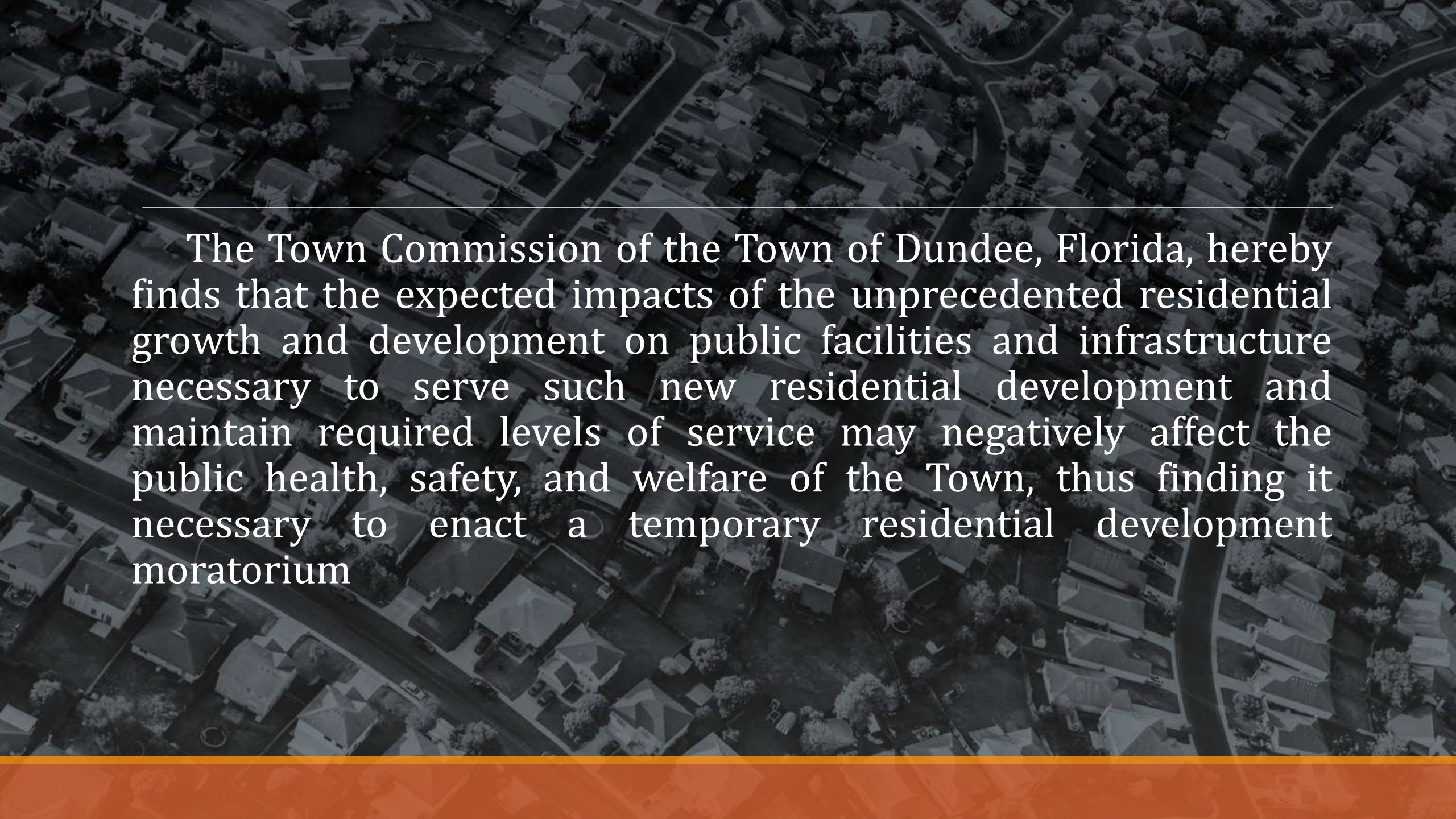
Agricultural
Wells

*24

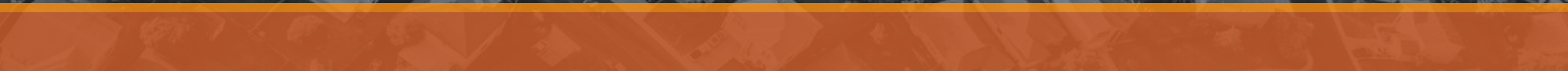


Town of Dundee Temporary Moratorium Purpose

The purpose of this temporary moratorium is to provide a reasonable period of time for the Town to construct a potable water interconnect, in accordance with the *Interlocal Agreement For The Interconnection of Potable Water Between The City of Winter Haven, Florida, and The Town of Dundee, Florida*, and receive up to **0.5 MGD** of potable water from the City of Winter Haven; apply to SWFWMD for the transfer of potable water capacity from applicable agricultural wells including but not limited to those identified in Section 5 (e) of this Ordinance and obtain the proper and necessary increases to the Town's public supply WUP; and, pursuant to Section 163.3184, *Florida Statutes*, and applicable Florida law, adopt and implement necessary amendments and/or revisions to various aspects of the 2030 Comprehensive Plan and LDC in order to accommodate the unprecedented residential growth and development within the corporate limits of the Town.



The Town Commission of the Town of Dundee, Florida, hereby finds that the expected impacts of the unprecedented residential growth and development on public facilities and infrastructure necessary to serve such new residential development and maintain required levels of service may negatively affect the public health, safety, and welfare of the Town, thus finding it necessary to enact a temporary residential development moratorium



PLANNING & ZONING BOARD RECOMMENDATION

On August 26, 2024, the Planning and Zoning Board unanimously approved a motion to recommend approval to the Town Commission of Ordinance 24-09, a Town-initiated ordinance to enact a temporary moratorium for twelve (12) consecutive months.

TOWN COMMISSION RECOMMENDATION

MOTION OPTIONS:

1. I move the Town Commission **approve** Ordinance 24-09, a Town initiated ordinance to enact a temporary moratorium for twelve (12) consecutive months
2. I move the Town Commission **approve with changes** Ordinance 24-09, a Town initiated ordinance to enact a temporary moratorium for twelve (12) consecutive months
3. I move the Town Commission **deny** Ordinance 24-09, a Town initiated ordinance to enact a temporary moratorium for twelve (12) consecutive months



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