

MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: CITY ATTORNEY'S OFFICE

DATE: April 20, 2026

RE: **De Novo Hearing on CFTB Realty, LLC's Request for a Small-Scale Land Use Amendment and Rezoning for New Talbot House Ministries Facility at 1005 E. Memorial Boulevard**

On April 6, 2026, the City Commission granted CFTB Realty, LLC's request for a de novo hearing on its application for a small-scale land use amendment and rezoning on property located at 1005 E. Memorial Boulevard to allow a new Talbot House Ministries facility at this location. CFTB Realty, together with adjacent property owner Sage LD 1, LLC, has applied for a small-scale land use amendment to change the future land use designation on the property from Community Activity Center (CAC) to Public Buildings/Grounds/Institutional (PI) on approximately 2.63 acres; a change of zoning on approximately 2.63 acres from C-4 (Community Center Commercial) to PUD (Planned Unit Development); and a change of zoning on approximately 1.02 acres from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow a transient lodging and social services facility, with a health clinic as an accessory use. The de novo hearing on this request has been scheduled for the April 20, 2026 City Commission meeting.

At the de novo hearing, the City Commission may consider both new testimony and evidence, as well as the record created before the Planning and Zoning Board. Following the hearing, the City Commission may:

- a. Affirm the decision of the Planning and Zoning Board;
- b. Remand the case to the Board for reconsideration; or
- c. Reverse, in whole or in part, or modify the decision of the Board and direct staff to prepare an ordinance or other appropriate instrument granting relief in accordance with the Commission's direction.

The request before the City Commission involves both a proposed small scale land use amendment to the Future Land Use map of the City's Comprehensive Plan and a rezoning from conventional zoning to a Planned Unit Development (PUD).

Small-Scale Land Use Amendment

The proposed small scale land use amendment would be a change on approximately 2.63 acres from Community Activity Center (CAC), which is described in the Comprehensive Plan as "[i]ntended to accommodate the shopping needs of persons

living within the community and typically contains a shopping center with a variety of stores” to Public Buildings, Grounds and Institutional Uses (PI), which is described as “a variety of public and private institutional uses such as schools, government buildings, cemeteries, post offices, and other similar facilities.”

PUD Standards

The requested rezoning is a proposed change on approximately 2.63 acres from C-4 to PUD, and a change of zoning on approximately 1.02 acres from O-2 to PUD. The City’s Land Development Code (LDC) provides standards that PUD’s must satisfy before approval. Section 7.1 of the LDC provides as follows:

7.1 – Intent and Applicability

...

A Planned Unit Development is a development which conforms to all of the following:

- a. It is a development which is planned and carried out under unified control in a single development operation or an approved series of development operations.
- b. It is a development which includes principal and accessory uses and structures which are compatible with the character of the development itself and the surrounding area of which it is part.
- c. It is a development which is carried out according to comprehensive plans.
- d. It is development which includes a program for the full maintenance and operation of common areas, common improvements or common facilities if any such areas, improvements or facilities are included in the development.

Section 7.2.1.2 of the LDC further provides:

7.2.1.2 Use Compatibility

The City Commission shall enact PUD zoning only after making a determination that the proposed uses and the density or intensity of use are consistent with the Lakeland Comprehensive Plan and are compatible with surrounding land uses.

Compatibility

Section 1.6.2 of the LDC defines “compatibility” as follows:

1.6.2 Definitions

...

Compatible: In harmony with the surrounding land uses, context, building forms and environment.

Section 163.3164, Florida Statutes, contained within the State's Community Planning Act, further elucidates the nature of compatibility as follows:

163.3164 Community Planning Act; definitions.—As used in this act:

...

(9) "Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Competent Substantial Evidence

As has been extensively discussed, the City Commission's decision must be supported by competent substantial evidence. The following is a brief summary of rulings by Florida courts describing what is and is not competent substantial evidence:

A quasi-judicial decision must be supported by competent, substantial evidence in the record. Competent, substantial evidence is defined as being **"sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached."**

The following types of evidence generally qualify:

- Expert or staff testimony. Professional staff opinions and expert testimony qualify when supported by facts and reasoning.
- Documentary evidence. Maps, studies, reports, and other relevant materials in the record may support a decision.
- Relevant fact-based statements from residents or lay witnesses.

The following generally are not considered competent, substantial evidence:

- Generalized public opposition.
- Testimony or information that is not sufficiently relevant.
- Speculation or unsubstantiated concerns.
- Conclusory technical opinions requiring expertise.
- Attorney argument. A lawyer's statements and arguments about the evidence or about why the local government should vote for or against a matter.

Crime

Finally, significant discussion has centered around concerns relating to crime and, in particular, sexual offenders and predators. Section 775.215, Florida Statutes, imposes residency restrictions on certain individuals convicted of sex offenses as described therein. This statutory provision prohibits certain sexual offenders and predators from

residing within 1,000 feet of any public or private school, child-care facility, park or playground and imposes criminal sanctions on the individual sexual offender or predator in violation of its prohibitions.

In addition, Polk County Ordinance 10.5-214 generally mirrors the above State statute but imposes a 2,500-foot separation requirement. The County ordinance further imposes a 1,000-foot separation requirement between a designated sexual predator's residence and a school bus stop or church. Although the State statute is silent as to how its 1,000-foot separation requirement is measured, Polk County's ordinance specifies that the distance shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer property line of the school, day care center, public park, playground, public library, church or designated school bus stop.

Copies of Section 775.215, Florida Statutes, and Polk County Ordinance No. 10.5-214 are attached to this agenda item. Also attached is a summary from the Lakeland Police Department describing how LPD implements and enforces the State statute and County ordinance.

Numerous documents were requested at the April 6th City Commission meeting. Those documents have been provided by a separate link immediately following this item. A table of contents has been included in an effort to facilitate easier access to the desired document. Page numbers included in the table of contents are in reference to the pdf page numbers rather than document page numbers. Finally, these documents are also being provided by link from the City's website.

Attachments:

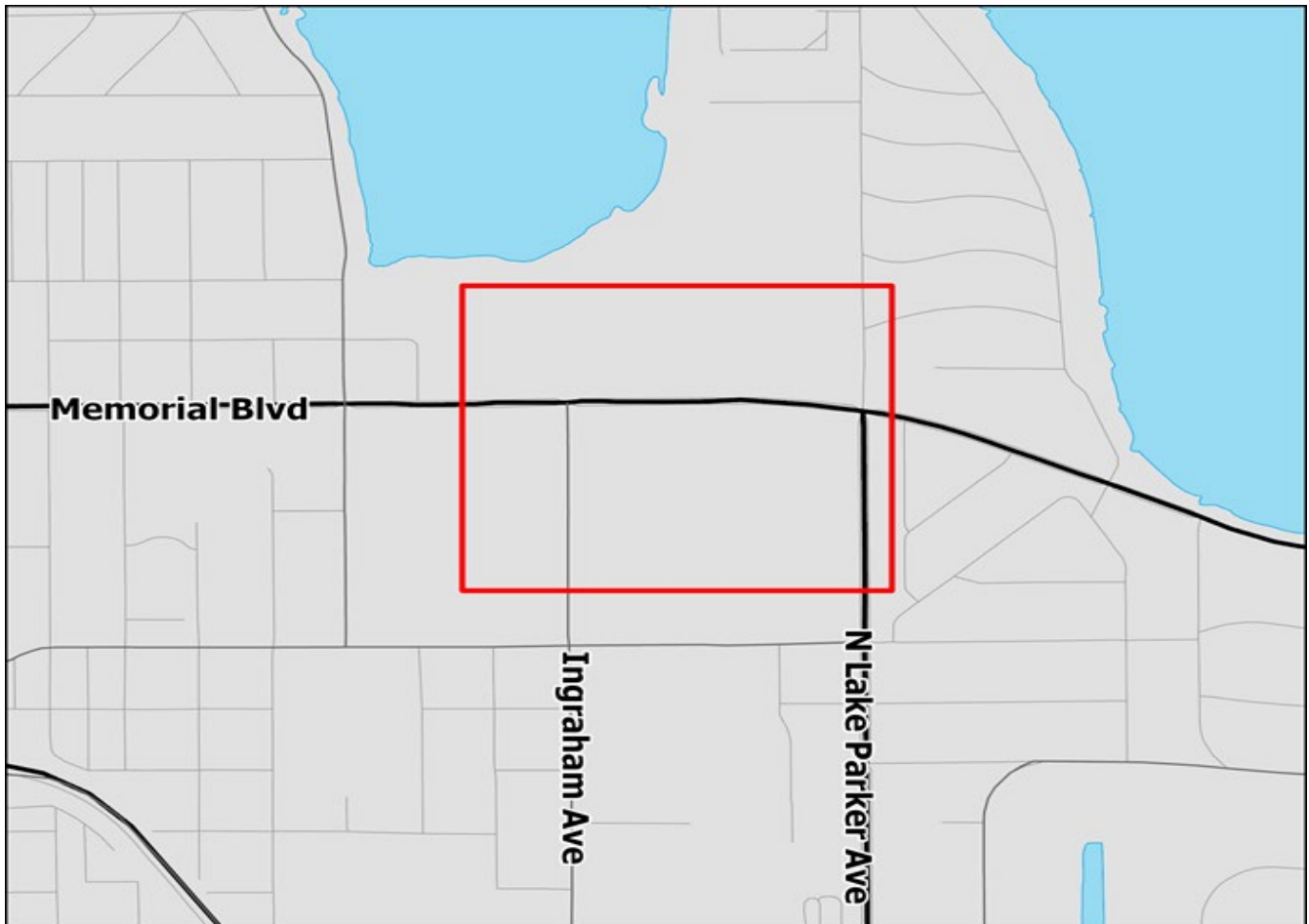
Community & Economic Development Staff Recommendation
Comprehensive Plan Provisions for CAC and PI Land Use
PUD Standards
Section 775.215, Florida Statutes
Polk County Ordinance 10.5-214
LPD Summary

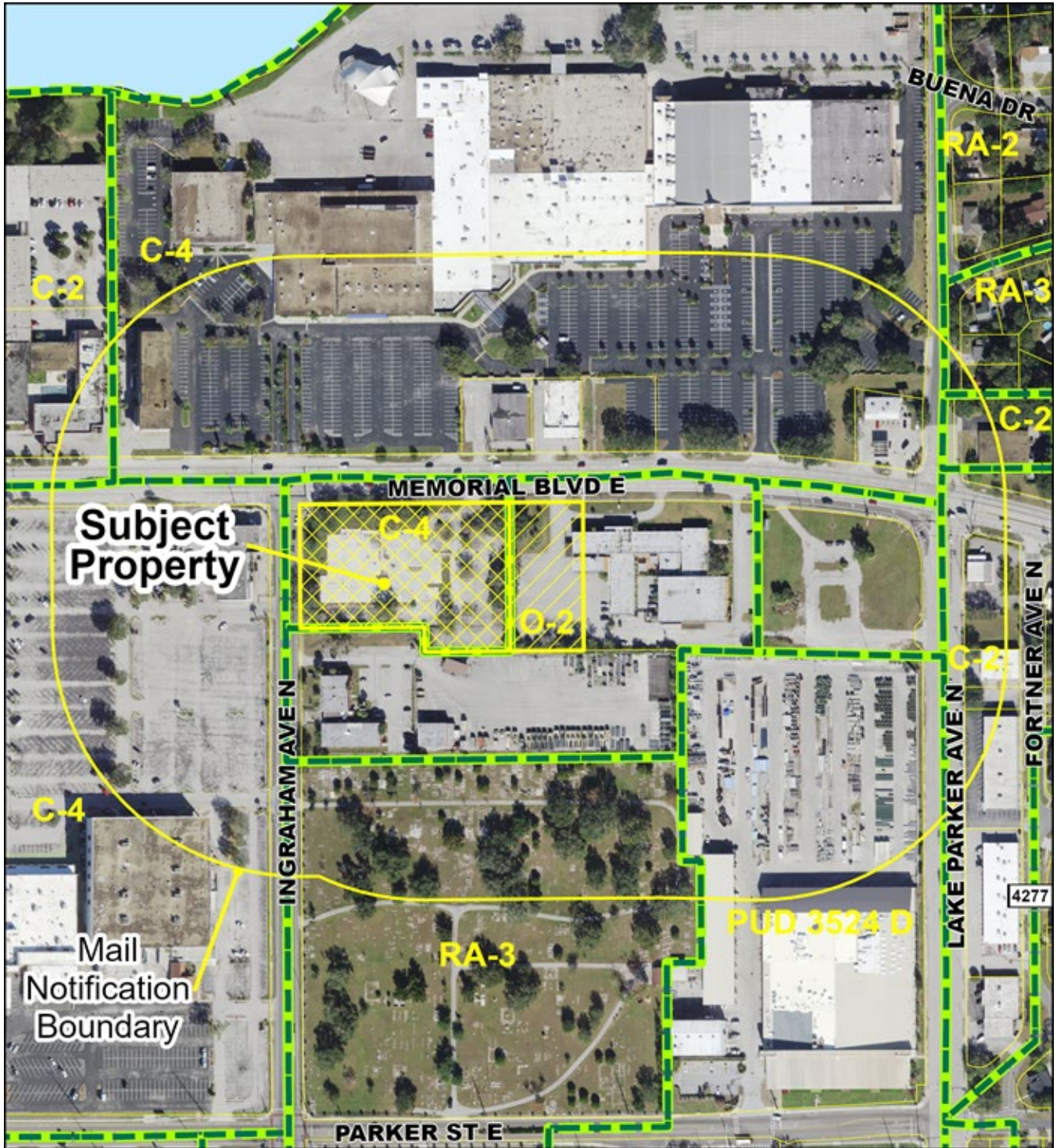


Community & Economic Development Staff Recommendation

Date:	December 16, 2025	Reviewer:	Audrey McGuire
Project No:	LUS25-006 / PUD25-017	Location:	1005 E. Memorial Boulevard
Owner:	Sage LD 1, LLC / CFTB Realty, LLC		
Applicant:	Timothy F. Campbell – Clark, Campbell, Lancaster, Workman & Airth, P.A.		
Current Zoning:	C-4 (Community Center Commercial) / O-2 (Limited Impact Office)	Future Land Use:	Community Activity Center (CAC) / Public Buildings/Grounds/Institutional (PI)
Context District:	Urban Corridor (UCO)		
P&Z Hearing:	November 18, 2025	P&Z Final Decision:	December 16, 2025
Request:	Small-scale land use amendment to change the future land use designation from Community Activity Center (CAC) to Public Buildings / Grounds / Institutional (PI) on approximately 2.63 acres; a change of zoning on approximately 2.63 acres from C-4 (Community Center Commercial) to PUD (Planned Unit Development); and a change of zoning on approximately 1.02 acres from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow a transient lodging and social services facility, with a health clinic as an accessory use, on property generally located at 1005 E. Memorial Boulevard. A map of the subject property is included as Attachment “B.”		

1.0 Location Maps





2.0 Background

2.1 Summary

Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A., on behalf of Sage LD 1, LLC and CFTB Realty, LLC, requests a small-scale land use amendment to change the future land use designation from Community Activity Center (CAC) to Public Buildings / Grounds / Institutional (PI) on approximately 2.63 acres; a change of zoning on approximately 2.63 acres from C-4 (Community Center Commercial) to PUD (Planned Unit Development); and a change of zoning on approximately 1.02 acres from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow a transient lodging and social services facility, with a health clinic as an accessory use, on property generally located at 1005 E. Memorial Boulevard. A map of the subject property is included as Attachment “C.”

2.2 Subject Property

The subject property, approximately 3.65 acres in area, is generally located at the southeast corner of US 92 / E. Memorial Boulevard and N. Ingraham Avenue. The subject property is comprised of a 2.63-acre parcel with a future land use designation of Community Activity Center (CAC) and zoned C-4 (Community Center Commercial), and a 1.02-acre portion of the adjacent parcel to the east with a future land use designation of Public Buildings, Grounds and Institutional (PI) and O-2 (Limited Impact Office) zoning. The entire subject property has an Urban Corridor (UCO) context sub-district designation.

The 2.63-acre western portion of the subject property was previously improved with a 30,205 sq. ft. office building, constructed in 1960, owned by the State of Florida and which served as a courthouse for the Second District Court of Appeals (DCA). In 2016, the 2nd DCA vacated the property and relocated to temporary office space due to environmental health concerns related to the age and poor condition of the building. The property sat vacant until March 2022 when the current owner, Sage LD 1, LLC, acquired the property and demolished the building two months later.

The 1.02-acre eastern portion of the subject property is part of a larger parcel of land which was previously improved with a 36,630 sq. ft. office building. The building served as the headquarters for the Florida Department of Citrus until 2010 when it was sold by the State of Florida and repurposed for use as a church. The current property owners, CFTB Realty, LLC, purchased the property in 2024 and the building was destroyed by fire while being demolished on March 8, 2025.

Adjacent land uses within the PI land use district, which spans from E. Memorial Boulevard to E. Parker Street, include the James West US Army Reserve Center, the City of Lakeland Purchasing and Central Stores Yard, and cemetery. To the north, across US 92 / Memorial Boulevard, is the Lakes Church campus, consisting of a sanctuary and private school (Lakes Church Academy) which provides a religious-based education for children in grades Pre-K3 through 10. Other uses in the area include a self-storage facility at the southwest corner of Memorial Boulevard and N. Lake Parker Avenue, zoned PUD, and Lakeland Town Center shopping center to the west of the subject property.

2.3 Project Background

The applicants request a small-scale land use amendment and rezoning to PUD to allow for the development of a 72,000 sq. ft. transient lodging and social services facility, with a health clinic and other accessory support uses. A site development plan which shows the footprint of the building, off-street parking, loading / unloading areas, open space, and other features is included as Attachment “D.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	House of Worship / Private School	CAC	C-4	UCO
South	Military Facility / Government Warehouse & Storage	PI	O-2 / PUD	UCO / USP
East	Mini-Warehousing & Self-Storage Facility	CAC	PUD	UCO
West	Retail Commercial	CAC	C-4	UCO

2.3 Attachments

Attachment A: Legal Description – Land Use Change from CAC to PI

Attachment B: Legal Description – Zoning Change from O-2 and C-4 to PUD

Attachment C: Base Map of Subject Property

Attachment D: Site Development Plan

Attachment E: Architectural Elevations

3.0 Discussion

Talbot House Ministries, Inc. (Talbot House) provides more than 15 services to homeless and low-income individuals and households throughout Lakeland and Polk County. These services include, but are not limited to, an emergency housing shelter, transitional and affordable housing programs, a free health clinic, food donations, and employment services. Talbot House currently operates at 814 N. Kentucky Avenue on approximately 2.39 acres. The current complex is comprised of a 26,943-sq. ft. emergency shelter building constructed in 1999, a two-story apartment building constructed in 1999, a single-story 20-unit group home constructed in 2008, and other ancillary buildings. Outdoor open space on the current complex is limited, mostly designated as stormwater retention and unusable much of the year. This facility was observed by City staff during a site visit conducted on July 9, 2025.

Talbot House's emergency shelter and supportive service functions have outgrown the current facility, which is functionally obsolete and lacking in terms of adequate space for overnight guests and residents, outdoor open space, storage and other services. They are currently utilizing overflow cots in dining and activity areas to meet overnight emergency shelter needs, lack ADA-beds needed to accommodate disabled guests and residents, and have inadequate usable outdoor open spaces for use by guests and residents throughout the day. Expansion of the existing facility to meet these needs would be limited due to site constraints.

Talbot House is proposing to construct a larger, more modern facility and relocate most of its services to the subject property. The proposed new facility will consist of a two-story transient lodging and social services building with a maximum floor area of 72,000 sq. ft. with adequate space for the emergency shelter and residential programs, with segregated areas for male and female guests and residents; a free health clinic available to both guests / residents of Talbot House and low-income members of the public; a donations center; an employment solutions center; and other administrative

and office support services. The proposed facility provides over 20,000 sq. ft. of outdoor open space, both covered and uncovered, for recreation, activities and gathering during the day. If recommended by the Planning and Zoning Board and approved by the City Commission, the existing 23,943-sq. ft. transient lodging and social services facility building, health clinic, and employment services building on N. Kentucky Avenue will close following completion of the new facility. The existing 20-unit group home approved through a conditional use permit (Ordinance No. 4507) and two-story apartment building are not proposed for relocation at this time.

The subject property has historically been used for public institutional land uses as the site of the former Second DCA courthouse and Florida Department of Citrus headquarters, and prior to 2022, the entire subject property was zoned O-2 (Limited Impact Office) and had a future land use designation of Public Buildings, Grounds, and Institutional (PI). In November 2022, the City Commission approved a small-scale land use change from PI to Community Activity Center (CAC) and rezoning from O-2 to C-4 (Community Center Commercial) for 2.63 acres of the subject property to allow it to be marketed for commercial development. The 1.02-acre eastern portion of the subject property retains PI land use and O-2 zoning today. The proposed small-scale land use amendment to change from CAC back to PI is consistent with existing institutional land uses south and east of the subject property.

The subject property is located along two designated Transit Oriented Corridors (TOCs): US 92 / Memorial Boulevard and N. Ingraham Avenue. Per the policies of the Lakeland Comprehensive Plan: *Our Community 2030*, TOCs are encouraged to have a mix of non-residential, medium- to high-density residential, and public and institutional uses. However, neither the existing O-2 or C-4 zoning districts support transient lodging and social services uses. The proposed Planned Unit Development (PUD) zoning, which is intended to provide flexibility in support of innovative design, would allow for the development of the proposed facility, with a health clinic and other ancillary support uses, consistent with the PI land use and intent of the TOCs.

The US 92 / Memorial Boulevard corridor functioned as the primary east-west route between Daytona Beach and St. Petersburg prior to the construction of Interstate 4. In the late 1980s, the corridor went into decline following the construction of Lakeland Square Mall, the conversion of the former Lakeland Mall to Lakes Church (FKA First Baptist Church at the Mall), and the loss of major retail anchors in the adjacent Lakeland Town Center shopping center (FKA Searstown) to the west.

To address decline of the corridor, on July 7th, the City Commission approved the Memorial Boulevard Economic Development Strategy, a strategic plan for the revitalization of a 6.1-mile section of US 92 / Memorial Boulevard between E. Lake Parker Drive and Interstate 4. The action plan is intended to guide future policies, programs and capital projects aimed at addressing social, economic and infrastructure challenges. It provides a comprehensive strategy and recommended actions to attract investment and employment opportunities, support businesses, increase mobility and pedestrian safety, and boost the local economy to support redevelopment in the corridor.

During the November 18th public hearing, and following the public hearing, members of the public expressed concern that the relocation of Talbot House to US 92 / Memorial Boulevard was not consistent with the economic development strategy and would be a hindrance to revitalization efforts. While the Memorial Boulevard Economic Development Strategy does not explicitly state a transient lodging and social services facility is needed in the corridor, it does acknowledge and detail the benefits of such uses when coupled with job training and maintenance programs, and includes several recommended actions related to homelessness and job training in its implementation framework. Studies cited in the development strategy also show a positive correlation between social services uses and improvements to commercial corridors, workforce development, and the economy.

The proposed transient housing and social services use aligns with the goals, objectives and policies set forth in the Housing and Future Land Use Elements of the Lakeland Comprehensive Plan, which promotes adequate provision of shelters and transitional housing.

Housing (HOU) Goal 1: *Promote the provision of adequate, safe and affordable housing for existing and future populations, including those with special needs.*

Objective HOU-1.1: *Assist the private sector in providing new housing over the planning period to ensure provision of housing of various types, sizes and costs that meet the shelter needs of the existing and projected populations, including the needs of very low-, low-, and moderate-income households and persons with special housing needs.*

Policy HOU-1.1D: *The City of Lakeland will work with local and County homeless coalitions as well as qualified non-profit and private sector groups to promote adequate shelter and transitional housing for the local homeless population.*

Policy FLU-1.4A: *Transit-Oriented Corridors shall encourage a mix of complimentary land uses with medium to high residential densities along key designated existing or planned fixed route transit corridors. All new or redevelopment within a TOC shall be designed with pedestrian, bike and transit friendly site design. The City shall promote the following land uses in vertical or horizontal mixes within a TOC:*

b) *Public and Institutional, PI Uses, including but not limited to government, place of worship, community, educational, daycare, recreational and/or medical/clinic uses.*

At the public hearing on November 18th, a total of 12 individuals spoke both in opposition and support of the proposed project. After the public hearing, several additional emails and phone calls were received in opposition.

The public expressed concern related to the proximity of the proposed facility to nearby schools and Skate World. The subject property on E. Memorial Boulevard, when measured using the shortest legal pedestrian route of travel, is approximately 1,800 feet away from Lakeland Montessori School on N. Lake Parker Avenue and 1,600 feet away from the primary entrance and outdoor recreation facilities for Lakes Church Academy on the north side of the Lakes Church Campus. Skate World, an indoor commercial recreation use, is more than 1,100 feet away from the subject property. In comparison, the current Talbot House complex on N. Kentucky Avenue is approximately 1,200 feet away from Lawton Chiles Middle Academy, 1,300 feet from McKeel Academy Central, and 1,400 feet from Academy Prep Center of Lakeland.

Several comments were made regarding the proximity of the proposed facility to existing residential uses, which include the Shore Acres and Edgewater Beach neighborhoods to the east and northeast, respectively. Most of the neighborhood-related concerns centered around existing issues with crime and trespassing in the area. The closest single-family residence is located on the east side of N. Lake Parker Drive, more than 800 ft. northeast of the subject property and outside the required 500-foot notification boundary. Talbot House's current facility is only approximately 200 feet from the nearest single-family dwelling.

Additional concerns stated by the public centered around Memorial Boulevard revitalization efforts (as discussed above), pedestrian and bicyclist safety, potential negative impacts to property values and businesses, and the potential for Talbot House to exacerbate existing issues related to transient individuals including panhandling, loitering, and trash / debris.

The proposed PUD will limit the use of the subject property to a transient lodging and social services facility with a health clinic and other support uses as stated herein. The layout of the facility will address both operational and space needs of Talbot House and will feature a two-story 72,000 sq. ft. building fronting US 92 / E. Memorial Boulevard with adequate vehicle and bicycle parking areas. The main entrance to the emergency shelter will be located on the southwest side of the building, closest to nearby transit stops, leading into a courtyard and outdoor open space area which is intended to provide a gather place for guests of the facility, discouraging loitering in areas not dedicated as open space. Separate public entrances are provided from the parking lot to the donations center, employment solutions center, and medical clinic to create separation from visitors and guests / residents of Talbot House who will have access to those services from separate entrances inside the building.

The recommended conditions of the PUD require the use of Crime Prevention through Environmental Design (CPTED) principles as part of the site design to ensure a safe, inviting environment; provision of personal protective equipment (PPE) and education regarding bicycle and pedestrian safety; prohibition of outdoor storage and collection / donation bins; security requirements and the termination of certain services at 814 N. Kentucky Avenue.

3.1 Transportation and Concurrency

The subject property lies along the south side of US 92/E. Memorial Boulevard, a Florida Department of Transportation (FDOT)-maintained roadway classified as an Urban Principal Arterial with an Annual Average Daily Traffic volume of 40,300 vehicles between US 98/N. Florida Avenue and N. Lake Parker Avenue as documented in the Polk Transportation Planning Organization's 2025 Roadway Network Database. During the PM Peak Period, this segment is currently operating with an acceptable Level of Service (LOS) "C" with a two-hour average volume of 1,464 eastbound vehicles and 1,407 westbound vehicles. The directional capacity on this segment of Memorial Boulevard is 2,000 vehicles. Per Florida Department of Transportation (FDOT) Traffic On-Line, trucks account for approximately 6.2% of the vehicles on this roadway segment. To the west of the property lies Ingraham Avenue, a City-maintained street classified as a Major Urban Collector with an Annual Average Daily Traffic volume of 5,000 vehicles between US 98/Bartow Road and US 92/Memorial Boulevard as documented in the Roadway Network Database. During the PM Peak Period, this segment is currently operating at an acceptable Level of Service (LOS) "C" with a two-hour average volume of 175 northbound vehicles and 182 southbound vehicles. This segment of Ingraham Avenue has a directional capacity of 840 vehicles. The Institute of Transportation Engineers' *Trip Generation Manual* does not include data on uses that are comparable to those proposed through this application. City staff estimates that the proposed development program could generate approximately 460 daily automobile trips, assuming that 75% of the clients access the site via bicycle, on foot or on bus and that the new facility will have 50 employees, with each employee generating four daily trips. This subject proposal is not expected to generate any concurrency deficiencies on the surrounding roadway network.

The subject property is located within the Central City Transit Supportive Area (CCTSA) and on the E. Memorial Boulevard and N. Ingraham Avenue Transit Oriented Corridors as designated in the Comprehensive Plan within which multimodal level-of-service standards have been adopted to recognize available transit service and bicycle/pedestrian networks. The Lakeland Area Mass Transit District (Citrus Connection) operates three routes near the subject property with their stop approximately 129 feet from the facility. The transit shelter is served by the Purple, Orange and Eastside Circulator Lines operating on US 92 (Memorial Boulevard) and N Ingraham Avenue with 60-

minute frequencies. The Purple Line provides service between Lakeland and Winter Haven. The Orange Line provides connecting service also to Downtown Lakeland and Southeastern University. The Eastside Circulator serves the VA Medical Clinic, the Lakeland Public Library the Downtown Terminal and is planned to serve the new Orlando Health medical campus that opens in Summer 2026.

Sidewalks exist along the subject property’s frontage and both sides of Memorial Boulevard and Ingraham Avenue. To improve bicycle and pedestrian safety along Memorial Boulevard, the Florida Department of Transportation has installed Pedestrian Hybrid Beacons, signalized pedestrian crossings, along the corridor west of Ingraham Avenue. The City of Lakeland Vision Zero Action Plan adopted in March 2025 identifies Memorial Boulevard as a Top 10 High Injury Network (HIN) Corridor and Polk County’s Vision Zero analysis identifies the segment between the Kathleen Road Overpass and Lakeshore Drive as a HIN for bicycle/pedestrian crashes as well as the Memorial Boulevard/Florida Avenue intersection. To improve traffic safety, the City is working with the FDOT to incorporate and “complete street” improvements a reconstruction project between Wabash Avenue and Gary Road that is funded in Fiscal Year 2030 of the Florida DOT’s Five-Year Work Program. The new orientation and design of the proposed site will guide bicyclists and pedestrians to safer crossings to nearby transit transfer points on Ingraham Avenue and Parker Street without having to cross Memorial Boulevard.

A Binding Concurrency Determination will be made prior to site plan approval.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval the small-scale land use amendment and change of zoning to PUD to allow a transient lodging and social services facility, with a health clinic. Letters of notification were mailed to 14 property owners within 500 feet of the subject property. Several residents of the nearby Edgewater Beach neighborhood and nearby businesses owners spoke against the project at the public hearing with the concerns stated above. Following the public hearing 13 telephone calls and 13 emails were received in opposition of the project.

4.2 The Planning & Zoning Board

It is recommended that the request for PUD (Planned Unit Development) zoning, as described above and in Attachments “A,” “B,” “C” and “D” be approved, subject to the following conditions:

- A. Permitted Uses: A transient lodging and social services facility, not to exceed 72,000 sq. ft. in area, including a 6,500 sq. ft. health clinic as an accessory use, and other support uses and services, as follows:
 - 1. Emergency Shelter and Residential Lodging: Maximum 390 Total Beds
 - a. Men and Women Guests / Residents: 250 Beds and 30 ADA Beds

- b. Medical Guests: 30 Beds
 - c. Emergency Overflow Cots (Weather Related): 80 Beds
2. Employment Solutions Center: 3,500 sq. ft.
 3. Donations Center: 2,500 sq. ft.
 4. Other accessory administrative support and storage uses.

*The allocation of beds and square footage of the above uses may fluctuate provided that the overall number of beds does not exceed 390 beds and the total square footage does not exceed 72,000 square feet.

- B. Development Regulations: In accordance with the C-4 / Urban Corridor sub-district regulations, except where otherwise provided herein.
 1. Minimum Front Setback: 13 ft.
 2. Minimum Street Side Setback: 12 ft.
 3. Minimum Rear Setback: 10 ft.
 3. Maximum Building Height: 2-Stories
- C. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "D." With the approval of the Director of Community and Economic Development, minor changes may be made at the time of site plan review without requiring a modification to the PUD zoning.
- D. Architectural Design: The project shall be designed in substantial accordance with the architectural elevations included as Attachment "E." With the approval of the Director of Community and Economic Development, minor changes may be made at the time of building permit review without requiring a modification to the PUD zoning.
- E. Landscape / Buffering: In accordance with Section 4.5 of the Land Development Code, except as follows:
 1. To ensure visibility and safety throughout the project site, Crime Prevention through Environmental Design (CPTED) principles shall be incorporated as part of the design and maintenance of landscaping to foster a safe environment and discourage individuals from public camping, sleeping or loitering in outside areas not designed on the site development plan for use by clients as open space. The specific plant materials used shall be subject to review and approval by the Parks, Recreation and Cultural Arts Department at the time of site plan review.
- F. Loading / Unloading Areas and Storage:
 1. Loading and unloading areas designated as "Loading Dock" and "Service Yard" on the site development plan (Attachment "D") shall be screened from view of the parking area by a six-foot high view blockage fence or wall compatible with the architecture of the principal building.
 2. Unloading of donations shall occur only within the area designated as "Donations Drop-Off Canopy" on the site development plan (Attachment "D.") Receipt of donations shall occur from inside the building and donations shall not be staged, stored or otherwise left unattended under

the drop-off canopy or outside the building. The use of external and free-standing collection bins for donations shall be prohibited.

3. All storage activities associated with the facility shall occur inside a building, except for outdoor storage located in the service yard behind the view blockage fence or wall. All other outdoor storage shall be prohibited.
- G. Outdoor Lighting: Project lighting shall be in accordance with Section 4.6 of the Land Development Code. Use of Crime Prevention through Environmental Design (CPTED) principles in lighting design to ensure visibility and safety throughout the project site is encouraged.
- H. Transportation:
1. A Binding Concurrency Determination shall be made at the time of site plan approval.
 2. A Minor Traffic Study or safety analysis shall be submitted in compliance with Section 10.3 of the City Land Development Code, with a special emphasis on bicycle and pedestrian access and safety.
 3. Prior to Certificate of Occupancy issuance, the applicant shall convey any rights-of-way or easements to the City and FDOT that are necessary to fully accommodate sidewalks along Ingraham Avenue and US 92/Memorial Boulevard frontages that may exist on the subject property.
 4. ADA compliant pedestrian routes shall be provided throughout the development, connecting on-site amenities, mail kiosks, parking lots and adjacent public sidewalk system.
 5. Prior to Certificate of Occupancy (CO) issuance, the applicant shall coordinate with the Lakeland Area Mass Transit District (Citrus Connection) to design and construct a mid-block crossing across Ingraham Avenue to the existing transit shelter, subject to final approval and permitting by the City Public Works Department.
 6. In addition to providing bicycle parking in compliance with Sub-Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual, bicycle parking for guests and residents shall be provided within various designated bicycle areas to enhance security. A total of at least seventy-five (75) bicycle parking spaces shall be provided within the designated bicycle parking areas. "Wave"-style racks will be permitted within the fenced in area of the corral only.
 7. The site development shall comply with all FDOT permitting requirements.
- I. Termination of Existing Conditional Uses: The existing transient lodging and social services facility located at 814 N. Kentucky Avenue shall terminate following the completion of the new facility on the subject property. Upon the issuance of a Certificate of Occupancy, Community and Economic Development Department staff shall initiate the repeal of Ordinance 3677 by the City Commission. This condition does not apply to the existing Troxel Transitional Apartment Housing, or Level II group home approved through a conditional use permit in 2004 (Ordinance 4507, as amended), which may continue to be used by Talbot House Ministries for long-term housing of clients until the property is sold or redeveloped for another principal use.
- J. Security: Certified facility personnel shall provide 24-hour site monitoring to maintain a safe and secure environment. The entrance at the southwest corner of the building shall be limited to clients of the emergency shelter, residential program and day services. Public access to the health clinic,

employment solutions center and donations center shall be from the north and east sides of the building only.

ATTACHMENT "A"

Legal Description
Land Use Change from CAC to PI

Begin at a point 67.85 feet South and 280 feet East of the Northwest corner of the NE 1/4 of the NE 1/4 of Section 18, Township 28 South, Range 24 East to a point of beginning on the South right-of-way line of East Memorial Boulevard; thence continue North 89°27'00" East a distance of 173.41 feet; thence South 0°18'40" East a distance of 300 feet; thence South 89°27'00" West a distance of 173.12 feet; thence North 0°22'00" West a distance of 300 feet to the Point of Beginning.

and

The North 250 feet of the West 280 feet of that part of the NE1/4 of the NE 1/4 of Section 18, Township 28 South, Range 24 East, lying South of East Lakeland Memorial Boulevard, (U.S. Highway 98) less the West 30 feet thereof which is reserved for street purposes.

ATTACHMENT "B"

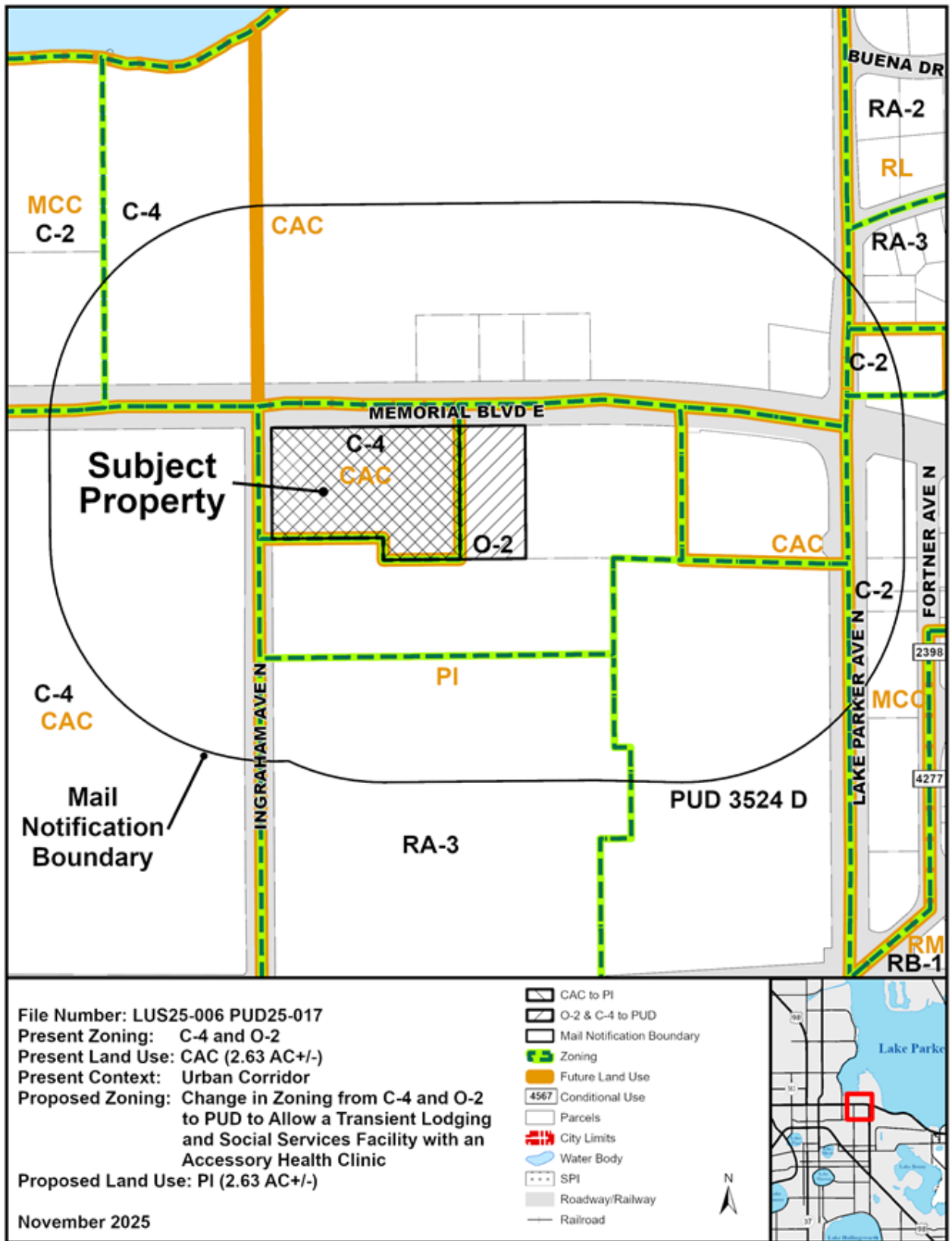
Legal Description
Zoning Change from O-2 / C-4 to PUD

A parcel of land being a portion of the lands described in Official Records Book 12255, Pages 318 through 320 and Official Records Book 13320, Pages 2101 through 2108, both of the Public Records of Polk County, Florida, located in Section 18, Township 28 South, Range 24 East, being more particularly described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 18; thence South 00°22'00" East, 67.85 feet to the intersection with the South right-of-way line of East Memorial Boulevard (State Road 546) as depicted on the Florida Department of Transportation Section Map 16100-2515; thence North 89°27'00" East, along said South right-of-way line, 30.00 feet to the POINT OF BEGINNING; thence continue North 89°27'00" East, along said South right-of-way line, 571.41 feet to the intersection with the East line of the West 148.00 feet of said parcel described in Official Records Book 13320, Pages 2101 through 2108; thence South 00°18'40" East, along said East line, 300.00 feet to the intersection with the South line of said parcel described in Official Records Book 13320, Pages 2101 through 2108; thence South 89°27'00" West, along said South line and the South line of said parcel described in Official Records Book 12255, Pages 318 through 320, a distance of 321.12 feet; thence North 00°22'00" West, along said South line, 50.00 feet; thence South 89°27'00" West, along said South line, 250.00 feet to the East right-of-way line of Ingraham Avenue and the West line of said parcel described in Official Records Book 12255, Pages 318 through 320; thence North 00°22'00" West, along said East right-of-way line and the West line of said parcel, 250.00 feet to the POINT OF BEGINNING.

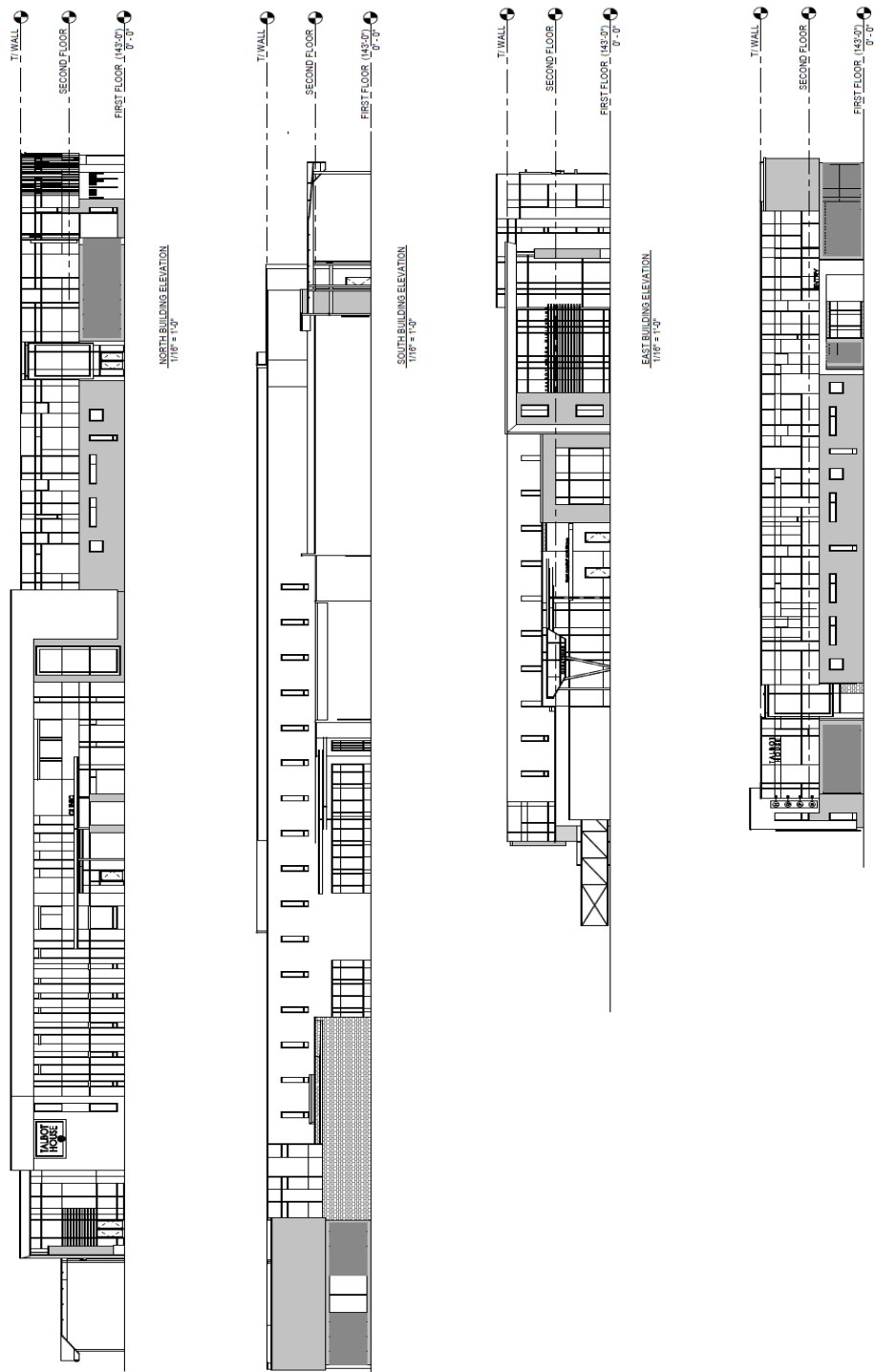
Said parcel contains 3.65 acres, more or less.

ATTACHMENT C"



ATTACHMENT "E"

 <p>STRAUGHN TROUT ARCHITECTS 1000 N. GARDNER ST., SUITE 100 DENVER, CO 80202 TEL: 303.733.1100 WWW.STRAUGHNTROUT.COM</p>	<p>TALBOT HOUSE RELOCATION 1005 E MEMORIAL BLVD, LAKELAND, FL 33801</p>	<p>DATE PROJECT # 2/20 PROJECT NAME JMK SHEET NO. 12.212 EX. 02.000.000</p>	<p>ARCHITECT'S WORK EXCEPT AS NOTED HEREIN</p>	<p>EXTERIOR ELEVATIONS</p>	<p>A-401</p>
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NORTH BUILDING ELEVATION
1/8" = 1'-0"

SOUTH BUILDING ELEVATION
1/8" = 1'-0"

EAST BUILDING ELEVATION
1/8" = 1'-0"

WEST BUILDING ELEVATION
1/8" = 1'-0"

Minimum Population Served:	150,000 or more		
Market Area Radius:	20 miles or more		
Access:	<ul style="list-style-type: none"> • Intersection of two roads, with frontage on or direct access to an arterial roadway or a frontage road or service drive which directly serves an arterial roadway. • If located outside CRAs, prefer proximity to a limited access highway. • Access to one or more existing fixed route mass transit lines. • Must be designed for well connected, multi-modal internal access and include on-site transit shelter and bike rack. 		
Community Activity Center (CAC)	Intended to accommodate the shopping needs of persons living within the community and typically contains a shopping center with a variety of stores		
Uses	Grocery, drug, one or more junior department stores, group of smaller uses, other commercial and office uses within close proximity.		
Density (Dwelling Units per Acre (du/ac))			
Transit Oriented Corridors (TOC)			
Maximum Outside of TOC	Maximum within TOC¹	Minimum within 1/8 Mile of TOC^{1,2}	Minimum within 1/4 Mile of TOC^{1,2}
22 du/ac Up to 175 du/ac within the Downtown CRA Up to 75 du/ac in RAC or IAC outside of the Downtown CRA	22 du/ac Up to 175 du/ac within the Downtown CRA Up to 75 du/ac in RAC or IAC outside of the Downtown CRA	7 du/ac	5 du/ac
¹ Subject to zoning district or Special Public Interest (SPI) District Requirements			
² Measured perpendicular to centerline of designated TOC			
Intensity (Maximum Floor Area Ratio (FAR))			
Development Area			
Central City	Urban Development Area	Suburban Development Area	Downtown CRA
1.50 FAR	1.00 FAR	Not Applicable	Not Applicable
<ul style="list-style-type: none"> • ≤ 25% of land area may be residential beyond 2nd floor residential uses. • Typically, 100% of land area will be retail and office uses with no limit on percentage of either use. 			
Development Criteria			
Location Criteria:	Central City TSA or Urban Development Areas; approximately 2 miles or more from any other retail commercial activity center.		
Typical CAC Size*	20 to 60 acres		

Gross Leasable Area:	100,000 to 400,000 square feet.
Minimum Population Served:	20,000 to 80,000 people.
Market Area Radius:	2 or more miles
Access:	<ul style="list-style-type: none"> • Intersection of two roads with frontage on or direct access to an arterial or major collector roadway or a frontage road or service drive which directly serves an arterial roadway. • Within transit service district and prefer access to one or more existing fixed route mass transit lines. • Design for well connected, multi-modal internal access and, where feasible, vehicular cross access.

Neighborhood Activity Center (NAC) Intended to accommodate the shopping needs of persons living within the immediate surrounding neighborhoods

Uses	Grocery store, drug store, few other small retail and office uses in a contiguous building or on out parcels.
------	---

To promote walkable neighborhoods with access to healthy foods, exceptions may be made to the above general characteristics for Convenience Center site size, GLA and/or separation distance where found compatible with surrounding uses and proposing a neighborhood level grocery as the primary use; the site shall be governed by PUD zoning, employ site design that maximizes walkability and compatibility, and exclude uses that are primarily auto-oriented. Local grocery stores sizes may vary but 60,000 square feet shall be the maximum and proposals for these exceptions are encouraged to use less than the maximum wherever feasible.

General characteristics may be reasonably varied where the NAC is designed within a master planned community and is intended to function as a village or town center for a traditional or “new urbanist” type mixed-use development.

Density (Dwelling Units per Acre (du/ac))

Transit Oriented Corridors (TOC)

Maximum Outside of TOC	Maximum within TOC ¹	Minimum within 1/8 Mile of TOC ^{1,2}	Minimum within 1/4 Mile of TOC ^{1,2}
22 du/ac	22 du/ac		
Up to 175 du/ac within the Downtown CRA	Up to 175 du/ac within the Downtown CRA	7 du/ac	5 du/ac
Up to 75 du/ac in RAC or IAC outside of the Downtown CRA	Up to 75 du/ac in RAC or IAC outside of the Downtown CRA		

¹ Subject to zoning district or Special Public Interest (SPI) District Requirements

² Measured perpendicular to centerline of designated TOC

Intensity (Maximum Floor Area Ratio (FAR))

Development Area

Central City	Urban Development Area	Suburban Development Area	Downtown CRA
1.00 FAR	0.75 FAR	0.50 FAR	Not Applicable

**Public Buildings, Grounds, and Institutional Uses
(PI)**

Generally Characterized As

- Public land uses generally consist of a variety of public and private institutional uses such as schools, government buildings, cemeteries, post offices, and other similar facilities.
- Public school uses are a permitted principal use in all FLUM categories except Conservation (C) and/or Preservation (P). Standards differentiating public and private schools are addressed in the City of Lakeland LDC.

Intensity (Maximum Floor Area Ratio (FAR))

Development Area			
Central City	Urban Development Area	Suburban Development Area	Downtown CRA
2.00 FAR	1.50 FAR	0.70 FAR	Not Applicable

Development Criteria

Future Public Buildings, Grounds, and Other Public or Institutional Uses may be located within the Central City TSA, the Urban Development Area, the Suburban Area, and the Rural Area.

*Although Future Land Use area sizes vary, these are typical sizes of land involved in new Future Land Use amendments. This is intended to be informational only.

ARTICLE 7: - PLANNED UNIT DEVELOPMENT STANDARDS

7.1 - INTENT AND APPLICABILITY

It is the intent of this article to provide procedures and standards for the creation of Planned Unit Development zoning districts as an alternative to conventional zoning districts. PUD zoning is intended to facilitate flexibility to respond to special circumstances and to promote design innovation that provides qualitative improvement over normal design standards. It is the intent of this article that PUD districts shall respect the intent of the conventional zoning district and context sub-district, be compatible with adjacent land uses and zoning and conform to the Comprehensive Plan. Areas shall be zoned Planned Unit Development District only upon a determination that the criteria in Section 7.2 are or will be met.

A Planned Unit Development is a development which conforms to all of the following:

- a. It is a development which is planned and carried out under unified control in a single development operation or an approved series of development operations.
- b. It is a development which includes principal and accessory uses and structures which are compatible with the character of the development itself and the surrounding area of which it is part.
- c. It is a development which is carried out according to comprehensive plans.
- d. It is development which includes a program for the full maintenance and operation of common areas, common improvements or common facilities if any such areas, improvements or facilities are included in the development.

7.2 - STANDARDS FOR PLANNED UNIT DEVELOPMENT ZONING

7.2.1 GENERAL

7.2.1.1 Unified Control

The City Commission shall enact PUD zoning only after making a determination that the proposed development will be carried out under unified control in a single development operation or an approved series of development operations. For the purposes of this section, unified control shall mean control which is:

- a. Exercised by a controlling entity such as a person, corporation or partnership or a group of persons, or partnerships;
- b.

Sufficient to enable the controlling entity to ensure the planned unit development will be completed in full compliance with the enacted Site Development and Standards Plan and any conditions attached thereto by the city pursuant to enactment; and

- c. Evidenced by city-approved agreements, contracts, covenants, deed restrictions, sureties and other instruments which bind the controlling entity and all existing and successive holders of title to the subject property to full compliance with the enacted detailed Site Development and Standards Plan and any conditions attached thereto by the city pursuant to enactment.

7.2.1.2 Use Compatibility

The City Commission shall enact PUD zoning only after making a determination that the proposed uses and the density or intensity of use are consistent with the Lakeland Comprehensive Plan and are compatible with surrounding land uses.

7.2.1.3 Environmental Compatibility

The City Commission shall enact PUD zoning only after making a determination that the site conforms to the following criteria:

- a. It is suitable for development in the manner proposed without hazards to any persons or property from possible flooding, erosion, or other dangers greater than would result from conventional development which could be approved pursuant to the Comprehensive Plan; and
- b. Its soils, ground water, drainage and topography are appropriate to the kind and pattern of use proposed. Such a determination shall be based on a consideration of all relevant information that can be obtained about the site, including any special surveys, samples and tests of site, including any special surveys, samples and tests of site characteristics which the city deems necessary.

7.2.1.4 Site Development and Standards Plan

The City Commission shall enact PUD zoning only after making a determination that the Site Development and Standards Plan to be incorporated in the enacting ordinance fulfills the requirements of this code, is consistent with the Comprehensive Plan, and otherwise promotes the public health, safety and welfare.

7.2.1.5 Assurances

The City Commission shall enact PUD zoning only after making a determination that there are assurances which guarantee, insofar as is practical and necessary, that development of the subject property will proceed according to the Site Development and Standards Plan. Such assurances may

include performance guarantees, bonds, letters of credit and other financial instruments as well as the agreements, contracts, covenants, deed restrictions and similar instruments included as part of the Site Development and Standards Plan.

7.2.1.6 Dedication of Public Facilities and Sites

The City Commission shall enact PUD zoning only after making a determination that the need for public facilities and services generated by the proposed PUD will be adequately met. The City Commission may make such a determination conditional upon the dedication of public facilities and/or public facility sites including, but not limited to, facilities and sites for parks, schools, public safety, and vehicular and pedestrian traffic.

7.2.1.7 Maintenance Provisions

The City Commission shall enact PUD zoning only after making a determination that there is a feasible program for the full maintenance and operation of common areas, common improvements and common facilities if any such areas, improvements or facilities are included in the Site Development and Standards Plan. The program for maintenance and operation shall include provision for the city to assess private property with an interest in common open space for the cost of maintenance in the event that inadequate private maintenance results in a public nuisance.

7.2.1.8 Minimum Land Area Requirements

There shall be no minimum land area requirements for a Planned Unit Development.

7.2.2 USE RESTRICTIONS

7.2.2.1 Principal Uses Permitted by Right

Provided that it is consistent with the Comprehensive Plan, any use permitted by this Code in any other district may be permitted in a Planned Unit Development. However, the uses permitted on any specific parcel of land or portion thereof shall include only those uses which are specifically listed as permitted on that parcel or portion thereof by the applicable Site Development and Standards Plan. Uses not specifically listed shall not be permitted.

7.2.2.2 ACCESSORY USES, BUILDINGS AND STRUCTURES PERMITTED BY RIGHT

Provided that it is consistent with the Comprehensive Plan, any use, building or structure permitted as an accessory use in any other district of this code shall be permitted as an accessory to such other use, building or structure in a Planned Unit Development District.

7.2.3 DEVELOPMENT REGULATIONS

7.2.3.1 Lot Area, Setback, Height

Lot area, setback, height and other development regulations applicable to individual lots within a planned unit development shall be established by the Site Development and Standards Plan.

7.2.3.2 Access Requirements

Every dwelling unit or other use shall have access to a public street, either directly or by a private road, pedestrian way, court or other specifically designated area.

7.2.3.3 Internal Street Design, Construction and Width Requirements

a. Internal Street Construction Requirements

Internal streets which are dedicated to public use shall be constructed according to the Article 9 (Subdivision Regulations). Internal streets which are reserved for private use shall be constructed with subgrade, base and surface combinations meeting minimal structural requirements established by the Public Works Department.

b. Internal Street Width Requirements

Right-of-way and pavement widths shall be determined according to function and anticipated traffic volume.

7.2.3.4 Underground Installation of Utilities

Underground installation shall be required for all utilities including, but not limited to, telephone lines, television cable lines and electrical lines. The following facilities may be installed above ground:

- a. Those primary facilities which provide service directly to a planned unit development site from outside the development and those which carry service across a planned unit development from one location outside the development to another location outside the development; and
- b. Utility system appurtenances which are required to be placed at grade level for service purposes.

7.2.3.5 Applicability of Other Zoning Regulations

PUD zoning is generally intended as an alternative to use and development standard regulations which are set forth in articles applying to specific zoning districts. PUD zoning is not generally intended to substitute for other regulations of this code. Accordingly, all regulations of this code shall apply to planned unit developments unless the Site Development and Standards Plan and any conditions attached thereto specifically provide alternative regulations.

7.3 - PROCEDURES FOR ENACTING PLANNED UNIT DEVELOPMENT ZONING

7.3.1 GENERAL

PUD zoning shall be enacted following the same general procedures set forth in Article 11 for land development code amendments. However, the additional provisions set forth in this section shall also apply.

7.3.1.1 Conditions

The City Commission may attach suitable conditions which shall be binding upon the applicant and any successors in interest. Any such conditions shall be incorporated in the ordinance enacting PUD zoning for the subject property.

7.3.1.2 Concept Plan Review

Prior to submitting an application for PUD zoning or for modification of existing PUD zoning, the applicant shall submit concept plans for review and comment by applicable city departments in accordance with administrative procedures established for concept reviews. The purpose of such review is to provide applicants and their agents with information which will help in the preparation of a PUD zoning petition that conforms to the requirements of this code. At a minimum, concept plans shall:

- a. Include a map showing dimensioned boundaries of the subject parcel or parcels, all existing streets, buildings, water courses, and other relevant existing physical features in and adjoining the project;
- b. Designate various modules of land, the approximate acreage of each and the use or uses to which each module of land will be put;
- c. Designate the number of residential units or the gross square footage of nonresidential uses in each module;
- d. Designate the location and size of thoroughfares and other vehicular and pedestrian circulation facilities to be located in the planned unit development; and
- e. Include such other information as may be required by the city to determine conformance with standards of this code.

7.3.1.3 Planning and Zoning Board Action

Upon review of an application for planned unit development zoning and completion of one or more public hearings as required by this code, the Planning and Zoning Board shall:

- a. Recommend enactment of a requested planned unit development zoning if it determines that the requested zoning will conform to the criteria set forth in Section 7.2;
- b. Recommend enactment of a requested planned unit development zoning subject to conditions if it determines that the requested zoning subject to the recommended conditions will conform with the criteria set forth in Section 7.2 and that the applicant accepts the conditions; or

- c. Deny the requested zoning if it determines that the requested zoning does not conform to the criteria set forth in Section 7.2 or that the applicant does not accept conditions which will result in conformity to the criteria.

7.3.1.4 Disposition of PUD Zoning Application Following Planning and Zoning Board Action

If the Planning and Zoning Board denies an application for planned unit development zoning, the application shall not be considered by the City Commission except pursuant to an appeal filed in accordance with Article 11. If the Planning and Zoning Board recommends enactment or enactment subject to conditions, the application shall be considered by the City Commission pursuant to Section 7.2 and Article 11.

7.3.1.5 City Commission Action

Upon review of an application and Planning and Zoning Board recommendations and upon completion of one or more public hearings as required by this code, the City Commission shall:

- a. Enact the requested planned unit development zoning if it determines that the requested zoning will conform with the criteria set forth in Section 7.2;
- b. Enact the requested planned unit development zoning subject to conditions if it determines that the requested zoning subject to said conditions will conform with the criteria set forth in Section 7.2 and that the applicant accepts the conditions; or
- c. Deny the requested zoning if it determines that the requested zoning application does not conform to the criteria set forth in Section 7.2 or that the applicant does not accept conditions which will result in conformity to the criteria.

7.3.2 PUD APPLICATION REQUIREMENTS

- a. Applicants for PUD zoning shall submit the same information required for a rezoning pursuant to the provisions of Article 11.
- b. Applicants for PUD zoning shall also submit a Site Development and Standards Plan which shall at a minimum:
 1. Include a legal description of the subject parcel or parcels along with the total acreage of each parcel;
 2. Include a map showing dimensional boundaries of the subject parcel or parcels, all existing streets, easements, buildings, water courses, and other relevant existing physical features in and adjoining the project;
 3. Designate various modules of land and the acreage of each;
 4. Designate the use or uses to which each module of land will be put;
 5. Designate the number of residential units of various types along with the gross residential density to be located in each module of land;

6. Designate the square footage of gross building area to be devoted to each type of residential and non-residential use in each module;
7. Include alternative development regulations which provide at least as much development guidance as would conventional zoning regulations and a justification statement outlining why such alternative regulations should be granted;
8. Designate the location and size of thoroughfares and other vehicular and pedestrian circulation facilities to be located in the planned unit development;
9. Designate the location and size of main sewer, water, electrical and other utility lines to serve the site;
10. Include such agreements, contracts, covenants, deed restrictions, and other instruments which the city may require to bind the controlling entity and all existing and successive holders of title to the subject property to full compliance with the enacted development standards plan and any conditions attached thereto by the city pursuant to enactment;
11. Include a schedule for completion of the planned unit development in a single development operation or in a programmed series of development phases; and
12. Include such additional development details or other documentation as may be deemed necessary by the city to determine compliance with all requirements of this code. Such additional development details may, but will not necessarily include, property surveys, subdivision plats and subdivision construction plans, utility plans, site plans, building elevations, and building floor plans.

7.4 - EFFECT OF PLANNED UNIT DEVELOPMENT ZONING

7.4.1 SITE PLAN REVIEW AND APPROVAL REQUIRED

After a parcel or group of parcels has been zoned as a PUD, all improvements not subject to review and approval pursuant to the subdivision regulations of this code shall be subject to site plan review. Except, however, site plan review shall not be required:

- a. For the construction of single-family and two-family dwellings and related improvements on lots designated by the Site Development and Standards Plan for such purposes; or
- b. For the construction of any improvements which are specified in the Site Development and Standards Plan to a level of detail equal to or greater than is required pursuant to the site plan review provisions of this code.

7.4.2 CHANGES TO SITE DEVELOPMENT AND STANDARDS PLANS, CONDITIONS AND COVENANTS

Proposed changes to PUD Site Development and Standards Plans, conditions, covenants and any other provision incorporated as part of the ordinance enacting PUD zoning for a particular parcel or parcels, shall be reviewed by the Director of Community Development to determine whether the change is a major or minor modification from previously approved plans or conditions. Any modification of an approved PUD plan which involves a change in land use shall be considered a major modification. Other modifications may be declared major modifications if the Director of Community Development determines they deviate substantially from an approved PUD plan. Requests for major modifications shall follow the same procedure set forth herein for PUD zoning.

Any proposed change to an approved PUD which does not constitute a major modification shall be considered a minor modification. At the discretion of the Director of Community Development, minor modifications may be referred to the Planning and Zoning Board with a recommendation or, if the Director of Community Development deems the proposed change to be de minimus, he may make the minor modification administratively. Action by the Planning & Zoning Board or Director of Community Development in such cases shall be final. Requests for minor modifications shall include a revised PUD plan indicating the effect of the proposed changes and the reasons why the changes are necessary.

7.4.3 REPEAL OR MODIFICATION OF PUD IF CONSTRUCTION NOT COMMENCED

Failure to commence construction within five years of the effective date of the adoption of PUD zoning shall be grounds for the city, at its discretion, to initiate a rezoning of the subject property. In such event, the Planning & Zoning Board may recommend to the City Commission that the subject property be returned to its previous zoning classification, that the PUD be modified, or that the PUD be retained in its current form.

7.5 - PRECEDING PUD ORDINANCES INCORPORATED

Prior to the effective date of this article, numerous parcels of land were zoned Planned Unit Development. It is the intent of this article that parcels which were so zoned, and which are zoned Planned Unit Development pursuant to this article, shall be regulated by the language contained in the particular ordinance which designated them as planned unit developments. However, this intent does not apply to parcels which were at one time zoned planned unit development, but which were specifically rezoned by subsequent ordinances including those ordinances enacted prior to and after this article. Notwithstanding the foregoing, nothing herein is intended to or shall be interpreted as limiting the city's authority to initiate the rezoning of any parcel of land.

The Florida Senate

2025 Florida Statutes

<p>Title XLVI CRIMES</p>	<p>Chapter 775 GENERAL PENALTIES; REGISTRATION OF CRIMINALS</p> <p>Entire Chapter</p>	<p>SECTION 215 Residency restriction for persons convicted of certain sex offenses.</p>
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775.215 Residency restriction for persons convicted of certain sex offenses.—

(1) As used in this section, the term:

(a) “Child care facility” has the same meaning as provided in s. [402.302](#).

(b) “Park” means all public and private property specifically designated as being used for recreational purposes and where children regularly congregate.

(c) “Playground” means a designated independent area in the community or neighborhood that is designated solely for children and has one or more play structures.

(d) “School” has the same meaning as provided in s. [1003.01](#) and includes a private school as defined in s. [1002.01](#), a voluntary prekindergarten education program as described in s. [1002.53](#)(3), a public school as described in s. [402.3025](#)(1), the Florida School for the Deaf and the Blind, and the Florida Virtual School established under s. [1002.37](#) but does not include facilities dedicated exclusively to the education of adults.

(2)(a) A person who has been convicted of a violation of s. [794.011](#), s. [800.04](#), s. [827.071](#), s. [847.0135](#)(5), or s. [847.0145](#), regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, may not reside within 1,000 feet of any school, child care facility, park, or playground. However, a person does not violate this subsection and may not be forced to relocate if he or she is living in a residence that meets the requirements of this subsection and a school, child care facility, park, or playground is subsequently established within 1,000 feet of his or her residence.

(b) A person who violates this subsection and whose conviction under s. [794.011](#), s. [800.04](#), s. [827.071](#), s. [847.0135](#)(5), or s. [847.0145](#) was classified as a felony of the first degree or higher commits a felony of the third degree, punishable as provided in s. [775.082](#) or s. [775.083](#). A person who violates this subsection and whose conviction under s. [794.011](#), s. [800.04](#), s. [827.071](#), s. [847.0135](#)(5), or s. [847.0145](#) was classified as a felony of the second or third degree commits a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(c) This subsection applies to any person convicted of a violation of s. [794.011](#), s. [800.04](#), s. [827.071](#), s. [847.0135](#)(5), or s. [847.0145](#) for offenses that occur on or after October 1, 2004, excluding persons who have been removed from the requirement to register as a sexual offender or sexual predator pursuant to s. [943.04354](#).

(3)(a) A person who has been convicted of an offense in another jurisdiction that is similar to a violation of s. [794.011](#), s. [800.04](#), s. [827.071](#), s. [847.0135](#)(5), or s. [847.0145](#), regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, may not reside within 1,000 feet of any school, child care facility, park, or playground. However, a person does not violate this subsection and may not be forced to relocate if he or she is living in a residence that meets the requirements of this subsection and a school, child care facility, park, or playground is subsequently established within 1,000 feet of his or her residence.

(b) A person who violates this subsection and whose conviction in another jurisdiction resulted in a penalty that is substantially similar to a felony of the first degree or higher commits a felony of the third degree, punishable as provided in s. [775.082](#) or s. [775.083](#). A person who violates this subsection and whose conviction in another jurisdiction resulted in a penalty that is substantially similar to a felony of the second or third degree commits a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(c) This subsection applies to any person convicted of an offense in another jurisdiction that is similar to a violation of s. [794.011](#), s. [800.04](#), s. [827.071](#), s. [847.0135](#)(5), or s. [847.0145](#) if such offense occurred on or after May 26, 2010, excluding persons who have been removed from the requirement to register as a sexual offender or sexual predator pursuant to s. [943.04354](#).

History.—s. 2, ch. 2004-55; s. 21, ch. 2008-172; ss. 3,18, ch. 2010-92; s. 6, ch. 2014-39.

Note.—Former s. 794.065.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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Sec. 10.5-214. - Prohibited residences of sexual offenders.

- (a) It is prohibited and unlawful for any person who has been convicted of a violation of Section 794.011, sexual battery; Section 800.04, lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age; Section 827.071, sexual performance by a child; or Section 847.0145, selling or buying of minors, Florida Statutes, or an equivalent offense prohibited in another state, regardless of whether adjudication has been withheld, when the victim of the offense for which the conviction resulted was under eighteen (18) years of age at the time the offense was committed, to establish a permanent residence or a temporary residence located within Polk County when such residence is located within two thousand five hundred (2,500) feet of any school, day care center, public park, playground, or public library.
- (b) In addition to the above stated requirement, a designated sexual predator is also prohibited from residing within one thousand (1,000) feet of a designated school bus stop or church.
- (c) For the purposes of determining the minimum distance separation requirement, distance shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer property line of the school, day care center, public park, playground, public library, church or designated school bus stops.
- (d) A sexual offender/designated predator residing within two thousand five hundred (2,500) feet of any school, day care center, public park, playground, or public library and a designated sexual predator residing within one thousand (1,000) feet of a designated school bus stop or church does not commit a violation of this article if any of the following apply:
 - (1) The offender/designated predator established the permanent residence or temporary residence and reported and registered the residence pursuant to Section 775.21, the Florida Sexual Predators Act; Section 943.0435, registration of sexual offenders; or Section 944.607, notification of department of law enforcement of information on sexual offenders, Florida Statutes, prior to the effective date of this article.
 - (2) The offender/designated predator was a minor when he/she committed the offense and was not convicted as an adult.
 - (3) The offender/designated predator is a minor.
 - (4) The school, day care center, public park, playground, public library, church or designated school bus stop was opened after the offender/designated predator established the permanent residence or temporary residence and reported and registered the residence pursuant to Section 775.21, the Florida Sexual Predators Act; Section 943.0435, registration of sexual offenders; or Section 944.607, notification of department of law enforcement of information on sexual offenders, Florida Statutes.

(Ord. No. 08-048, § 4, 9-24-08)

From: [Davis, Palmer](#)
To: [Strickland, Marie](#)
Subject: FW: Talbot House v. Sex Offenders
Date: Wednesday, April 15, 2026 4:25:00 PM
Attachments: [image001.png](#)

From: Doty, David <David.Doty@lakelandgov.net>
Sent: Tuesday, April 14, 2026 8:03 PM
To: Lewis, Michael <Michael.Lewis@lakelandgov.net>
Cc: Hohnstreiter, Shawn <Shawn.Hohnstreiter@lakelandgov.net>; Boone, Kelly <Kelly.Boone@lakelandgov.net>
Subject: Talbot House v. Sex Offenders

Sex offenders at Talbot House, 814 N. Kentucky Ave:

Here are some facts that may help in understanding the complexities of this situation:

1. A person is designated a sexual offender or sexual predator based on the offense(s), but not all sexual offenders or sexual predators have residency restrictions. The implementation of residency restriction is based on the age of the victim and the offenses committed.
2. **State statute** mandates that offenders and predators with residency restrictions cannot reside within **1000 feet** of a school, daycare, park or playground. **A violation is a third-degree felony**
3. **County ordinance 08-048** mandates that offenders cannot reside within **2500 feet** of a school, daycare, park or playground, and **adds 1000 feet** protected distance for **churches and bus stops** with regard only to sexual predators. **A violation is a first-degree misdemeanor.**
4. **County ordinance 08-048** authorizes municipalities within the county to enforce the ordinance, and are **required** to enforce the ordinance.
5. Because of the 2500 feet distance from protected location, most of the entire city of Lakeland is within one or more protected distances, with the exception of I-4 and Hwy 33.

6. The existing Talbot House is within 1000 feet (as well as 2500 feet) of several protected locations. This is also the case with the proposed location for the new talbot House expansion. Therefore, sexual offenders with residency restrictions cannot legally use the existing Talbot House as an address, and will also not be able to use the proposed location for the Talbot House expansion. If they do so, they are committing a Felony 3 (state statute) and a misdemeanor 1 (county ordinance).
7. Offenders and predators can list general “transient” locations as their address, such as I-4 and Hwy 33 or Memorial Blvd and Walker Ave, but these locations also have to be compliant with state law and county ordinance regarding protected distances.
8. The Talbot House has two programs: the long-term residency program and the transient shelter program.
9. Deborah Cozzetti from the Talbot House has told me that sexual offenders and sexual predators are not allowed in the residency program, and, in theory, are also not allowed in the shelter program, however due to the shelter being designated as a “low barrier” facility, if an offender or predator does not provide identification or refuses to give their name, they are still accepted into the shelter.
10. The statute and the ordinance do not prohibit offenders and predators from visiting a location within a protected distance, it only prohibits residing at a location within a protected distance. It is perfectly legal for an offender or predator to “hang out” at or near the Talbot house, but not to live at the talbot house.
11. When an offender or predator **with residency restrictions** registers 814 N. Kentucky Ave. as their address, I get notified and I have to track them down and advise them they have to move. When an offender or predator without residency restrictions registers 814 N. Kentucky Ave, I make contact to verify the address. I ensure that Talbot House managers are aware that the person is an offender or predator, but it’s up to the management to decide if they have to leave. There was at least one occasion that I’m aware of in which management allowed the offender to remain in the residency program.
12. The SAO requires us to notify non-compliant offenders and predators and

give them a “reasonable” amount of time to relocate before we can arrest them.

Offenders **currently** using 814 N. Kentucky Ave or a location near 814 N. Kentucky Ave: **Total 5**

1. 3 active (all 3 non-complaint / residency restrictions) – uses 814 N. Kentucky Ave
2. 1 incarcerated at Polk County Jail (non-complaint / residency restrictions) – uses 814 N. Kentucky Ave
3. 1 active (complaint / NO residency restrictions) - uses N. Kentucky Ave and E. Parker St.
4. There are currently 0 predators.
5. This does not account for offenders and predators who “hang out” around the Talbot House, nor does it account for offenders and predators who do not provide identification, as those situations are often go undetected.
6. This also does not account for the past offenders and predators who initially registered the Talbot house as their “residence” and were then advised to relocate.

DD



DETECTIVE DAVID DOTY
LAKELAND POLICE DEPARTMENT
CRIMINAL INVESTIGATIONS DIVISION | SPECIAL VICTIMS UNIT
219 N. MASSACHUSETTS AVE | LAKELAND, FL 33801
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