AGENDA
Planning & Zoning Board
City Commission Chambers
September 17, 2019 8:30 a.m.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Jenny Sykes, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: Jenny.Sykes@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local - (863) 834-8333 or 1-800-955-8771 (TDD-Telecommunications Device for the Deaf) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

PUBLIC HEARING

ITEM 1:  
a. Compatibility review to allow for the construction of six Cottage special building type dwelling units on property located at 448 S. Central Avenue. Owner: Envisage Homes LLC. Applicant: Azam Elsheikh. (SBT19-001)
   b. Consideration of final decision.

ITEM 2:  
a. Minor modification of PUD zoning to revert back to the previous site plan and entitlements that were in place prior on December 18, 2018. Owner: Drummond Company, Inc. Applicant: Timothy F. Campbell. (PUD19-018)
   b. Consideration of final decision.

ITEM 3:  
Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet. The proposed uses include 1,447,800 square feet of warehouse uses and 76,200 square feet of office uses on 166 acres generally located north of Interstate-4, south and east of N. State Road 33, and south of Mount Olive Road. Owner: Ruthven I 4, LLC. Applicant: Robert Pergolizzi. (PUD19-014)

ITEM 4:  
Major modification to PUD (Planned Unit Development) zoning to eliminate a proposed golf course, identify as wetlands/conservation an upland portion of the property that was previously mined, redefine the property boundaries to reflect the current ownership, and relocate a neighborhood amenity center and existing single-family development nodes. Owner: Pipkin Creek Properties LLC. Applicant: Daniel Christopher Lewis. (PUD19-016)

ITEM 5:  
Major modification of PUD (Planned Unit Development) zoning to incorporate the Development Order conditions from the Williams Development of Regional Impact (DRI) into the PUD conditions. The request to modify this PUD is accompanied by a request to rescind the Development Order (Ordinance 5218) for the Williams DRI, pursuant to Section 380.115, Florida Statutes (FS). The site is located at 4401 Polytechnic Circle. Owner: Brett Krieg. Applicant: Thomas Cloud, Gray-Robinson. DRI19-002/PUD19-010

GENERAL MEETING

ITEM 6:  Review minutes of the August meeting.

ITEM 7:  Changes to Article 2 (Use Standards) to revise and consolidate the master use list and permitted uses table, add definitions and locational standards for certain high impact commercial uses, define micro-breweries, micro-wineries and micro-distilleries, allow for small scale, craft/artisan manufacturing within commercial zoning districts, office support and accessory retail uses within I-2
ITEM 8: Changes to Article 4 (General Site Development Standards) to adopt parking standards for single-family and two-family residential development. Applicant: City of Lakeland. (LDC19-002)

ITEM 9: Changes to Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) to adopt standards for food trucks and food courts into the Land Development Code. Applicant: City of Lakeland. (LDC19-003)

ITEM 10: Changes to Article 4 (General Site Development Standards) to limit the use of barbed wire, razor wire, and electrical fences in commercial zoning districts. Applicant: City of Lakeland. (LDC19-004)

ITEM 11: Changes to Article 3 (Urban Form Standards) to specify a minimum height of 24 feet for street facing building facades on properties located within the Urban Center (UCT) context sub-district. Applicant: City of Lakeland. (LDC19-005)

ITEM 12: Changes to Article 3 (Urban Form Standards) to provide additional options for compliance with civic open space requirements in areas zoned for dense urban development. Applicant: City of Lakeland. (LDC19-006)

ITEM 13: Changes to Article 3 (Urban Form Standards) to adopt a new definition for frontage buildout, increase the maximum front setback range for principal structures in single-family zoning districts, and allow entrance features to be optional within the Suburban Neighborhood context sub-district. Applicant: City of Lakeland. (LDC19-007)

ITEM 14: Changes to Article 6 (Natural Resource Protection Standards) to allow an administrative variance process for the construction of shoreline stabilization structures, such as seawalls and riprap, and from the 50-foot minimum setback requirement for property located on protected lakeshores when constructing principal or accessory structures. Applicant: City of Lakeland. (LDC19-008)

ITEM 15: Changes to Section 1.6 (Definitions) to revise the definitions for multi-family and two-family dwellings. Applicant: City of Lakeland. (LDC19-009)

ITEM 16: Changes to Article 3 (Urban Form Standards) to redefine how transparency is measured for new development within office, commercial, and light industrial zoning districts, and allow for reduced transparency for development located outside of downtown. Applicant: City of Lakeland. (LDC19-010)

ITEM 17: Changes to Article 9 (Subdivision Standards) to provide clarification regarding the arrangement of lots and lot lines when subdividing property. Applicant: City of Lakeland. (LDC19-011)

ITEM 18: Changes to Article 4 (General Site Development Standards) to adopt buffering and locational standards for aboveground equipment such as backflow preventers, utility meters, and sprinkler monitoring systems. Applicant: City of Lakeland. (LDC19-012)

ITEM 19: Changes to Article 2 (Use Standards) to adopt development standards for single-family residential uses within (LD) Limited Development zoning districts. Applicant: City of Lakeland. (LDC19-013)

ITEM 20: Major modification of PUD (Planned Unit Development) zoning to increase the maximum floor area for retail commercial/office uses from 50,000 to 55,000 square feet, allow up to four fast casual restaurants and one quick service (fast food) restaurant with drive-through service, remove existing entitlements for a 150,000 square foot office building, a 130-room hotel, and a convenience store with motor vehicle fuel sales, and adopt a new site development plan on approximately 17.79 acres located north of Town Center Drive and west of Harden Boulevard. Owner: Drummond Company, Inc. Applicant: Timothy F. Campbell. (PUD19-009)
ITEM 21: Revisions to the Special Public Interest (SPI) zoning overlay for South Lake Morton – Ordinance 3050, as amended, to revise the maximum living area for detached, secondary, residential structures and garage apartments to align with the standards for Accessory Dwelling Units (ADUs) specified under Section 4.3.2 of the Land Development Code. Applicant: City of Lakeland. (SPI19-001)

ITEM 22: Expansion of the Special Public Interest (SPI) zoning overlay for Florida Southern College – Ordinance 5144, as amended, to allow a new 2-story school building, as part of an expansion of the existing Roberts Academy school, on property located at 1131 Frank Lloyd Wright Way. Owner: Florida Southern College. Applicant: City of Lakeland. (SPI19-002)


ITEM 24: Planning Manager's Report.

ITEM 25: Audience.

ITEM 26: Adjourn.

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## General Information:

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<td>AZAM ELSHEIKH</td>
<td></td>
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<td>Applicant Address:</td>
<td>2302 N. HIGHLAND AVE</td>
<td>TAMPA</td>
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<tr>
<td>Owner Name:</td>
<td>ENVISAGE HOMES LLC</td>
<td></td>
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<tr>
<td>Owner Address:</td>
<td>5821 COQUYT DR</td>
<td>MOUNT DORA</td>
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## Request:

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### Proposed vs. Current

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### Explanation of Request:
To construct 6 residences per the attached site plan

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### Estimate of Public Service Demand

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<td>Wastewater</td>
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FILE NO: SBT19-001

PRESENT ZONING: RA-4
CONTEXT: URBAN NEIGHBORHOOD
PROPOSED ZONING: COMPATIBILITY REVIEW TO ALLOW SIX COTTAGE DWELLING UNITS ON PROPERTY LOCATED SOUTH OF OLIVE STREET, NORTH OF W. WALNUT STREET AND EAST OF S. CENTRAL AVENUE

JULY 2019
FILE NO: SBT19-001

PRESENT ZONING: RA-4

CONTEXT: URBAN NEIGHBORHOOD

PROPOSED ZONING: COMPATIBILITY REVIEW TO ALLOW SIX COTTAGE DWELLING UNITS ON PROPERTY LOCATED SOUTH OF OLIVE STREET, NORTH OF W. WALNUT STREET AND EAST OF S. CENTRAL AVENUE

JULY 2019
FILE NO: SBT19-001

PRESENT ZONING: RA-4
CONTEXT: URBAN NEIGHBORHOOD
PROPOSED ZONING: COMPATIBILITY REVIEW TO ALLOW SIX COTTAGE DWELLING UNITS ON PROPERTY LOCATED SOUTH OF OLIVE STREET, NORTH OF W. WALNUT STREET AND EAST OF S. CENTRAL AVENUE

JULY 2019
**LANDSCAPE MATERIALS LIST**

**SHADE TREES**

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<th>Symbol</th>
<th>No</th>
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<td>Weeping Yaupon Holly</td>
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<td>Live Oak</td>
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September 5, 2019

RE: Special Building Type Compatibility Review on Property Located at 448 S. Central Avenue – Project No. SBT19-001

Dear Property Owner:

This is to advise you that Azam Elsheikh requests a compatibility review to allow for the construction of six Cottage special building type dwelling units on property located at 448 S. Central Avenue, legally described as:

LAKE BEULAH HEIGHTS DIVISION 4 PB 6 PG 37A BLK H LOTS 10 & 11
(A complete legal description is available in the Community & Economic Development Department.)

Cottage special building type dwelling units are permitted within single-family zoning districts when the development involves three or more contiguous cottage lots; however, the units must first undergo a compatibility review by the Planning and Zoning Board.

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at 8:30 a.m., on Tuesday, September 17, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property abutting this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views via email to the Community & Economic Development Department, planning@lakelandgov.net prior to the Tuesday, September 17th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
## General Information:

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<th>Project No:</th>
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<td>Project Name:</td>
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<td>Subject Property Address:</td>
<td>3090 S LINCOLN AV #C-TV</td>
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<td>Applicant Name:</td>
<td>TIMOTHY F. CAMPBELL</td>
<td></td>
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<tr>
<td>Applicant Address:</td>
<td>500 SOUTH FLORIDA AVENUE, SUITE 800</td>
<td>LAKELAND FL 33801</td>
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<td>DRUMMOND COMPANY, INC.</td>
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## Request:

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<th>PLANNED UNIT DEVELOPMENT</th>
<th>MAJOR MODIFICATION</th>
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<td>Proposed Context:</td>
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<tr>
<td>Explanation of Request:</td>
<td>See attached cover letter.</td>
<td></td>
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<td>Justification:</td>
<td>See attached cover letter.</td>
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## Estimate of Public Service Demand

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<td>GPD</td>
<td>Solid Waste</td>
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</table>
August 1, 2019

Nicole Travis, Director
Community and Economic Development Department
City of Lakeland
228 South Massachusetts Avenue
Lakeland, Florida 33801

Re: Drummond Company, Inc. / Mission Lakes (Vacant Multi-Family Site)

Dear Nicole:

This correspondence is submitted in conjunction with an application ("Application") requesting a major modification to a planned unit development regarding the property identified by Polk County Property Appraiser Parcel Identification Number 232836-139034-000920 (the "Property"). The following shall serve as background information concerning the Application and Property.

Background and Explanation of Request

The Property is owned by Drummond Company, Inc. ("Drummond"). In 2016, the City Commission approved a planned unit development ("PUD") that allowed for 340 multifamily units on the Property ("Ordinance 5593"). In 2018, Drummond contracted to sell the Property to Daniel Corporation ("Daniel"). Prior to closing on the contract, Daniel sought a minor modification to the PUD that reduced the number of multifamily units allowed from 340 to 270. The City of Lakeland Planning & Zoning Board approved this request in December, 2018 (the "Modified Ordinance 5593").

Drummond is requesting that the entitlements approved for the Property revert back to those entitlements approved in Ordinance 5593, and that any approvals from the Modified Ordinance 5593 be considered null and void. Drummond is not requesting any additional modifications from the previously approved Ordinance 5593.

Justification

Drummond previously had the Property under contract with Daniel, who was the party who sought the entitlements requested in the Modified Ordinance 5593. Daniel never closed on the Property. The City has analyzed and approved the entitlements reflected in Ordinance 5593. As such, given that Daniel did not proceed with its modified version of the development, Drummond
Correspondence: Nicole Travis  
Subject: Mission Lakes PUD Major Modification  
Date: August 1, 2019  
Page Two of Two

desires to reinstate the approval of 340 multifamily units and the site plan adopted as part of Ordinance 5593.

Drummond is submitting an updated traffic analysis to support the reinstatement of the previously approved 340 multifamily units and the associated site plan.

Conclusion

Drummond is submitting this correspondence along with the PUD Major Modification Application Fee, an Agent Authorization, and a Traffic Analysis. If there is anything else that needs to be provided, please let me know.

Sincerely,

[Signature]

Timothy F. Campbell, authorized agent of Drummond Company, Inc.

Attachments: PUD Major Modification Application Fee  
Agent Authorization  
Traffic Analysis

Copy: Leonard Mass (transmitted via email)
# Planning & Zoning Board General Application

## General Information:

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<td>Total Acreage</td>
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<td>Applicant Name</td>
<td>ROBERT PERGOLIZZI</td>
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<tr>
<td>Applicant Address</td>
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<tr>
<td>Owner Name</td>
<td>RUTHVEN I 4, LLC</td>
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## Request:

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### Explanation of Request:

PUD Major Modification for 1,524,000 SF warehouse & office

### Justification:

See Attached Narrative and PUD Plan

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### Estimate of Public Service Demand

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Subject Property

File Number: PUD19-014
Present Zoning: PUD 4903
Context: Suburban Special Purpose
Proposed Zoning: Major modification of PUD zoning to adopt a new site plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet

September 2019
File Number:          PUD19-014
Present Zoning:    PUD 4903
Context:                 Suburban Special Purpose
Proposed Zoning: Major modification of PUD zoning to adopt a new site plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet
September 2019

Legend

- Subject Property
- 500 Foot Notification Boundary
- Current City Limits
- Zoning
- Conditional Use
- SPI
- Parcels
- Railroad
- Water Body
File Number: PUD19-014
Present Zoning: PUD 4903
Context: Suburban Special Purpose
Proposed Zoning: Major modification of PUD zoning to adopt a new site plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet
September 2019
August 30, 2019

RE: PUD Zoning for Ruthven SR 33 Business Park - Project No. PUD19-014

Dear Property Owner:

This is to advise you that Robert Perolizzi of Gulf Coast Consulting Inc. requests a major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet. The proposed uses include 1,447,800 square feet of warehouse uses and 76,200 square feet of office uses on 166 acres generally located north of Interstate-4, south and east of N. State Road 33, and south of Mount Olive Road. The property is legally described as:

THE NE ¼ OF NE 1/4, AND THAT PART OF THE S ¾ OF THE E ½ LYING NORTH OF INTERSTATE 4, AND THAT PART OF THE SE ¼ OF NEW ¼ LYING BOTH SOUTH OF STATE ROAD 33 AND NORTH OF INTERSTATE 4, AND THAT PART OF THE NE ¼ OF SW ¼ LYING NORTH OF INTERSTATE 4, ALL IN SECTION 12, TOWNSHIP 27 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA. THOSE PARTS OF THE W ¼ OF NW ¼ AND OF THE SE ¼ OF NW ¼ LYING NORTH OF INTERSTATE 4 IN SECTION 7, TOWNSHIP 27 SOUTH, RANGE 25 EAST, POLK COUNTY.

(A complete legal description is available in the Community & Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at 8:30 a.m., on Tuesday, September 17, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views via email to the Community & Economic Development Department, planning@lakelandgov.net prior to the Tuesday, September 17th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
## General Information:

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<tr>
<th>Project No:</th>
<th>PUD19-016</th>
<th>Application Date:</th>
<th>7/12/2019</th>
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<tbody>
<tr>
<td>Project Name:</td>
<td>LAKESIDE PRESERVE</td>
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<tr>
<td>Subject Property Address:</td>
<td>4000 PIPKIN CREEK RD</td>
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<td>Parcel ID:</td>
<td>23290200000013010</td>
<td>Total Acreage:</td>
<td>449.94</td>
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<tr>
<td>Applicant Name:</td>
<td>DANIEL CHRISTOPHER LEWIS</td>
<td></td>
<td></td>
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<tr>
<td>Applicant Address:</td>
<td>600 LAKE JESSIE DRIVE WINTER HAVEN FL 33881</td>
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<tr>
<td>Owner Name:</td>
<td>PIPKIN CREEK PROPERTIES LLC</td>
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<tr>
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<td>5529 US HWY 98 N LAKELAND FL 338093103</td>
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## Request:

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<tr>
<th>Application Type:</th>
<th>PLANNED UNIT DEVELOPMENT MAJOR MODIFICATION</th>
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<tbody>
<tr>
<td>Proposed Zoning:</td>
<td>PUD (Planned Unit Development)</td>
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<td>Current Zoning:</td>
<td>LD (Limited Development), PUD 4382 (Planned Unit Development)</td>
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<td>Current Land Use:</td>
<td>Residential Medium (RM)</td>
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<td>Context:</td>
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<tr>
<td>Current Context:</td>
<td>Suburban Neighborhood (SNH)</td>
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</table>

**Explanation of Request:** Please see attached narrative

**Justification:** Changed market conditions & developer's desire to minimize wetland impacts.

## Concurrency:

<table>
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<th>461</th>
<th>Project Floor Area:</th>
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<th>Square feet</th>
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<tr>
<td>Type of Use:</td>
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<td>Phase</td>
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**Estimate of Public Service Demand**

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<td>GPD</td>
<td>Wastewater</td>
<td>GPD</td>
<td>Solid Waste</td>
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</table>
Narrative

The Applicant would like to modify PUD 4382, its Site Plan & its development criteria. This will include the relocation of development nodes and lot sizes.

The requested proposed site plan changes and comments are provided below.

- Eliminate the proposed golf course along with its wetland and floodplain impacts.
- Add a wetland/upland conservation area in the mined area on the east side & portions of the south side of project that will include a trail system. The trail system will be located in the upland portions of these areas with wetland crossings at strategic locations.
- Show boundaries for property owned by the Applicant and others.
- Relocate the Neighborhood amenity center to a more central location along Lakeside Preserve Boulevard.
- Relocate single family development nodes to minimize wetland and floodplain impacts. The relocated single family development nodes are shown as Neighborhoods 2A – 2E. We have not performed a detailed analysis of the 2 development nodes to the south at this time. Accordingly, their locations remain the same but have been renamed Neighborhoods 3A & 3B.

The requested proposed development criteria changes and comments are provided below.

- Minimum lot width = 50’
- Minimum lot size = 6000 sq. Ft.
- Minimum front setback: 15ft
- Minimum garage setback: 20ft
- Maximum front setback: 40ft
- All dwelling units shall have an attached garage in accordance with Section 3.4.7 of the Land Development Code (LDC). However, garage door openings shall be placed no farther than 25 feet from the front façade of the principal structure and shall be limited to no more than 70% percent of the overall width of the front elevation. We need to increase this from the approved 65% in Phase 1 because of the narrower lots.
- Other lot criteria will remain as described in PUD 18-007 including:
  - Maximum Number of Lots: Four hundred sixty one (461).
  - Minimum interior side setback shall be: 5 ft.
  - Minimum rear setback: 20 ft. The minimum rear setback may be reduced to 15 ft. where the full width of the lot abuts a tract dedicated on the plat as common area, open space, conservation easement or storm water retention area.
  - Maximum Lot Coverage: 48% (for vertical improvements)
  - All dwelling units shall have an entrance feature in accordance with Section 3.5.5 of the LDC. However, entrances shall provide a clear, obvious, publicly accessible connection between the primary street and the principal dwelling unit, despite the angel or orientation of the front door.
Subject Property

500 Foot Notification Boundary

File Number: PUD19-016

Present Zoning: PUD 4382
Context: Suburban Neighborhood and Suburban Corridor
Proposed Zoning: Major Modification of PUD zoning to eliminate golf course, identify wetlands/conservation area, redefine property boundaries and relocate amenity center and single-family nodes

September 2019
File Number: PUD19-016

Present Zoning: PUD 4382
Context: Suburban Neighborhood and Suburban Corridor
Proposed Zoning: Major Modification of PUD zoning to eliminate golf course, identify wetlands/conservation area, redefine property boundaries and relocate amenity center and single-family nodes

September 2019
File Number: PUD19-016

Present Zoning: PUD 4382

Context: Suburban Neighborhood and Suburban Corridor

Proposed Zoning: Major Modification of PUD zoning to eliminate golf course, identify wetlands/conservation area, redefine property boundaries and relocate amenity center and single-family nodes

September 2019
September 5, 2019

RE: PUD Zoning for Lakeside Preserve - Project No. PUD19-016

Dear Property Owner:

This is to advise you that Daniel Lewis requests a major modification to PUD (Planned Unit Development) zoning to eliminate a proposed golf course, identify as wetlands/conservation an upland portion of the property that was previously mined, redefine the property boundaries to reflect the current ownership, and relocate a neighborhood amenity center and existing single-family development nodes. The property is legally described as:

THAT PORTION OF SEC 2 AND SEC3, TWP 29S, RGE 23E, POLK COUNTY, FLORIDA WITHIN THE CORPORATE LIMITS OF LAKELAND AND WEST OF CSX RAILROAD. (A complete legal description is available in the Community & Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at 8:30 a.m., on Tuesday, September 17, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views via email to the Community & Economic Development Department, planning@lakelandgov.net prior to the Tuesday, September 17th meeting.

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<td><strong>Project No:</strong></td>
<td>DRI19-002/PUD19-010</td>
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<tr>
<td><strong>Application Date:</strong></td>
<td>5/14/2019</td>
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<tr>
<td><strong>Project Name:</strong></td>
<td>WILLIAMS PLANNED UNIT DEVELOPMENT</td>
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<tr>
<td><strong>Subject Property Address:</strong></td>
<td>INTERSTATE NO. 4 EAST</td>
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<tr>
<td><strong>Parcel ID:</strong></td>
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<tr>
<td><strong>Total Acreage:</strong></td>
<td>2479.9</td>
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<tr>
<td><strong>Applicant Name:</strong></td>
<td>THOMAS CLOUD</td>
</tr>
<tr>
<td><strong>Applicant Address:</strong></td>
<td>301 EAST PINE STREET, SUITE 1400, ORLANDO, FL 32801</td>
</tr>
<tr>
<td><strong>Owner Name:</strong></td>
<td>BRET KRIEG</td>
</tr>
<tr>
<td><strong>Owner Address:</strong></td>
<td>ONE WILLIAMS CENTER PO BOX 2400, TULSA, OK 741022400</td>
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<thead>
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<th>Request:</th>
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</thead>
<tbody>
<tr>
<td><strong>Application Type:</strong></td>
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<td><strong>Proposed</strong></td>
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<td><strong>Zoning:</strong></td>
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<td><strong>Context:</strong></td>
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<tr>
<td><strong>Explanation of Request:</strong></td>
</tr>
<tr>
<td><strong>Justification:</strong></td>
</tr>
</tbody>
</table>
September 5, 2019

RE: PUD Modification and DRI Rescission for Williams Property - Project No. DRI19-001/PUD19-010

Dear Property Owner:

This is to advise you that Thomas Cloud, on behalf of Brett Krieg, Vice President of Williams Acquisition Holding Company, LLC, requests a modification to PUD 5496, as amended, to incorporate the Development Order conditions from the Williams Development of Regional Impact (DRI) into the PUD conditions. The request to modify this PUD is accompanied by a request to rescind the Development Order (Ordinance 5218) for the Williams DRI, pursuant to Section 380.115, Florida Statutes (FS). The site is located at 4401 Polytechnic Circle. The property is legally described as:


The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at 8:30 a.m., on Tuesday, September 17, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views via email to the Community & Economic Development Department, planning@lakelandgov.net prior to the Tuesday, September 17th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
Community and Economic Development
Staff Recommendation

Date: September 17, 2019  Reviewer: Tom Wodrich
Project No: PUD19-010  Location: Various (see Attachment “A”)
Owner: Williams Acquisition Holding Company, LLC
Applicant: Thomas Cloud, on behalf of Brett Krieg
Current Zoning: PUD 5496 Planned Unit Development  Future Land Use: Various (see Attachment “B”)
Context District: Suburban Special Purpose (SSP), Suburban Center (SCT), Suburban Neighborhood (SNH) and Preservation/Conservation/Recreation (PCR)
P&Z Hearing: September 17, 2019  P&Z Final Decision: September 17, 2019

Request: Modification to PUD 5496, as amended, to incorporate the Development Order conditions from the Williams Development of Regional Impact (DRI) into the PUD conditions. The request to modify this PUD is accompanied by a request to rescind the Development Order (Ordinance 5218) for the Williams DRI, pursuant to Section 380.115, Florida Statutes (FS).

1.0 Location Maps
2.0 Background

2.1 Summary

Thomas Cloud, on behalf of Brett Krieg, Vice President of Williams Acquisition Holding Company, LLC, requests a modification to PUD 5496, as amended, to incorporate the Development Order conditions from the Williams Development of Regional Impact (DRI) into the PUD conditions. The request to modify this PUD is accompanied by a request to rescind the Development Order for the Williams DRI (DRI19-002), pursuant to Section 380.115, Florida Statutes (FS). The subject property is located south of Interstate-4 and west of the Polk Parkway, south and west of Florida Polytechnic University. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property is approximately 2,479.9 acres in area and was originally approved as a mixed-use DRI in the unincorporated area. The property was annexed into the City in July 2000 through an agreement to transfer the DRI entitlements with City zoning and land use applied at that time. The property was previously mined for phosphate but has been improved with roadways and utilities in preparation for the approved uses. The northern boundary of the site is adjacent to Interstate 4 and Florida Polytechnic University; the eastern border of the site is bordered by the Polk Parkway. Uses to the south and west consist of large tracts of former phosphate mine lands that remain wet and largely undevelopable.

Project Background

The applicant requests a modification to the approved PUD to allow for the rescission of the DRI and to incorporate the DRI conditions into the PUD document. Staff met with the applicant on several occasions over the past year to determine which of the DRI conditions were necessary to incorporate and how to best merge them into the PUD to avoid repetitive or antiquated terminology or intent. Numerous exhibits have been provided to support the detailed master planning of this project, including a land use plan and development program (Attachment “B”); zoning and context district plan (Attachment “C”); and transportation impact mitigation (Attachments “D-G”).

2.3 Attachments

Attachment A: Legal Description
Attachment B: Land Use Plan and Development Program
Attachment C: Zoning and Context Districts
Attachment D: Roadway Classification and Typology
Attachment E: Development Program/Phasing
Attachment F: Trip Generation Table
Attachment G: Equivalency Matrix and Trip Generation Rates
3.0 Discussion

Section 380.115, FS, allows the rescission of a DRI upon the showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed. Since no development within the current boundary of the DRI has occurred, the DRI can be rescinded without violating Section 380.115, FS. The focus of this PUD modification application review has been for staff to review the entitlements and obligations within the DRI Development Order and ensure that they are updated and then transferred over to the PUD zoning for implementation as future development occurs.

The proposed changes to the PUD include updating and renaming attachments and exhibits, removing all references to the DRI, Community Redevelopment Area (CRA) and other obsolete terminology, and removing requirements already covered by existing Land Development Code standards. The list of attachments provided with this staff memo will replace those within the existing PUD document. There is an increase in the number of attachments, as compared with the current PUD, because exhibits and attachments have been added from the DRI Development Order proposed to be rescinded. The added attachments are necessary to address the entitlements and obligations from the DRI, but do not expand the entitlements granted for this development.

3.1 Transportation and Concurrency

The proposed modification has been evaluated for its impact on the transportation network and all conditions necessary to mitigate these impacts have been included in the modified conditions of the PUD.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department and the Planning & Zoning Board reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan. All roadway levels of service are acceptable with mitigation as recommended in this PUD modification. Actual construction is subject to final concurrency determinations at the time of site plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends the approval of the modification of the PUD zoning and the DRI Rescission.

4.2 The Planning & Zoning Board

It is recommended that the request for a modification of PUD zoning, as described above and in Attachments “A,” “B,” “C,” “D,” “E,” “F,” and “G” be approved, subject to the conditions outlined below:

Note: It is the intent of this recommendation that the Williams DRI (Ordinance No. 5218) be repealed.
A. Development Program:

1. Development shall be limited to the following uses and densities/intensities and as illustrated on Attachments “B” and “C”:

<table>
<thead>
<tr>
<th>Use</th>
<th>Quantity</th>
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<tbody>
<tr>
<td>Single-Family Residential</td>
<td>1,582 DU</td>
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<td>Multiple-Family Residential</td>
<td>989 DU</td>
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<td>Retail (IAC)</td>
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<td>Hotels</td>
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<td>Retail Services</td>
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<td>Office/Business</td>
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<tr>
<td>Hotel</td>
<td>100 rooms</td>
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<td>Residential, MF</td>
<td>400 DU</td>
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<td>Research Park</td>
<td>3,488,758 SF</td>
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<td>Golf Course</td>
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<td>Schools</td>
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<td>Surface Waters</td>
<td>684 acres</td>
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2. A portion of the allowable development for each use listed above may be converted to another permitted use in accordance with the equivalency matrix included as Attachment "C G" to the Amended and Restated Development Order for the Williams Development of Regional Impact (DRI).

B. Unified Development Tract Map

1. Development shall proceed in substantial accordance with the Master Land Use Plan included as Attachment "C B" and the Unified Development Tract Zoning and Context Districts Map included as Attachment "D C" except as otherwise provided herein. With the approval of the Director of Community and Economic Development, minor adjustments can be made at the time of site plan or subdivision plan review without requiring a change to this PUD.

2. Prior to site plan or subdivision plan approval for each respective development tract or sub-tract, a complete legal description of the related development parcel shall be submitted to the City, which shall amend this PUD to incorporate said legal description.

3. Site plans and subdivision plats shall not be approved unless these site plans and plats include all of the property located within the development tracts or sub-tracts as shown on Attachment "D" conform to the district or sub-district master land use (Attachment “B” and “C”, respectively) and established transportation and utility plans, and as listed below:

<table>
<thead>
<tr>
<th>Sub-Tracts A-1 through A-7 Tract A</th>
<th>Medium Industrial</th>
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<tr>
<td>Sub-Tracts B-1 through B-6 Tract B</td>
<td>Light Industrial, Research/OFFice Park and High Density Residential</td>
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<tr>
<td>Sub-Tracts C-1 and C-2</td>
<td>Low impact Office</td>
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<tr>
<td>------------------------</td>
<td>---------------------</td>
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<tr>
<td>Tract C</td>
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<td>Sub-Tracts D-1 through D-4</td>
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<td>Tract E</td>
<td>Village Center</td>
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<td>Tract F</td>
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<td>Sub-Tracts H-1 through H-3</td>
<td>Medium Industrial</td>
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<td>Tract H</td>
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<td>Tract P</td>
<td>Medium Density Residential</td>
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<tr>
<td>Tract Q</td>
<td>Proposed School Campus Site</td>
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<tr>
<td>Tract W</td>
<td>Low Density Residential</td>
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C. Permitted Uses and Development Standards:

1. Tracts A and H (Medium Industrial)

   a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the I-2 (Medium Industrial) district shall be permitted in Tracts A and H.

   i. Add the following permitted uses:

      Hotels and Motels
      Flex Space buildings accommodating a mixture of office; research and development uses; convenience commercial; and light industrial uses.

   ii. Delete the following permitted uses:

      Agricultural Services
      Mobile Home Sales, Rental and Service Agencies
      Motor Vehicle Repair, Retail
      Outdoor Storage of Boats, Motor Homes and Trailers, Retail Service
      Retail Building Materials Sales
      Travel Agencies
      Veterinary Clinics and Hospitals, Kennels and Animal Shelters
b. Development Standards:

Development in Tracts A and H shall adhere to the development standards for the I-2/Suburban Special Purpose (SSP) sub-district, except that development adjacent to Research Way shall be subject to the following:

Minimum setback: 0 ft.
Maximum setback: 25 ft.
Parking Location: Zone 2, 3 and 4

2. Tract B (Light Industrial, Research/Office Park and High Density Residential)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the I-1 (Light Industrial — Limited Commercial) district shall be permitted.

i. Add the following permitted uses:

Dormitories
Flex Space buildings accommodating a mixture of office; research and development uses; convenience commercial; and light industrial uses
Food Crops grown within an enclosed building
Multiple-Family Residential, all types
Research and Development Facilities of an industrial nature

ii. Delete the following permitted uses:

Agricultural Services
Building Material Sales
Food Stores
Funeral Homes and Crematoriums
Indoor Gun Clubs and Shooting Galleries
Industrial-type Service Establishments, Level I
Kennels
Laundry and Cleaning Establishments, Level II
Marine Uses
Mobile Home Sales, Rental and Service Agencies
Motor Vehicle Repair, Retail
Outdoor Storage of Boats, Motor Homes and Trailers, Retail Service
Pest Control Services, and Exterminators
Recycling Collection Centers
Restaurants, High Turn-Over
Single-Destination Commercial Services
Specialty Comparison Commercial Uses
Travel Agencies

b. Development Standards:
i. Non-residential development in Tract B shall adhere to development standards for the I-1/Suburban Special Purpose (SSP) sub-district, except that development adjacent to Research Way shall be subject to the following:

Minimum setback: 0 ft.
Maximum setback: 25 ft.
Parking Location: Zone 2, 3, and 4

ii. Residential development in Tract B shall adhere to development standards for MF-22/Suburban Neighborhood sub-district, except that student housing developments shall have a maximum height of 60 feet.

3. Tract C (Low Impact Office)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the 0-1 (Low Impact Office) district shall be permitted in Tract C.

Delete the following permitted uses:

- Bed and Breakfasts
- Funeral Homes and Crematoriums
- Hotels and Motels
- Veterinary Clinics and Hospitals
- Single-Family, Detached

b. Development Standards:

I. Non-residential development in Tract C shall adhere to development standards for the 0-1/Suburban Neighborhood (SNH) sub-district.

ii. Residential development in Tract C shall adhere to development standards for the MF-22/Suburban Neighborhood (SNH) sub-district and the Single-Family Attached (SFA) Special Building Type Standards within the Land Development Code, except that SFA units shall have a minimum lot area of 2,400 square feet and a minimum lot width of 20 feet.

iii. Parking Location: Zone 2 and 3

4. Tracts D, F, and J (High Density Residential)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the MF-22 (Multi-Family) district shall be permitted in Tracts D, F, and J.

i. Add the following permitted uses:

- Dormitories (Tracts D and F only)
- Group homes, Level I, II and III
Single-Family, Detached (CT and ZLL Special Building Types only)

i. Delete the following permitted uses:

   Bed and Breakfasts
   Convents and Monasteries

b. Development Standards: Development in Tracts D, F, and J shall adhere to development standards for the ME-22/Suburban Neighborhood (SNH) sub-district and the Cottage, Single Family Attached and Zero Lot Line Special Building Type Standards within the Land Development Code, except as follows:

   i. Cottage (CT) subdivision shall have a minimum lot area of 4,800 square feet and a minimum lot width of 40 feet.

   ii. Zero Lot Line (ZLL) subdivisions shall have a minimum lot area of 3,600 square feet.

   iii. Single Family Attached (SFA) subdivisions shall have a minimum lot area of 2,400 square feet and a minimum lot width of 20 feet.

   iv. Student housing developments shall have a maximum height of 60 feet.

5. Tract P (Medium Density Residential)

   a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the MF-12 (Multi-Family) district shall be permitted in Tract P.

   i. Add the following permitted uses:

      Group Homes, Level I and II
      Single Family, Detached (CT and ZLL Special Building Types only)

   ii. Delete the following permitted uses:

      Convents and Monasteries

b. Development Standards: Development in Tract P shall adhere to development standards for the MF-12/Suburban Neighborhood (SNH) sub-district and the Cottage; Single Family Attached and Zero Lot Line Special Building Type Standards within the Land Development Code, except as follows:

   i. Cottage (CT) subdivision shall have a minimum lot area of 4,800 square feet and a minimum lot width of 40 feet.
ii. Zero Lot Line (ZLL) subdivisions shall have a minimum lot area of 3,600 square feet.

iii. Single Family Attached (SFA) subdivisions shall have a minimum lot area of 2,400 square feet and a minimum lot width of 20 feet.

6. Tracts M, Q, and W (Low Density Residential)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the RA-4 (Single-Family) district shall be permitted in Tracts M, Q*, and W.

i. Add the following permitted uses*:

   - Single-Family Attached
   - Single-Family, Detached (CT and ZLL Special Building Types)
   - Neighborhood Convenience Centers
   - Schools, including elementary, intermediate and secondary schools offering courses in general education (Tract Q only)
   - Community Buildings
   - Recreation Facilities, indoor and outdoor

   * Uses within Tract Q shall be limited to Schools and Public and Quasi-Public Non-Commercial Principal Uses as listed above. Single-family uses within Tract Q shall require a Future Land Use Map amendment to allow such uses.

i. Add the following accessory uses:

   - Accessory Dwelling Units in accordance with 4.3.2.1 and 4.3.2.2 of the Land Development Code

b. Development Standards: Development in Tracts M, Q, and W shall adhere to development standards for the RA-4/Suburban Neighborhood sub-district, except as follows:

i. Cottage (CT) subdivision shall have a minimum lot area of 4,800 square feet and a minimum lot width of 40 feet.

ii. Zero Lot Line (ZLL) subdivisions shall have a minimum lot area of 3,600 square feet.

ii. Single Family Attached (SFA) subdivisions shall have a minimum lot area of 2,400 square feet and a minimum lot width of 20 feet.
7. Tract E (Village Center)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the C-3 (Neighborhood Center Commercial) district shall be permitted in Tract E.

i. Add the following permitted uses:

Bars, Lounges and Related Entertainment Uses located within a building containing at least 50,000 sq.ft. occupied by hotel, theater, retail shopping, and/or office facilities
Catering Establishments
Colleges, Junior Colleges, Universities and Seminaries
Department Stores
Food Stores
Hotels
Motels
Office Support Retail Uses
Residential, one or more dwelling units located above the first floor of a building which contains another permitted use on the first floor

ii. Delete the following permitted uses:

Veterinary Clinics and hospitals

b. Development Standards: Development in Tract E shall adhere to development standards for sub-district C-3/Suburban Center (SCT) sub-district, except as follows:

i. Maximum block face: 450 ft.
   Maximum block perimeter: 1,800 ft.

ii. Maximum retail floor area: Retail uses shall be limited to a maximum of 40,000 sq. ft.

iii. Minimum lot coverage: 55%
   Maximum lot coverage: 100%

iv. Maximum building height: 40 ft.

v. Parking Location: Zone 2 and 3

8. Tract L (Regional Commercial)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses in the C-5 (Regional Center Commercial) district shall be permitted in Tract L.

i. Add the following permitted uses:
Residential, one or more dwelling units located above the first floor of a building which contains another permitted use on the first floor

ii. Delete the following permitted uses:

Mobile Home Sales, Rental and Service Agencies Motor Vehicle and Boat Sales and Rentals

b. Development Standards: Development in Tract L shall adhere to development standards for the C-5/Suburban Center (SCT) sub-district.

9. Tracts G, N, S, and V (Limited Development)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses for property with a Recreation Future Land Use (FLU) designation in the LD district shall be permitted in Tracts G, N, S, and V.

Add the following permitted uses:

Outdoor public and private (resource based) recreational uses, necessary support facilities and limited road access
Public and private active and resource based parks and open space


10. Tract U (Limited Development)

a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory, uses for property with a Recreation Future Land Use (FLU) designation in the LD district shall be permitted in Tract U.

Add the following permitted uses:
An 18-hole golf course and associated facilities
Public and private active and resource based parks and open space

b. Development Standards: Development in Tract U shall adhere to development standards for the LD/Preservation, Conservation and Recreation (PCR) sub-district.


a. Permitted Uses: Unless otherwise described in this section, uses permitted as principal uses and as accessory uses for property with a Conservation Future Land Use (FLU) designation in the LD district shall be permitted in Tracts I, K, O, R, T, and X.

Delete the following permitted uses:
Single-Family, Detached

D. Signs:

Prior to the first site plan or subdivision plat approval, the developer shall submit a comprehensive sign plan in accordance with Sub-Section 4.9.4.6 of the Land Development Code.

E. Outdoor Lighting:

Lighting shall conform with Article 4 (General Site Development Standards) of the Land Development Code except that the use of shoebox and cobra head light fixtures shall be prohibited.

F. Natural Resources/Water Conservation:

Prior to development of the golf course located within Tract U, the developer shall submit an integrated Fertilizer/Pesticide/Herbicide Management Plan in accordance with the Amended and Restated Development Order for the Williams DRI.

1. The Developer will coordinate with the City of Lakeland and the Southwest Water Management District (SWFWMD) to ensure water conservation as required by the City and SWFWMD.

2. Prior to commencement of any site clearing activity, the developer shall provide the City with the National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for the applicable development site. The developer shall submit the NOI to the Florida Department of Environmental Protection (FDEP) prior to the commencement of development.

4. For the purpose of potable water conservation, installation of high-efficiency (low volume) plumbing fixtures, appliances, and other water-conserving devices is required. Since 1994, the Standard Plumbing Codes (Southern Building Codes) have required efficient plumbing fixtures.

5. In order to facilitate concurrency, City assurance of adequate potable and non-potable water supply capacity must be provided prior to development of Phases II and III respectively. Updated water demand estimates shall be provided as needed and reviewed by the Water Utilities Department.

6. For the purpose of potable and/or reclaimed water conservation, use of “Florida Friendly” principles is required in all landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.

7. When available, the developer shall use reclaimed water or another alternative source (other than the Floridan aquifer) for irrigation of open space, golf course, and
common areas. “Florida-friendly” landscaping principles will be incorporated into the
golf course design, which will include ecologically viable portions of the site’s existing
native vegetation. Areas of natural vegetation shall not be irrigated.

G. H. Conformity with Land Development Code:

Development shall comply with all applicable standards of the Land Development Code (LDC)
unless otherwise provided for by this PUD. If any provision of this PUD is found to be in
conflict with the LDC, the more restrictive shall prevail.

H. I. Transportation:

1. The developer or its successors shall comply with all off-site mitigation and on-
site transportation facility requirements as contained within the Amended and Restated
Development Order for the Williams DR1—Approval: Equivalency Matrix (Attachment G).
The Williams PUD transportation impacts shall be monitored and mitigated based upon the
Williams PUD Development Program and Phasing Table set forth in Attachment “E” attached
to and incorporated in this PUD approval. The trip generation volumes projected to occur from
development from the Williams PUD are depicted in the Williams PUD Trip Generation Table
attached to and incorporated in this PUD approval as Attachment “F.” Specific approval is
granted Phase 1 and a portion of Phase 2 of the Williams PUD. The developer may proceed
with developing land uses within any phase of the PUD so long as the development does not
exceed the approved trips for that phase. Approval of subsequent phases shall be subject to
additional transportation concurrency analyses and the conditions in this PUD approval.
Transportation facilities, payment of impact fees, and granting of credits (if any) shall be
implemented in accordance with the City’s Impact Fee Ordinances and Concurrency
Management Ordinance, which shall govern all transactions at the time of an application for
impact fee credits. Impact fee credits requested for County fees collected within the City’s
jurisdiction are subject to approval by the appropriate entity. The developer may change the
mix/ratio of land so long as the changes result in an equivalent number of trips and traffic
analysis approved with these PUD approval conditions. An equivalency matrix will be utilized
to evaluate changes to the land use mix based on daily trips and is depicted in Attachment “G”
atached to and incorporated in this PUD approval.

2. The developer shall work with the City to establish a concurrency tracking database
that is updated with each commercial site plan or residential subdivision plat approval in the
development. The information that is entered into this database shall be derived from the
required Concurrency Application form that is included with each site plan or residential
plat/construction plan submittal package. Phase I and II(a) Concurrency. Based on the
completed traffic analysis for the proposed development, Phase I shall receive Concurrency
Certificates for transportation. Phase II(a) shall consist of a mix of land uses specified as up to
48% percent of each land use type in Phase II per the Phasing Table in Attachment “E”
hereof, but allowing for 100% of the golf course and the school, such that the calculated
external traffic of Phase II(a) does not exceed 48% of the calculated external traffic of Phase II.
Development within Phase I shall be completed prior to the commencement of Phase II(a) for
cumulative concurrency to be extended and provided that the first biennial traffic monitoring
report for Phase II(a) indicates available capacity of SR 33 (from Old Combee Road at
Deeson Point Boulevard to I-4 at Exit 38) to accommodate the additional development
increment. Phase II(a) shall receive Concurrency Certificates for transportation until Phase
II(a) is completed. However, a full intersection analysis of the SR 33 and Interstate-4 intersection shall be performed according to the agreed upon methodology prior to the submittal of a subdivision or site plan approval for Phase II(a). For all Phases beyond Phase II(a), a new traffic study and concurrency application will be required consistent with the City of Lakeland Concurrency Management Ordinance.

3. Each of the streets illustrated in Attachment "E" shall include the appropriate multi-modal cross-section as defined in the Land Development Code. Each site or subdivision plan that is submitted shall include an integrated network of bicycle and pedestrian facilities that provide direct Americans with Disabilities Act (ADA)-compliant connections to the streets depicted in Attachment "E" Concurrency Beyond Phase II(a). If levels of service decrease below acceptable standards (as established in the City of Lakeland Comprehensive Plan) on significantly impacted roadways (Williams PUD traffic 5% or greater) identified in Condition I.4 below, then all development must cease provided that all development activity for which the City has approved a site plan shall be allowed one year in which to receive a building permit. Once said permit is issued, the permitted development may continue until completion, including the certificates of occupancy. In the event that it is determined that development activity shall cease pursuant to the provisions of this paragraph, no approved site plan or building permit may be renewed or extended beyond its original term. If development is required to stop as aforesaid, no development permit shall be issued until transportation improvements necessary to return the roadways to acceptable levels of service are under construction or scheduled for commencement of construction in the third year or earlier of the applicable FDOT five (5) year work program or the adopted City or County five (5) year Capital Improvement Element of the Comprehensive Plan. Transportation improvements necessary to return the roadways to acceptable levels of service shall be determined by a transportation analysis, using a methodology acceptable to the City, to be performed at the developer’s expense. Acceptable levels of service shall be that level of service set forth in the City of Lakeland Comprehensive Plan and the Florida Transportation Plan. Nothing in this condition shall be interpreted to require cessation of any Williams PUD construction if the roadway improvements needed to accommodate the impacts created by this development on significantly impacted roadways have been accomplished.

4. Interconnectivity between individual development sites shall be required through the establishment of street grid networks as required by the Land Development Code and/or formalized by the execution of cross-access agreements that are executed by adjacent property owners and recorded with the Polk County Clerk of Courts. Traffic Concurrency Tracking and Traffic Monitoring. The Developer shall prepare and submit to the City each January 1st, transportation concurrency information or the project including a.) the cumulative number of units or area of non-residential uses that have been approved, Building Permits issued, and Certificates of Occupancy issued and b.) the number of remaining vested trips on the impacted roadway network.

When Certificates of Occupancy have been granted for uses representing 75% of the estimated trip generation for Phase I, the Developer shall collect counts along the State Road 33 corridor on a biennial basis, unless or until the construction phases of the planned State Road 33 capacity improvements between Old Combee Road and Tomkow Road, including the reconstruction of the interchange at Exit 38, have been programmed in the first three years of the FDOT Work Program. The traffic data collection and analysis shall be performed at the Developer’s expense and shall include
detailed assumptions as to capacity standards, level of service standards, the amount of vested trips approved and utilizing the State Road 33 corridor as documented in the Transportation Concurrency Tracking Report, and the availability of transit services south of University Boulevard. This State Road 33 Traffic Monitoring Report shall determine deficiencies and acceptable levels of service and shall form the basis for determining interim operational improvements needed to accommodate the impacts created by the Williams PUD consistent with proportionate fair share.

When a driveway connection is made to Mt. Olive Road, the traffic count program shall be extended to include the State Road 33/Mt. Olive Road and State Road 33/Old Polk City Road unsignalized intersections. When warranted and based upon the level-of-service, the Developer shall provide its fair share for the costs of signalization improvements, including any surface improvements needed to yield safe and efficient signalized intersection operation, as determined by the City, FDOT and Polk County. Intersection signalization projects shall include traffic cameras and other necessary hardware and software to incorporate into the regional intelligent transportation system architecture used to assist in traffic operations and management of the roadway network.

5. Transportation Improvements Funding. The developer or its successors shall, in coordination with the City, utilize transportation impact fee credits or other available private or public funding and construction mechanisms which generate sufficient funds to mitigate the Williams PUD's transportation impacts on each significantly impacted State, county and/or city roadway, as found on the City's concurrency roadway network database. These mechanisms shall be used to reasonably ensure that all necessary public transportation facilities shall be constructed and made available when needed to accommodate the impacts of the proposed development consistent with the provisions of Florida Statutes, Chapter 163. The minimum transportation impact funding and construction mechanism shall be the City's currently adopted impact fee program (City of Lakeland Transportation Impact Fee Ordinance, Ordinance No. 5535, as amended). The developer shall also have the following options should monitoring indicate a need for additional funding mechanisms to construct transportation improvements to mitigate Williams PUD impacts:

(a) The developer and the City have discussed the utilization of a Community Development District (CDD) (Chapter 190, Florida Statutes), mechanism to generate internal improvement funds for road and other improvements.

(b) Credit will be granted against construction and right-of-way costs in accordance with the City of Lakeland Transportation Impact Fee Ordinance No. 5535, as amended. Except for the East-West Road (including University Boulevard and Research Way) and the Polk Parkway / Pace Road interchange, the developer may advance any road improvement by either constructing such project, or advancing necessary funds and right-of-way to any of the applicable governmental agencies responsible for implementing the roadway improvement. In either case, these activities may be eligible for impact fee credits as per the City's adopted Impact Fee Ordinance.

(c) The developer may choose to participate in the City's adopted proportionate fair share program where there is an applicable facility level of service failure and where adequate
funding is available in the City's adopted Capital Improvement Plan as per the City proportionate fair share provisions.

6. Required Dedication of Rights-of-Way and Easements. All necessary road rights-of-way; future transit corridors that accommodate potential bus lanes, Bus Rapid Transit (BRT) service and/or light rail; multi-use trails, drainage and utility easements shall be dedicated to the City upon approval of the project’s applicable final site plan or subdivision plans and plats associated with the improvements. Any necessary utility easements for use by FPU for its adjoining campus properties shall also be dedicated by Williams to the City to facilitate utility service from the City of Lakeland, subject to, conditioned upon, and provided that FPU is cooperating and contributing its fair share to any related improvements or land needs. Williams shall also cooperate with the City of Lakeland in the location of an easement from the Tenoroc Mine Road area near the southeast corner of the Property upon receipt of written notice from the City that it will extend water lines and service in that area. Required multi-use trail easements shall have a width of no less than 20 feet. Drainage easements that may be required to be dedicated to the City at the time specified above, shall be dedicated to the City only as per the overall, approved stormwater management and maintenance plans. Impact Fee Credits for such dedications shall be provided to the full extent authorized by the City under relevant City ordinances.

7. Construction of roadways as depicted on Attachment “D”, Roadway Typology and Classification. The developer shall submit alignments, typical sections and other design features as well as adequate soils borings and analyses for all proposed roadways and right-of-way dedications to the City Engineering Division for its approval prior to roadway construction. Roadway D within the PUD boundaries shall extend Mt. Olive Road to serve that portion of the PUD lying east of the Polk Parkway. The developer or their successor(s) shall cooperate with other controlling interests to allow Mt. Olive Road to extend to Pace Road when feasible. The developer shall also work with the City, local transit provider and adjacent developments to provide for transit service on SR 33 in the event that University Boulevard contributes to the degradation of the highway level-of-service on SR 33 between Interstate-4 (Exit 38) and Socrum Loop Road.

8. Traffic Studies. The developer will provide a current traffic analysis prior to commencement of Phases II(b) and III to verify conditions at the end of development constructed through Phase II(a) and II(b), respectively and to verify or re-determine the needed transportation improvements to accommodate development in the later phases. The analysis will be conducted and performed in a manner consistent with a methodology to be approved by the City.

9. Connection to Trail. The developer shall continue to cooperate with the City and other appropriate parties to construct a 12-foot wide multi-use trail connection through the development to the planned Tenoroc Trail. This trail system could be incorporated into the design and construction of residential or commercial subdivisions, with documentation that the discrete trail segments will ultimately connect with each other to fulfill this condition. This condition shall include the requirement for identified trail easements to be dedicated to the City and/or appropriate public entity by or before the commencement of Phase II. Lands subject to this condition include those within the project as well as, where practical, the intervening lands located between SR 33 and the western boundary of the PUD which are entirely owned by the developer. This condition shall run with any sale of any part of those intervening lands as a
covenant or similar legal restriction (non-PUD lands issues may also be the subject of a separate City ordinance). All City trail easements will be required to be at least 20 feet wide. The multi-use trail and easements shall be configured to accommodate direct connections to specific points within the PUD, including the Town Center at a point immediately adjacent to the University campus, the future transit transfer station, the eastern boundary of the PUD adjacent to Pace Road and the southern boundary of the PUD to accommodate access to the Tenoroc Fish Management Area and Braddock Road crossing of the Polk Parkway. Development activity within the PUD shall complement the multi-use trails constructed in conjunction with the University Boulevard and Research Way projects. As such, the PUD zoning district for the PUD shall require design features that minimize driveway and street crossings of these regional trail facilities and to maximize trail functionality through compatible features of adjacent development, including convenient and attractive pedestrian access circulation, street lighting, shade treatments and bicycle parking.

10. Transit. The developer was required to and did in 2008 voluntarily petition the Lakeland Area Mass Transit District (LAMTD) to allow for the potential of future bus service to the PUD. The PUD shall be eligible for future transit / bus service when such is financially feasible for the LAMTD or the Polk County regional transit authority, whichever applies. The developer shall, in coordination with the transit provider and with timely input from FPU, locate a transit transfer station to serve the following:

- regional retail center at the Polk Parkway interchange area,
- university student center and
- associated multi-family housing village complex,
- business/research employment center uses in the PUD,
- potential regional/inter-city express transit service on I-4, and
- any future fixed-route transit service serving the PUD/FPU

This transfer station shall be constructed when needed, and when the station site location and a financial sharing plan is agreed to by the developer, LAMTD or its successor, and the City, and shall be in addition to provision of transit shelters throughout the project. Location of said transfer station or any park and ride facilities shall be determined in conjunction with the transit provider(s), the City and the Polk TPO’s MyRide-Park and Ride Facility Study as completed in May 2012, with comment from FPU which desires adjacency or close proximity to its campus.

Prior to each site plan or subdivision approval for development sites located adjacent to University Boulevard, Research Way, and other collectors identified in Attachment "D," the City of Lakeland shall determine what, if any, transit stop facilities will be required to support the development. Such required facilities, including deployment pads, bench pads and transit shelters shall be placed within public right-of-way or an easement and comply with all applicable Americans with Disabilities Act and City design standards. The Developer or its successors shall also work with the City, local transit provider and adjacent developments to provide for transit service on SR 33 in the event that University Boulevard contributes to the degradation of the highway level-of-service on SR 33 between Interstate 4 (Exit 38) and Socrum Loop Road.

11. Commuter Assistance Program. During Phase I, the developer or its successor shall work with the LAMTD/transit provider to establish a commuter assistance program by
participating in a funding program for adequate transit service that would be in place by August 2021 or prior to the first Certificate of Occupancy for the PUD, whichever occurs last. Fair and equitable funding mechanisms that shall be explored for this enhanced transit service include any student activity fees that may be established by the University, the use of parking fines within the PUD and/or the FPU Campus, and/or other non-traditional funding sources which would not replicate the property tax assessed by the transit district, including use of CDD assessments. This commuter assistance program shall also include provisions for maximum automobile parking standards to encourage use of transit, car-pooling and non-motorized modes of travel, as well as provisions for the inclusion of shower/changing room facilities for major office employment centers within the PUD.

12. Access to Tenoroc Mine Road. The developer agrees to work with City to provide (a) a stub out and gate for an emergency only access point to be located at the southern boundary of the Property onto Tenoroc Mine Road, and (b) a stub out at the southeast corner of the Property for a potential future connection oriented to Braddock Road for local/neighborhood traffic as generally illustrated on amended Attachment “D” attached to and incorporated in this PUD approval with any extension from the stub out to be built by others.

13. Interconnectivity. Interconnectivity between individual development sites shall be required through the establishment of street grid networks as required by the Land Development Code and/or formalized by the execution of cross-access agreements that are executed by adjacent property owners and recorded with the Polk County Clerk of Courts. In the event that cul-de-sacs, looped streets or other street layouts are proposed that do not provide connectivity to adjacent neighborhoods due to environmental constraints, sidewalks shall be proposed to make those external connections, located within minimum 10-foot wide tracts that are owned and maintained by a Home Owners Association or Community Development District.

14. Prior to the first site or subdivision plan approval in each development tract, the developer or its successors shall provide a layout plan for the tract that demonstrates compliance with the multi-use trail requirements contained in the Amended and Restated Development Order for the Williams PUD, including identification of trail segments that will be incorporated into subsequent site or subdivision plans to be reviewed and approved by City staff.

15. Site and subdivision plans that are submitted for locations adjacent to the University Boulevard and Research Way multi-use-trails shall include:

   a. Direct, dedicated sidewalk or trail connections that separate pedestrian/bicycle movements from vehicular use areas. Where crossings of vehicular travel aisles are necessary for overall site circulation, enhanced crosswalks shall be defined through such measures as high-visibility pavement markings or alternative pavement designs and shall include design features that slow vehicular traffic at the crosswalk locations. Sidewalk and trail connections shall not be routed past solid waste collection bins, loading docks or other service areas within a given development site.

   b. Bicycle parking that is designed and installed in compliance with the Land Development Code and City Engineering Standards Manual, located
adjacent to each principal building entrance and is easily accessible to each trail.

c. Enhanced landscaping along each development site’s trail frontage that includes the large maturing Class A street trees or other acceptable treatment as determined by the City Parks and Recreation, Community and Economic Development and Public Works Departments.

I. Organizational Structure

To ensure that facilities required by the preceding standards are adequately funded for construction and long-term maintenance, there shall be a Master Property Owners Association for the Williams Property to provide for and maintain infrastructure that is common throughout the project or serves the entire project and neighborhood or sub-area Property Owner Associations to provide for and maintain infrastructure within individual development tracts. At the option of the Williams Acquisition Holding Company Incorporated, a Community Development District (CDD) may also be utilized.

1. Overall Organizational Structure: All proposed development must participate in the Mandatory Master Property Owner’s Association or CDD or both throughout the project or serves the entire project.

Public Realm facilities, including, without limitation, roadways, pathways, street trees, street lighting, utilities, parks and open space, and public safety improvements that are within the project and benefit the project landowners may be owned and operated by the Association and/or the CDD and shall be the responsibility of all landowners within the project boundaries as provided in the Association and CDD establishment documents.

Mandatory Master Property Owners Association: Documents establishing the Association’s responsibilities and fees, and participation in the Association must be recorded with the Polk County Clerk at the time of recording the first plat. Additionally, the Master Property Owners Association must meet the following requirements:

a. Require mandatory membership for each Property Owner.

b. Provide for the ownership, development, management, and maintenance of private open space (except owned by individual property owners), community parks, community parking facilities, community meeting halls, stormwater drainage systems, common lighting fixture and other common access or infrastructure.

c. Provide for maintenance of landscaping and trees within the arterial and collector road streetscapes.

d. Require the collection of assessments from members in an amount sufficient to pay for its function.
e. Require that the Property Owner’s Association obtain the approval of the City, regarding the disposition and management of space and facilities under common ownership, before it may be dissolved.

2. Neighborhood, Village Center, Commercial Area, or Business/Industrial Park Associations: All Owners of property subject to proposed development shall participate in a neighborhood or other sub-area Property Owner’s Association for the respective development tract. Documents establishing the Association responsibilities, fees, conditions, covenants, and restrictions, must be recorded with the City of Lakeland at the time of recording the plat of any part of a neighborhood or other sub-area. The Neighborhood, Village Center, Commercial Area, or Business/Industrial Park. Property Owner's Association must meet the following requirements:

a. Require mandatory membership for each Property Owner.

b. Provide for the ownership, development, management, and maintenance of neighborhood or commercial area facilities including private open space (except owned by individual Property Owners), Neighborhood Center or Village Center parks, Neighborhood or Village Center parking facilities, neighborhood meeting halls, stormwater drainage systems, and other neighborhood common access or infrastructure.

c. Provide for maintenance of pedestrian lighting, landscaping and street trees within the neighborhood circulator, neighborhood local, medium industrial and village commercial streetscapes.

d. Require the collection of assessments from members in an amount sufficient to pay for its function.

e. Be effective for not less than fifty-years.

f. Require that the Property Owner's Association obtain the approval of the City, regarding the disposition and management of space and facilities under common ownership, before it may be dissolved.

3. Development Approval: Final Subdivisions Plats and site plans shall not be approved until the following occurs:

a. The Master Property Owners Association and pertinent neighborhood or sub area Property Owners Associations are established and,

b. The City is assured that the public realm infrastructure improvements that are required by the standards described herein shall be appropriately dedicated or conveyed, installed or constructed and maintained. The Developer of each subdivision or site plan shall construct the required facilities. Facilities not dedicated to the City shall be conveyed to the Property Owners Association(s) for ownership and maintenance.
J. Archaeological/Historical Resources: Mitigation of impacts to significant archaeological sites shall be accomplished through excavation and recovery of its data contents prior to site alteration activities. Copies of the resultant site excavation report shall be submitted to the City and the Florida Division of Historical Resources for review.

K. Natural Resources and Public Facilities:

1. Air Quality. Minimum transportation level of service standards shall be maintained throughout the life of the Williams PUD on significantly impacted roadways to minimize automobile pollution. An air quality screening will be provided by the Developer subsequent to any traffic analysis provided for Phases II and III.

2. Water/Wastewater. Wastewater, any feasible reuse and potable water service shall be provided by the City, subject to concurrency and other conditions herein. Other possible providers of reuse water (i.e., treated effluent) for the project, such as from the City of Auburndale, shall notify the City Water Utilities Department of any proposed agreement to provide such service to the project and generally describe the scope and parameters of said services; City Water Utilities retains the right to review and approve this proposal. The developer shall, in a timely manner, provide to the City of Lakeland adequate easements of land for utility lines and associated facilities as required to provide any and all of these services for the Williams PUD project and as required to serve the adjacent FPU Campus with these same services; this shall include easements for any potable water inter-tie with the City of Auburndale and for a longer term secondary loop water line as required by the City and State of Florida for residential development beyond a given threshold. Provision of any easement and funding of the longer term secondary loop line shall be subject to, conditioned upon, and provided that a fair share cost agreement and fair participation by all benefitted parties, including but not limited to FPU.

3. Schools. Lands shown on Attachment “B” reflect 45 acres dedicated for institutional uses including any applicable public safety facilities, and specifically for a future public school site, if warranted and acceptable to the Polk County School Board. If the development of the Williams PUD creates the need for a public school within the Williams PUD, this school site dedication, if accepted by the school board, would constitute the developer’s mitigation of said need, provided all roadway access and necessary water and wastewater utilities are also furnished by the developer. Impact Fee Credits for such dedication (i.e., donation) shall be provided to the full extent authorized by the applicable County ordinance. Due to the developer’s early agreement to dedicate the above school sites, their early agreement to pay school impact fees prior to such becoming a requirement, and their project’s substantial (5 yr) delay in negotiating a donation agreement with the University to effectuate a new local campus, the City agrees that the developer shall not be responsible for school capacity improvements for the residential units authorized by the adopted PUD approval based upon any later adopted ordinance or policy so long as the developer is in compliance with the provisions of this PUD approval and that the City agrees that the developer is vested for school concurrency for the residential land development program authorized by this PUD approval.
4. Fire Protection. Fire protection services shall be provided by the City. Due to the distance and associated response time from the nearest City fire station, the developer shall work with the City’s fire department to explore all feasible options to minimize response times to the project site, including any possible on-site facilities. This shall be discussed and evaluated in the first annual report after the first certificate of occupancy in Phase I and thereafter until a facility is located or if it remains a city concern.

5. Parks and Recreation. Public Parks and Recreation services shall be provided by the City, in addition to any on-site recreational trails/open spaces provided as part of the Master Plan or required as per the City’s Comprehensive Plan. The developer or a designated property owners association, Community Development District or similar shall identify within the designated Recreation land use area a park site and develop and maintain at least a neighborhood level park and playground site within the larger open space Recreational area; the privately maintained neighborhood park shall be co-located and accessible to the adjoining 45-acre designated Institutional tract and have pedestrian/bicycle access to the surrounding residential uses. Park land donation and related park improvements shall be eligible for recreation impact fee credits as per the City’s governing fee ordinance. All City of Lakeland parks and recreation level of service standards shall be maintained.

6. Surface Water, Drainage, Stormwater, and Floodplains. Master drainage and stormwater management plans shall be provided by the developer prior to development activity in accordance with the Land Development Code and applicable state requirements, including developer’s existing conceptual MSSW permit. The developer shall comply with the City’s floodplain management ordinance and the Land Development Code.

7. Community Development Districts. The developer may utilize community development districts and/or a property owners’ association coupled with municipal services taxing unit (MSTU) to maintain the system. Water management plans, construction plans, and FEMA approvals shall be obtained prior to construction on any mined or reclaimed lands.

8. Construction in Mined or Reclaimed Areas. Prior to approving development/construction activities in mined or reclaimed areas on the site, the flood potential and flood prone areas of the site must be determined and submitted to FEMA for review and approval. The flood study will include the determination of the base of the floor/foundation elevation for roadways and structures to be constructed on site and shall be submitted to the City along with FEMA’s approval of a Letter of Map Revision, prior to or in conjunction with any submittal for approval of final development plans by the City.

9. Wildlife and Listed Species. Impacts to any listed species identified in the faunal surveys will be avoided if practicable and in a way which complies with federal and state laws for species protection. The developer shall work cooperatively with FDOT, the City and other with groups pursuing a wildlife corridor/hydrological corridor to connect lands and water flows between the Green Swamp/areas north of Interstate 4 and lands south of the Interstate as first identified by FDOT in 1998 and incorporated into the Polk
Transportation Planning Organization’s long-range transportation plan. This effort may include granting easements for the corridor on the PUD or adjacent non-PUD lands owned by the developer, or its successors, to be negotiated by the developer and the applicable groups or agencies pursuing such a corridor. Attachment H depicts the corridor that will be the subject of this condition and negotiations. The location of a wildlife corridor has not been determined by FDOT but could be located along the southern boundary of Interstate 4. A final location for the wildlife corridor, whether located on the PUD or adjacent non-PUD lands, will be subject to further negotiations and funding from FDOT or other sources. The following additional conditions shall apply:

(a) The developer shall develop a management plan for any active bald eagle nest located within 660 feet of development areas prior to development of this area. The plan shall be consistent with "Habitat Management Guidelines for the Bald Eagle in the Southeast Region" (U.S. Fish and Wildlife Service, 3rd Revision Jan. 1987) and any subsequent revisions thereof.

(b) The pine flatwoods, mixed hardwood conifer community and live oak hammock surrounding wetlands F3 and F4 shall be designated as open space as generally depicted on Map A. Use of upland within the designated open space may include passive recreation, provided habitat alterations are minimal, and uses and management are consistent with habitat requirements of the eastern indigo snake and Sherman's fox squirrel. Provisions of this Condition relative to habitat alteration and management shall become void should indigo snake and Sherman's fox squirrel no longer inhabit or frequent the area.

(c) For the protection of on-site Gopher Tortoise, the developer shall follow, "Regulations and Enforcement of 'Taking' of Gopher Tortoise by Development Activities Under the Rules of the Florida Game and Freshwater Fish Commission" (Bradley J. Hartman, June 1992) and any subsequent revisions thereof. New rules governing mitigation or relocation for this species under its “threatened” status shall be complied with as per the Florida Fish and Wildlife Conservation Commission, formerly known as the FG&FWFC.

(d) Burrows of the Burrowing Owl (Speotyto cunicularia) were found in improved pasture in the northeast portion of the site. For any burrows within a development parcel, the developer shall follow "Burrowing Owl Nest Protection Guidelines and Procedures" (Revised May 16, 1990) by the Florida Game and Freshwater Fish Commission (now Florida Fish and Wildlife Conservation Commission) and any subsequent revision thereof.

(e) Except as otherwise allowable by this development order, site development related activities shall not result in the harming, pursuit or harassment of wildlife species classified as endangered, threatened or a species of special concern by either the state or federal government or in contravention of applicable state or federal laws. Should such species be determined to be residing on, or be otherwise significantly dependent upon the project site, the developer shall cease all activities which might negatively affect that individual or population and immediately notify both the Florida Fish and Wildlife Conservation Commission and the United States Fish and
Wildlife Service. Proper protection and habitat management, to the satisfaction of both agencies, shall be provided by the developer. "Harming" and "harassment" as used in this recommendation shall be defined in the same manner as "harm" and "harass" respectively are defined in 50 CFR Section 17.3. Pursuant to historical City, County and Regional efforts to establish a continuous conservation and wildlife habitat corridor from the Saddle Creek/Lake Hancock basin area north to the Green Swamp, the developer will work with appropriate agencies to identify and preserve lands that would provide a continuation of the City’s proposed Greenbelt (illustrated in the City’s Comprehensive Plan, Conservation Element) within the appropriate portion of the PUD lands and/or the adjacent non-PUD lands that are already designated as conservation.

10. Soils:

(a) Prior to the commencement of site-specific construction activities in the mining and reclaimed areas the developer must provide detailed soils analysis and foundation recommendations for each construction site for review to the City of Lakeland. In the areas with high water table elevations (within 2 foot of the land surface) additional foundation/soils investigations are requested for each construction site.

(b) If any soil reshaping occurs on site the developer will update the soil radiation survey and ensure that there is adequate soil cover over any soils deemed to have excessive radioactive levels and/or design the building foundation with adequate radon mitigation construction techniques to provide protection of the occupants of any on site structure.

(c) Special construction techniques to address radon concerns have been approved by the Florida Department of Health (DOH) and include the following items: ventilated crawl space, post-tension slab and improved monolithic slab.

(d) In addition to any required applicable Florida DOH review and comment, implementation of the following additional safeguards in controlling radon levels will include: deed restrictions relating to construction techniques and review by City of Lakeland Planning and Building officials to ensure compliance with these conditions.
ATTACHMENT “A”

Legal Description:

Parcel "A"
A portion of Sections 12, 13, 14, 15, 21, 22, 23, 24, 25, 27 and 28, Township 27 South, Range 24 East and a portion of Sections 7, 18, 20, 30 and all of Section 19, Township 27 South, Range 25 East, Polk County, Florida, being more particularly described as follows:

Begin at the Southwest corner of the Southwest 1/4 of said Section 12; thence run N 00°23'07" W, along the West line thereof, a distance of 1240.45 feet to a point on the South line of those lands as described and recorded in Official Records Book 2057, Page 646, Public Records of Polk County, Florida; thence run N 72°47'55" E, along said South line, a distance of 3463.18 feet to a point on the boundary line of Parcel 116CEast, as described and recorded in Official Records Book 4681, Page 504, Public Records of Polk County, Florida; thence along the boundary line of said Parcel 116CEast, the following courses and distances: run S 01°56'14" E, a distance of 526.51 feet; thence run S 08°07'40" E, a distance of 255.23 feet; thence run S 19°05'01" E, a distance of 75.38 feet; thence run S 02°15'46" E, a distance of 434.08 feet; thence run S 75°42'29" W, a distance of 79.53 feet; thence run S 13°54'06" E, a distance of 52.50 feet; thence run N 00°07'38" E, a distance of 1323.78 feet; thence run N 32°42'38" E, a distance of 169.33 feet; thence run N 52°18'40" E, a distance of 96.53 feet; thence run N 28°14'57" E, a distance of 51.81 feet to a point on the aforesaid South line of lands per Official Records Book 2057, Page 646; thence run N 72°47'55" E, along said South line, a distance of 2487.21 feet to a point on the boundary line of Parcel 1A, as described and recorded in Official Records Book 8791, Page 489, Public Records of Polk County, Florida; thence Southeasterly, along said boundary line, the following courses and distances: run S 17°12'01" E, a distance of 1327.22 feet to a point of curvature of a curve, concave Westerly, having a radius of 2,000.00 feet and a central angle of 23°28'50"; thence run Southerly, along the arc of said curve, a distance of 819.63 feet to the point of tangency thereof; thence run S 06°16'49" W, a distance of 259.17 feet to a point on a non-tangent curve, concave Southerly, having a radius of 12,912.16 feet; thence, on a chord bearing of S 79°31'35" E and a chord distance of 1888.31 feet, run Easterly, along the arc of said curve, a distance of 1,890.00 feet, through a central angle of 08°23'12" to a point of compound curvature of a curve, concave Southwesterly, having a radius of 1,800.00 feet and a central angle of 37°33'39"; thence run Southeasterly, along the arc of said curve, a distance of 1,180.01 feet to a point; thence run N 50°16'32" E, a distance of 263.36 feet to a point on the Westerly limited access right of way line of Polk County Parkway, as described and recorded in Official Records Book 3884, Page 2090, Public Records of Polk County, Florida; thence Southeasterly, along said Westerly limited access right of way line per Official Records Book 3884, Page 2090 and as described and recorded in Official Records Book 7772, Page 2064, Public Records of Polk County, Florida, the following courses and distances: thence run S 17°12'57" E, a distance of 712.93 feet; thence run S 72°47'03" W, a distance of 20.00 feet; thence run S 13°12'49" E, a distance of 519.61 feet to a point of curvature of a curve, concave Westerly, having a radius of 2,197.83 feet and a central angle of 12°56'16"; thence run Southerly along the arc of said curve, a distance of 496.29 feet to the point of tangency thereof; thence run N 00°16'36" E, a distance of 742.96 feet to a point on a non-tangent curve, concave Southerly, having a radius of 2,020.00 feet; thence, on a chord bearing of S 71°00'52" W and a chord distance of 654.69 feet; through a central angle of 18°34'11" to a point; thence run S 13°24'22" E, a distance of 207.73 feet to a point on a non-tangent curve, concave Southerly, having a radius of 1,820.00 feet; thence, on a chord bearing of N 70°06'59" E and a chord distance of 636.13 feet, run Easterly, along the arc of said curve, a distance of 639.42 feet, through a central angle of 20°07'47" to a point; thence run S 16°16'33" E, a distance of 188.71 feet to a point of curvature of a curve, concave Northeastern, having a radius of 1239.92 feet and a central angle of 20°25'51"; thence run Southeasterly, along the arc of said curve, a distance of 442.14 feet to the point of tangency thereof; thence run S 00°07'38" E, a distance of 80.72 feet; thence run S 15°52'11" E, a distance of 147.12 feet; thence run S 44°26'58" E, a distance of 298.92 feet to a point of curvature of a
ATTACHMENT “A”

Legal Description (cont):

curve, concave Southwesterly, having a radius of 878.15 feet and a central angle of 28°34'47"; thence run Southeasterly, along the arc of said curve, a distance of 438.03 feet to the point of tangency thereof; thence run S 15°52'11" E, a distance of 545.91 feet; thence run N 74°07'49" E, a distance of 20.00 feet; thence run S 15°52'11" E, a distance of 141.03 feet to a point on the East line of the Southeast 1/4 of said Section 18; thence run S 00°09'52" E, along said East line, a distance of 400.72 feet to a point on the East line of the Northeast 1/4 of said Section 19; thence run S 00°08'02" W, along said East line, a distance of 2,644.41 feet to a point on the East/West centerline of said Section 20; thence run S 89°52'08" E, along said East/West centerline, a distance of 668.17 feet to a point on the aforesaid Westerly limited access right of way of Polk County Parkway; thence run S 00°07'52" W, along said Westerly limited access right of way line, a distance of 100.00 feet to a point 100.00 feet South of (when measured perpendicular to) the aforesaid East/West centerline of said Section 20; thence run N 89°52'08" W, along said South line, a distance of 2,640.42 feet to a point on the South line of the Southwest 1/4 of said Section 19; thence run S 89°07'49" W, along said South line, a distance of 43.66 feet to a point on the aforesaid boundary line of those lands as described and recorded in Official Records Book 8142, Page 449, Public Records of Polk County, Florida; thence Northwestesterly, along said boundary line, the following courses and distances: run S 61°32'51" W, a distance of 93.01 feet; thence run S 63°52'23" W, a distance of 2,983.95 feet to a point on the South line of the North 1/2 of the Northwest 1/4 of said Section 30; thence run S 89°12'11" W, along said South line, a distance of 189.78 feet to a point on the Northwest 1/2 of the Northeast 1/4 of said Section 25; thence run S 00°21'30" W, parallel with said East line of the Northeast 1/4 of said Section 25, a distance of 1316.25 feet to a point on the North line of the Northeast 1/4 of said Section 25; said point being 496.00 feet West of (when measured perpendicular to) the East line of the Southeast 1/4 of said Section 24; thence run N 00°02'28" W, parallel with said East line, a distance of 1,076.63 feet to a point 1565.00 feet South of (when measured perpendicular to) the East/West centerline of said Section 24; thence run S 89°32'53" W, parallel with said East/West centerline, a distance of 2451.71 feet to a point 315.00 feet West of (when measured perpendicular to) the North/South centerline of said Section 24; thence run N 00°09'34" W, parallel with said North/South centerline, a distance of 3,940.30 feet to a point 268.00 feet South of (when measured perpendicular to) the North line of said Section 24; thence run S 89°34'43" W, parallel with said North line, a distance of 2,300.95 feet to a point on the West line of the Northwest 1/4 of said Section 24; thence run N 00°07'01" E, along said West line, a distance of 268.01 feet to a point on the West line of said Section 13; thence run N 00°25'21" W, along said West line, a distance of 200.00 feet; thence run S 89°26'22" W, parallel with the South line of said Section 14, a distance of 315.58 feet to a point on the Southeasterly line of a Temporary Access Easement, as described and recorded in Official Records Book 7943, Page 1273, Public Records of Polk County, Florida; said point being a point on a non-tangent curve, concave Southeasterly, having a radius of 200.00 feet; thence Southwesterly, along the Southeasterly line of said Temporary Access Easement and along the aforesaid boundary line of those lands per Official Records Book 8142, Page 449, the following courses and distances: on a chord bearing of S 49°30'24" W and a chord distance of 53.18 feet, run Southwesterly, along the arc of said curve, a distance of 53.34 feet, through a central angle of 15°16'46" to the point of tangency thereof; thence run S 41°52'01" W, a distance of 330.82 feet to a point of curvature of a curve, concave Northwesterly, having, having a radius of 950.00 feet and a central angle of 23°42'07"; thence run Southwesterly, along the arc of said curve, a distance of 392.99 feet to the point of tangency thereof; thence S 65°34'08" W, a
ATTACHMENT “A”

Legal Description (cont):

distance of 714.89 feet; thence run S 65°02'35" W, a distance of 549.89 feet; thence run S 65°43'46" W, a distance of 779.84 feet; thence run S 64°16'22" W, a distance of 524.29 feet to a point of curvature of a curve, concave Northwesterly, having a radius of 950.00 feet and a central angle of 15°28'20"; thence run Westerly, along the arc of said curve, a distance of 256.54 feet to a point; thence, departing the Southeasterly line of said Temporary Access Easement, continue along the aforesaid boundary line of lands per Official Records Book 8142, Page 449, the following eight (8) courses and distances: run S 26°43'35" E, a distance of 80.31 feet; thence run S 41°20'11" E, a distance of 419.70 feet; thence run S 00°29'53" E, a distance of 1257.31 feet; thence run S 62°25'31" E, a distance of 167.63 feet; thence run S 88°25'12" E, a distance of 580.89 feet; thence run S 44°47'57" E, a distance of 327.05 feet; thence run S 12°17'16" E, a distance of 152.50 feet; thence run S 00°36'17" E, a distance of 1699.61 feet to a point on the South line of said Section 23; thence run N 89°55'26" W, along said South line, a distance of 3,151.13 feet to a point on the North line of the Northeast 1/4 of said Section 27; thence run S 89°41'02" W, along said North line, a distance of 1,330.47 feet to a point on the East line of the West 3/4 of the North 1/2 of said Section 27; thence run S 00°32'35" W, along said East line, a distance of 2,633.63 feet to a point on the South line of the North 1/2 of said Section 27; thence run N 89°52'52" W, along said South line, a distance of 3,918.96 feet to a point on the Easterly right of way line of Combee Road; said point being a point on a non-tangent curve, concave Westerly, having a radius of 5769.58 feet; thence run Northwesterly, along said Easterly right of way line, the following courses and distances: on a chord bearing of N 04°11'48" W and a chord distance of 710.53 feet, run Northerly, along the arc of said curve, a distance of 710.98 feet, through a central angle of 07°03'38" to a point of tangency thereof; thence run N 07°43'37" W, a distance of 1882.22 feet to a point of curvature of a curve, concave Westerly, having a radius of 5,769.58 feet and a central angle of 08°37'00"; thence run Northwesterly, along the arc of said curve, a distance of 867.68 feet to the point of tangency thereof; thence run N 16°20'37" W, a distance of 796.90 feet to a point on the Easterly right of way line of State Road No. 33; thence run N 20°31'55" E, a distance of 710.98 feet to a point on the South line of (when measured perpendicular to) the North line of the South 3/4 of said Section 15; thence Easterly and parallel with said North line, the following two (2) courses and distances: run N 89°54'57" E, a distance of 583.83 feet; thence run N 89°54'57" E, a distance of 1,326.52 feet to a point on the East line of the West 3/4 of the South 1/2 of said Section 15; thence run N 00°07'35" W, a distance of 400.00 feet to a point on the Northeast 1/4 of said Section 15; thence run N 00°07'35" W, a distance of 1320.97 feet to a point on the North line of the South 3/4 of said Section 15; thence run N 89°43'49" E, a distance of 780.01 feet to the Point of Beginning.

LESS AND EXCEPT:

Parcel 116CWest, as described and recorded in Official Records Book 4681, Page 504, Public Records of Polk County, Florida, being more particularly described as follows:

Commence at the Southwest Corner of the Southwest 1/4 of said Section 12; thence run N 00°23'07" W, a distance of 1240.45 feet to a point on the South line of those lands as described and recorded in Official Records Book 2057, Page 646, Public Records of Polk County, Florida; thence run N 72°47'55" E, a distance of 3,300.73 feet; thence, departing said South line, run S 01°53'18" E, a distance of 47.69 feet to the Northeast corner of said Parcel 116CWest for the Point of Beginning; thence along the boundary line of said Parcel 116CWest, the following courses and distances: continue S 01°53'18" E, a distance of 546.91 feet; thence run S 88°06'41" W, a distance of 464.32 feet; thence run N 01°53'18" W, a
ATTACHMENT “A”

Legal Description (cont):

distance of 120.03 feet; thence run N 88°06'42" E, a distance of 227.57 feet, thence run N 01°53'18" W, a distance of 161.10 feet; thence run N 88°06'42" E, a distance of 66.59 feet; thence run N 20°09'07" E, a distance of 94.59 feet; thence run N 05°21'37" W, a distance of 81.37 feet; thence run N 46°54'07" E, a distance of 85.86 feet; thence run N 01°53'18" W, a distance of 19.78 feet; thence run N 72°47'55" E, a distance of 77.76 feet to the Point of Beginning.

LESS AND EXCEPT:

Parcel 2 and Parcel 3, as described and recorded in Official Records Book 8791, Page 489, Public Records of Polk County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of said Section 13; thence run N 00°25'20" W, along the West line thereof, a distance of 250.00 feet for the Point of Beginning; thence continue N 00°25'20" W, along said West line, a distance of 3,427.00 feet; thence run N 89°34'43" E, parallel with the South line of said Section 13, a distance of 4,580.00 feet; thence run S 00°25'20" E, parallel with the aforesaid West line of said Section 13, a distance of 3,427.00 feet to a point 250.00 feet North of (when measured perpendicular to) the aforesaid South line of said Section 13; thence run S 89°34'43" W, parallel with said South line, a distance of 4,580.00 feet to the Point of Beginning.

Also Less right of way as described and recorded in Official Records Book 7984, Page 500, as revised in Official Records Book 8185, Page 82, of the Public Records of Polk County, Florida.

TOGETHER WITH:

PARCEL “B”

A portion of Sections 7 and 18, Township 27 South, Range 25 East, Polk County, Florida, being more particularly described as follows:

Begin at the Northeast corner of the Northeast 1/4 of said Section 18; thence run S 00°09'17" E, along the East line thereof, a distance of 2523.12 feet to a point on the Easterly limited access right of way line of Polk County Parkway, as described and recorded in Official Records Book 7772, Page 2064, Public Records of Polk County, Florida; thence Northwesterly, along said Easterly limited access right of way line per Official Records Book 7772, Page 2064 and as described and recorded in Official Records Book 3884, Page 2090, Public Records of Polk County, Florida, the following courses and distances: run N 89°47'49" W, a distance of 266.16 feet; thence run N 15°59'39" W, a distance of 851.65 feet to a point on a non-tangent curve, concave Southwesterly, having a radius of 46026.62 feet; thence, on a chord bearing of N 16°49'18" W and a chord distance of 633.27 feet, run Northerly, along the arc of said curve, a distance of 633.27 feet, through a central angle of 00°47'18" to a point of tangency thereof; thence run N 17°12'57" W; a distance of 3469.34 feet; thence run S 72°47'03" W, a distance of 20.00 feet; thence run N 17°12'57" W, a distance of 918.30 feet; thence run N 11°08'13" W, a distance of 283.29 feet; thence run N 12°25'26" W, a distance of 58.20 feet to a point on the boundary line of Parcel 3, as described and recorded in Official Records Book 8748, Page 838, Public Records of Polk County, Florida; thence along said boundary line of Parcel 3, the following courses and distances: run N 89°59'44" E, a distance of 102.80 feet; thence run N 45°23'36" E, a distance of 370.63 feet; thence run N 00°01'31" E, a distance of 156.58 feet; thence run N 89°49'25" W, a distance of 304.60 feet to a point on the aforesaid Easterly limited access right of way line of Polk County Parkway; said point being a point on a non-tangent curve, concave Easterly, having a radius of 821.47 feet; thence, on a chord bearing of N 30°21'05" E and a chord distance of 167.73 feet, run Northeasterly, along said Easterly limited access right of way line and along the arc of said curve, a distance of 168.02 feet, through a central angle of 11°43'09" to a point on the North line of the South 3/4 of said Section 7; thence run S 89°49'25" E, along said North line, a distance of 96.19 feet to a point on the boundary line of Parcel 2, as described and recorded in the aforesaid Official
ATTACHMENT “A”

Legal Description (cont):

Records Book 8748, Page 838; thence Easterly, along said boundary line of Parcel 2, the following courses and distances: run S 00°11'03" W, a distance of 89.51 feet; thence run S 89°48'57" E, a distance of 410.01 feet; thence run N 00°11'03" E, a distance of 89.57 feet to a point on the aforesaid North line of the South 3/4 of said Section 7; thence run S 89°49'25" E, along said North line, a distance of 1,308.39 feet to a point on the Southerly right of way line of Mt. Olive Road; said point being a point on a non-tangent curve, concave Northerly, having a radius of 994.93 feet; thence Easterly, along said Southerly right of way line, the following courses and distances: on a chord bearing of S 86°47'33" E and a chord distance of 84.22 feet, run Easterly, along the arc of said curve, a distance of 84.24 feet, through a central angle of 04°51'05" to the point of tangency thereof; thence run S 89°13'06" E, a distance of 12.36 feet to a point on the East line of the Northeast 1/4 of said Section 7; thence run S 00°02'58" E, along said East line, a distance of 1321.99 feet to a point on the East line of the Southeast 1/4 of said Section 7; thence run S 00°04'07" E, along said East line, a distance of 2652.71 feet to the Point of Beginning.

TOGETHER WITH:

PARCEL "C"
A portion of Section 20, Township 27 South, Range 25 East, Polk County, Florida, being more particularly described as follows:
Commence at the West 1/4 corner of said Section 20; thence run S 89°52'08" E, along the East/West centerline of said Section 20, a distance of 1214.29 feet to a point on the Easterly limited access right of way of Polk County Parkway, as described and recorded in Official Records Book 3884, Page 2090, Public Records of Polk County, Florida for the Point of Beginning; thence continue S 89°52'08" E, along said East/West centerline, a distance of 2,944.38 feet to a point on the Southwesterly line of those lands as described and recorded in Official Records Book 2044, Page 123, Public Records of Polk County, Florida; said point being a point of curvature of a curve, concave Southwesterly, having a radius of 716.20 feet and a central angle of 58°23'59"; thence run Southeasterly, along said Southwesterly line and along the arc of said curve, a distance of 730.00 feet to a point on the West line of an existing 100.00 foot wide Tampa Electric Company right of way as described in Official Records Book 3327, Page 1843, Public Records of Polk County, Florida; thence run S 00°03'14" E, along said West line, a distance of 373.29 feet to a point 100.00 feet Southwesterly of (when measured perpendicular to) the aforesaid Southwesterly line of lands per said Official Records Book 2044, Page 123; said point being a point on a non-tangent curve, concave Southwesterly, having a radius of 616.20 feet; thence, on a chord bearing of N 44°57'41" W and a chord distance of 870.03 feet, run Northwesterly, parallel with said Southwesterly line and along the arc of said curve, a distance of 965.94 feet, through a central angle of 89°48'54" to the point of tangency thereof; said point lying 100.00 feet South of (when measured perpendicular to) the aforesaid East/West centerline of said Section 20; thence run N 89°52'08" W, parallel with said East/West centerline, a distance of 2910.72 feet to a point on the aforesaid Easterly limited access right of way line of said Polk County Parkway; thence run N 15°52'11" W, along said Easterly limited access right of way line, a distance of 104.03 feet to the Point of Beginning.
## Development Program and Phasing

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>PHASE 1 ACRES</th>
<th>PHASE 1 UNITS / SF</th>
<th>PHASE 2 ACRES</th>
<th>PHASE 2 UNITS / SF</th>
<th>PHASE 3 ACRES</th>
<th>PHASE 3 UNITS / SF</th>
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<td>SURFACE WATERS</td>
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<td>PARKS/OPEN SPACE</td>
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<td><strong>2,479.90</strong></td>
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(1) The hotel use will be accommodated within the office (Research Park) acreage.

(2) Surface water acreage can be accommodated with other land uses, as generally depicted on Map D - General Stormwater Plan.
## ATTACHMENT “F” - TRIP GENERATION TABLE
### Trip Generation Summary by Phase

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<thead>
<tr>
<th>Trip Classification</th>
<th>Daily</th>
<th>P.M. Peak Hour</th>
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<td>Enter</td>
<td>Exit</td>
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<td><strong>Phase 1</strong></td>
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<tr>
<td>Total Trips</td>
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<td>273</td>
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<tr>
<td>Pass-by Trips</td>
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<td>37</td>
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<td>Net External Trips</td>
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<td><strong>Phase 2A</strong></td>
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<td>Pass-by Trips</td>
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<td>Cumulative Net External Trips</td>
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<td><strong>Phase 2B and 3</strong></td>
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<td>Net External Trips</td>
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<td>Cumulative Net External Trips</td>
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## EQUIVALENCY MATRIX FOR LAND USE & TRIP EXCHANGE RATES (WILLIAMS PUD)

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<th>FROM</th>
<th>SINGLE FAMILY 1 DU</th>
<th>MULTI-FAMILY 1 DU</th>
<th>HOTEL 1 RM</th>
<th>OFFICE (0-10 KSF)</th>
<th>OFFICE (11-50 KSF)</th>
<th>OFFICE (51-100 KSF)</th>
<th>RETAIL (0-10 KSF)</th>
<th>RETAIL (11-50 KSF)</th>
<th>RETAIL (51-100 KSF)</th>
<th>INDUSTRIAL (1 KSF)</th>
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<tr>
<td>SINGLE-FAMILY 1 DU</td>
<td>-----</td>
<td>1.44 DU</td>
<td>1.07 RMS</td>
<td>.42 KSF</td>
<td>.61 KSF</td>
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<td>.11 KSF</td>
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<td>MULTI-FAMILY 1 DU</td>
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<td>.04 KSF</td>
<td>.07 KSF</td>
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<td>3.41 DU</td>
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<td>2.3 DU</td>
<td>1.74 RMS</td>
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<td>-----</td>
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<td>1.77 KSF</td>
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<td>.44 KSF</td>
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<td>.08 KSF</td>
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<td>Office (11-50 KSF)</td>
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<tr>
<td>Office (51-100 KSF)</td>
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<tr>
<td>Industrial (1 KSF)</td>
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</table>

\(^1\) Trip Rate from the 6th Edition Trip Generation published by the Institute of Transportation Engineers
MINUTES

Planning & Zoning Board
City Commission Chambers
Tuesday, August 20, 2019
8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session, Stephanie Franklin (Chair), Andrew Snyder (Vice-Chair), Glenn Higgins (Secretary), Leigh Ann Lunz, Lyle Philipson, and Ronald Roberts were present. Community & Economic Development Department staff Teresa Maio, Community Planning & Housing Manager; Matthew Lyons, Principal Planner; Chuck Barmby, Transportation Manager; Todd Vargo, Senior Planner; Joshua Cheney, Senior Planner; Phillip Scearce, Principal Planner; and Brandy Gillenwater, Planning Assistant were present. Assistant City Attorney Palmer Davis was also present.

PUBLIC HEARING

ITEM 1: Conditional use to allow a church, with a cemetery as an accessory use, on approximately 9.1 acres located south of Olive Street, east of Oregon Avenue and west of Beech Avenue (1506 Olive Street). Owner: Paxton Real Properties. Applicant: Thomas Workman. (CUP19-005) (Withdrawn by Applicant)

Teresa Maio stated the application for the conditional use to allow for a cemetery that would have been affiliated with the neighboring church property. It is undetermined at this time as to whether the church is active or inactive. The proposed cemetery would require a conditional use. The applicant has stated the cemetery will not be associated with the church which means the request would not be heard by the Board through the conditional use process. The applicant is working to have several easements vacated on the property which is being reviewed by City staff and neighbors surrounding the property.

In response to Teresa Maio, Stephanie Franklin stated the community has concerns going forward

In response to Stephanie Franklin, Palmer Davis stated no need for public comment. Matthew Lyons stated hearing the comments of the neighbors in the audience could be of some value going forward if the applicant continues in the future with the application.

Jinola Cleve, 502 Beech Ave, stated she is concerned about possible mental effect a cemetery would have on the children in the community as well as the equity of nearby homes.

In response to Ms. Franklin, Ms. Cleve stated the petition has received over 100 signatures.

In response to Lyle Philipson, Teresa Maio stated the applicant would have to reapply for a conditional use.

ITEM 2: Changes to Article 2 (Use Standards) to revise and consolidate the master use list and permitted uses table, add definitions and locational standards for certain high impact commercial uses, define micro-breweries, micro-wineries and micro-distilleries, allow for small scale, craft/artisan manufacturing within commercial zoning districts, office support and accessory retail uses within I-2 zoning districts and the indoor cultivation and production of non-food crops within I-1 and I-2 zoning districts. Applicant: City of Lakeland. (LDC19-001)
Matthew Lyons stated the 2013 adoption of the Land Development Code did not address use standards. Staff has identified that the uses defined in the master use list have not been updated since approximately 1993.

Teresa Maio stated that the proposed changes to the use portion of the Land Development Code were not provided in underline and strikethrough format in this packet but will be presented in underline and strikethrough in the packet distributed for the General Meeting.

In response to Leigh Ann Lunz, Ms. Maio stated the proposed changes should not necessitate changes in zoning designation unless sought out by others. Discussion ensued.

In response to Glenn Higgins, Mr. Lyons stated some uses are being redefined and others are not. Discussion ensued.

**ITEM 3:** Changes to Article 4 (General Site Development Standards) to adopt parking standards for single-family and two-family residential development. Applicant: City of Lakeland. (LDC19-002)

Matthew Lyons stated the amendment is meant to address an area of the Land Development Code (LDC) that is not currently regulated. No standards currently exist for off-street parking and driveways for single-family and two-family developments. At this time, only a concrete apron from the street onto the property is required by the (LDC). The proposed amendment specifies minimum standards for surfacing materials and dimensional requirements for new driveways and parking pads.

In response to Leigh Ann Lunz, Mr. Lyons stated that the use of shell is not allowed as the material breaks down over time and can wash out of the driveway and into the street.

**ITEM 4:** Changes to Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) to adopt standards for food trucks and food courts, and alcoholic beverage sales into the Land Development Code. Applicant: City of Lakeland. (LDC19-003)

Todd Vargo stated the regulations that are currently in place for food trucks are from when they functioned more like mobile canteens with limited menus. Food was generally prepacked or prepared ahead of time and sold on job sites and other areas where restaurant options were minimal. The food trucks in operation today are essentially mobile restaurants on wheels that offer a larger variety of foods made from scratch. They are much more versatile and higher in demand due to the rise of social media. Increasingly, brick and mortar type retail operations invite food trucks to operate on their property as an accessory use.

In response to Glenn Higgins, Teresa Maio stated the Yard on Mass would be considered a food truck court and the location would have a permanent structure to provide the facilities as required by the Land Development Code. The property is zoned C-2 (Highway Commercial) and would be grandfathered in, in respect to the proposed standards. If the proposed standards are adopted, anyone else who would like to develop a similar concept in the future would need to apply for a conditional use.

In response to Leigh Ann Lunz, Teresa Maio stated that the City’s Code of Ordinances defines food trucks as mobile food vendors, which is a type of transient merchant use specified under the general category of Peddlers and Solicitors. Unlike other transient merchant uses, mobile food vendors do not
have a limitation on the number of days that they can operate but must be located on properties with access to permanent restroom facilities. Presently, mobile food vendors are limited to properties with either a C-2 (Highway Commercial) or C-4 (Community Center Commercial) zoning classification. The proposed amendment would expand the locations for food trucks to operate by right into Light Industrial (I-1) and Medium Industrial (I-2) zoning districts.

In response to Stephanie Franklin, Ms. Maio stated that Chick-fil-A temporarily operated a food truck on Carlton Music Store’s property on Harden Boulevard while the S. Florida Avenue location was being constructed. As such, Carlton Music was required to provide access to permanent restroom facilities on the premises for the duration of the food truck use.

In response to Lyle Philipson, Ms. Maio stated the process today is for food truck owners to obtain a business tax receipt. Matthew Lyons stated applicants must also obtain consent from the property owner and confirmation that bathroom facilities are available in order to obtain a business tax receipt.

In response to Mr. Philipson, Mr. Lyons stated there are currently no setback requirements for food trucks. Discussion ensued.

In response to Andrew Snyder, Mr. Lyons stated a one-time use of a food truck would be considered as a caterer.

In response to Mr. Philipson, Mr. Lyons stated all food trucks would have to comply with the regulations.

In response to Stephanie Franklin, Ms. Maio stated more food truck courts in different locations are a possibility and the proposal states future food truck courts will not be allowed to have permanent utility connections.

In response to Jennifer Batts, Yard on Mass, 802 N. Massachusetts Avenue, Ms. Maio stated site plans that have been approved would not need to resubmitted. The site plan will stand approved as is. Discussion ensued.

In response to Ms. Franklin, Mr. Lyons stated staff can discuss wastewater disposal options with the water department.

In response to Mr. Snyder, Ms. Batts stated Your Pro Kitchen creates baked goods only and no longer operates as a commissary kitchen.

ITEM 5: Changes to Article 4 (General Site Development Standards) to limit the use of barbed wire, razor wire, and electrical fences in commercial zoning districts. Applicant: City of Lakeland. (LDC19-004)

Joshua Cheney stated the City has previously allowed barbed and razor wire fences and electrical fences without restrictions outside of residential zoning districts. Most zoning codes throughout the state limit such fencing to industrial zoning districts and restrict or prohibit such fencing in all other zoning districts. There are numerous examples of commercial properties within the City in which barbed wire fencing can be found in front, rear, and street side yards.
In response to Stephanie Franklin, Matthew Lyons stated razor wire is typically used for hardened sites like prisons or militarized areas.

In response to Ms. Franklin, Mr. Cheney stated there are properties within the City where razor wire is in use.

In response to Andrew Snyder, Mr. Lyons stated existing fences will be considered legal non-conforming and would be allowed to remain until changes are made to the fencing.

In response to Lyle Philipson, Mr. Cheney stated new or replacement fences would need to come into compliance or if the site were redeveloped and the value of the improvements exceed 50% of the assessed property value.

**ITEM 6:** Changes to Article 3 (Urban Form Standards) to specify a minimum height of 24 feet for street facing building facades on properties located within the Urban Center (UCT) context sub-district. Applicant: City of Lakeland.  (LDC19-005)

Phillip Scearce stated the amendment is to the C-6 (Downtown Commercial) and C-7 (Munn Park Historic) zoning districts within walkable areas that are used by pedestrians. The proposed changes are intended to ensure that building facades on new development are pedestrian-oriented and reinforce the sense of an outdoor room. Requiring a minimum height of two-stories is always economically feasible. The proposed changes allow for one-story construction while still maintaining the look and feel adjacent to the street.

Matthew Lyons stated the changes would only apply to new development.

**ITEM 7:** Changes to Article 3 (Urban Form Standards) to provide additional options for compliance with civic open space requirements in areas zoned for dense urban development. Applicant: City of Lakeland.  (LDC19-006)

Matthew Lyons stated civic open space was adopted in the 2013 update to the Land Development Code requiring commercial, multi-family residential developments. Civic open space is required for most new commercial and residential development. Examples include tot-lots, community green spaces and neighborhood recreation facilities. The proposed amendment would allow for more flexibility for dense infill project where land is limited.

**ITEM 8:** Changes to Article 3 (Urban Form Standards) to adopt a new definition for frontage buildout, increase the maximum front setback range for principal structures in single-family zoning districts, and allow entrance features to be optional within the Suburban Neighborhood context sub-district. Applicant: City of Lakeland.  (LDC19-007)

Todd Vargo stated the proposed amendment revises the previous definition for frontage buildout, increases the maximum setback range for properties located within the Urban Neighborhood context sub-district and makes entrance features optional for new construction with the Suburban Neighborhood context sub-district.

In response to Andrew Snyder, Mr. Vargo stated newly constructed homes are allowed to have a garage entrance on the front of the house as long as it meets the Florida Building Code. Matthew Lyons
stated the amendment was in response to feedback from the development community. Teresa Maio stated standards still exist for the placement and width of the garage.

ITEM 9: Changes to Article 6 (Natural Resource Protection Standards) to allow an administrative variance process for the construction of shoreline stabilization structures, such as seawalls and riprap, and from the 50-foot minimum setback requirement for property located on protected lakeshores when constructing principal or accessory structures. Applicant: City of Lakeland. (LDC19-008)

Phillip Scearce stated the proposed amendments affect the development around protected shorelines in the City. Protected shorelines are designated along Lake Beulah, Lake Bonnett, Lake Bonny, Lake Crago, Lake Gibson, Lake Hollingsworth, Lake Holloway, Lake Hunter, Lake Morton, Lake Parker, and Lake Wire. The current standard specified a minimum setback of 50 feet from the ordinary high-water line. The proposed changes will allow for an administrative variance process from the 50-foot setback requirement in lieu of the current standards which mandate a formal variance application.

ITEM 10: Changes to Section 1.6 (Definitions) to revise the definitions for multi-family and two-family dwellings. Applicant: City of Lakeland. (LDC19-009)

Matthew Lyons stated the proposed amendment revises the definition for multi-family to reflect how multi-family projects are developed in practice. The definition for two-family is being revised to address the frontage requirements specified by the Land Development Code.

In response to Leigh Ann Lunz, Mr. Lyons stated those who seek to build accessory dwelling units have to conform to the requirements for those building types specifically.

ITEM 11: Changes to Article 3 (Urban Form Standards) to redefine how transparency is measured for new development within office, commercial, and light industrial zoning districts, and allow for reduced transparency for development located outside of downtown. Applicant: City of Lakeland. (LDC19-010)

Joshua Cheney stated buildings with limited windows in commercial areas of the City may have a negative impact on the streetscape and deter pedestrian traffic. Currently the LDC specifies that the first 15 feet of building height of ground floor, street facing facades contain a minimum of 40 percent of openings (glass, windows, transoms or doors) with a minimum visible transmittance rating of ten percent.

Matt Lyons stated the proposed changes focus on addressing visibility at the pedestrian level, along the portion of a façade between two and 10 feet above grade. The proposed changes should reduce the amount of glazing required while producing a better outcome at the pedestrian level. Mr. Lyons showed slides which demonstrated why the current standard for visible transmittance is ineffective. The current standards allow for glazing which blocks up to 90% of visible light. Mr. Lyons stated that this creates both an aesthetic and safety problem.

ITEM 12: Changes to Article 9 (Subdivision Standards) to provide clarification regarding the arrangement of lots and lot lines when subdividing property. Applicant: City of Lakeland. (LDC19-011)
Todd Vargo stated the amendment addresses the creation of flag lots and through-lots. The current regulations do not define flag lots or specify when through-lots can be created. Flag lots result in the inefficient subdivision of land and are not ideal as they can be confusing to first responders. Through-lots may be acceptable if platted as part of a uniform block at the time of subdivision. The creation of new through-lots within existing subdivisions, however, is problematic.

**ITEM 13:** Changes to Article 4 (General Site Development Standards) to adopt buffering and locational standards for aboveground equipment such as backflow preventers, utility meters, and sprinkler monitoring systems. Applicant: City of Lakeland. (LDC19-012)

Phillip Scearce stated the existing language in the LDC describes buffering for aboveground equipment but does not specify locational criteria.

In response to Stephanie Franklin, Mr. Lyons stated applicants will be notified early in the concept phase to allow them to plan for the additional buffering.

In response to Leigh Ann Lunz, Mr. Lyons stated the process for reviewing buffers for such equipment early on during the concept review process has been inconsistent.

In response to Ronald Roberts, Mr. Lyons stated existing equipment would be allowed to remain and would be grandfathered in.

**ITEM 14:** Changes to Article 2 (Use Standards) to adopt development standards for single-family residential uses within (LD) Limited Development zoning districts. Applicant: City of Lakeland. (LDC19-013)

Todd Vargo stated the proposed changes are intended to address property within the City which is zoned as Limited Development (LD). LD zoning is primarily intended for conversation or as a placeholder when infrastructure and services are not in place to support more intense development. Development standards for single-family home construction that existed prior the 2013 revision to the Land Development Code were not adopted into the Code. The proposed amendment would adopt the standards into the current LDC. The standards are intended to allow for limited development of residential uses.

In response to Andrew Snyder, Teresa Maio stated LD zoning exists north of Interstate-4 in the Green Swamp area.

**ITEM 15:** Revisions to the Special Public Interest (SPI) zoning overlay for South Lake Morton – Ordinance 3050, as amended, to revise the maximum living area for detached, secondary, residential structures and garage apartments to align with the standards for Accessory Dwelling Units (ADUs) specified under Section 4.3.2 of the Land Development Code. Applicant: City of Lakeland. (SPI19-001)

Todd Vargo stated in the South Lake Morton Special Public Interest (SPI) zoning overlay, secondary residential units are limited to a maximum floor area of 530 square feet. The proposed changes bring the floor area provisions in alignment with City-wide standards for Accessory Dwelling Units (ADUs) that were adopted about a decade ago.
ITEM 16: Expansion of the Special Public Interest (SPI) zoning overlay for Florida Southern College – Ordinance 5144, as amended, to allow a new 2-story school building, as part of an expansion of the existing Roberts Academy school, on property located at 1131 Frank Lloyd Wright Way. Owner: Florida Southern College. Applicant: City of Lakeland. (SPI19-002)

Joshua Cheney stated the subject property is at the southwest corner of the intersection of Frank Lloyd Wright Way and Hollingsworth Road directly across street from existing Roberts Academy building, and located on the eastern boundary of the college campus. The proposal is to expand the existing Special Public Interest (SPI) zoning district overly for Florida Southern College. The subject property is approximately 1.17 acres in size with RA-3 (Single-Family) zoning and Residential Medium (RM) future land use. Staff has not received comment from the public regarding the request at this time.

Teresa Maio stated the applicant is seeking to expand the SPI that exists over the majority of the campus and is intended to address the institutional use in the neighborhood and guide compatibility within the neighborhood. The SPI zoning can only be amended by the City.

V. Terry Dennis, Florida Southern College, 111 Lake Hollingsworth Drive, stated the existing Roberts Academy has been active for approximately nine years and serves as a transitional school for children with dyslexia. The student count has grown and the administration is now looking to adjust the mix of grades within the classrooms. The proposal will require the removal of a house near the existing vacant lot that is typically used for overflow parking.

Mike Murphy, Florida Southern College, 111 Lake Hollingsworth Drive, stated the primary concern would be the architectural impact on the perimeter of campus. This was discussed with the City who was interested in the building matching the look of the neighborhood.

In response to Teresa Maio, Mr. Murphy stated some of the traffic circulation will consist of single and double lanes with west to east movement for drop off and pick up to account for stacking.

In response to Lyle Philipson, Tracey Tedder stated the maximum capacity is 190 students, current enrollment is 162 students.

In response to Mr. Roberts, Ms. Tedder stated the school works with parents to accept children into the school that are primarily from Lakeland but children come from different parts of the state and country.

Ann Furr, 904 Hollingsworth Road stated she is in favor of the project.

GENERAL MEETING

ITEM 17: Review minutes of the July meeting.

Andrew Snyder made a motion for approval of the minutes from the previous meeting. Glenn Higgins seconded the motion and it passed 6-0.

ITEM 18: Major Modification of PUD (Planned Unit Development) zoning to increase the maximum floor area for retail commercial/office uses from 50,000 to 55,000 square feet, allow up to four fast casual restaurants and one quick service (fast food) restaurant with drive-through service, remove existing entitlements for a 150,000 square foot
office building, a 130-room hotel, and a convenience store with motor vehicle fuel sales, and adopt a new site development plan on approximately 17.79 acres located north of Town Center Drive and west of Harden Boulevard. Note: Applicant requests an additional one month delay.

Teresa Maio stated staff has been meeting with the applicant and the concern of focus is at the corner of Harden Boulevard and Towne Center Drive and the orientation of restaurants with drive through lanes.

In response to Stephanie Franklin, Ms. Maio stated changes have been made with each discussion.

Glenn Higgins made a motion to continue the request to the next hearing. Lyle Phillipson seconded the motion and it passed 6-0.

ITEM 19: Plat approval for Wainwright Subdivision on 12.12 acres located 400 ft. north of the intersection of Kathleen Road and Griffin Road. Owner: The Ruthven Group. Applicant: Jennifer Schroyer, Chastain-Skillman. (SUB18-019)

Joshua Cheney stated a plat for the Wainwright Subdivision has been submitted by Chastain-Skillman. The plat consists of six lots on 12.12 acres generally located west on Kathleen Road north of the intersection of Kathleen Road and Griffin Road. The plat has been reviewed by all departments and is conforming with the City’s subdivision regulations within the Land Development Code. Staff recommended approval of the plat.

Glenn Higgins made a motion for approval of staff’s recommendation. Andrew Snyder seconded the motion and it passed 5-0. Leigh Ann Lunz recused herself from the vote for this item.


Teresa Maio reviewed the recent actions of the City Commission.

ITEM 21: Community Housing & Planning Manager’s Report.

Teresa Maio reviewed the new cases for the September hearing.

ITEM 22: Audience.

There were no comments from the audience.

ITEM 23: Adjourn.

There being no further discussion, the meeting was adjourned at 11:20 am.

Respectfully Submitted,

Stephanie Franklin, Chair
Andrew Snyder, Vice-Chair
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 2 (Use Standards) revise and consolidate uses listed in Table 2.3-1 (Permitted Principal Uses); add definitions and locational standards for certain high impact commercial uses; provide definitions and use standards for micro-breweries, micro-wineries and micro-distilleries; allow for small scale, craft/artisan manufacturing within commercial zoning districts; allow office support and accessory retail uses within the I-2 zoning district; and allow the indoor cultivation and production of non-food crops within I-1 and I-2 zoning districts.

1.2 Attachments

Attachment A: Proposed changes to Table 2.3-1 (Permitted Principal Uses)
Attachment B: Proposed changes to Section 2.6 (Master Use List)

2.0 Discussion

The current version of the Land Development Code (LDC) was adopted by the City Commission in December of 2013. While the new code made several changes pertaining to parking, landscaping, site development, and subdivision standards, the regulation of use has changed little since the previous version of the code was adopted in 1993.

The current regulatory approach attempts to anticipate every possible use within a given zoning district. In many instances, the code simply allows certain uses while prohibiting other uses with similar impacts without any clear rationale. Much of the terminology used is highly dated and many of the uses listed are no longer relevant due to economic and technological changes. Definitions for individual uses, when provided, are often vague or incomplete. As result, the code frequently lacks the flexibility to account for new business models or uses that did not exist at the time of adoption. Yet, the code is also too permissive regarding certain high impact uses, such as motor vehicle fuel sales and used car sales, whose scale and character have changed over time.
The proposed changes primarily apply to office and commercial uses geared towards the general public. The intent is to focus on those uses that have the greatest impacts, while reducing restrictions for a broad variety of general office uses, retail sales, and personal services uses that otherwise have minimal impacts.

To this end, staff is recommending that office and commercial uses be consolidated into seven new sub-groups: Commercial Lodging, Motor Vehicle Oriented Uses, Office Uses, Personal Services, Recreation & Entertainment, Restaurants, and Retail Sales. Within each category, uses are further specified under either general categories or listed individually due to their particular impacts. For Retail Sales and Personal Services uses, only specific high impact uses will be called out. The remainder will be broadly allowed within all commercial zoning districts as either general retail sales or personal services provided that all activities occur indoors. The remaining non-residential uses of a non-commercial nature will be consolidated into three new groups: Community Facilities, Healthcare & Social Services, and Infrastructure & Transportation.

To support these changes, staff is proposing changes to Section 2.6 (Master Use List) which provides comprehensive definitions for every use specified. Certain motor vehicle-oriented uses such as drive-through facilities, new & used car sales, motor vehicle fuel sales, and motor vehicle repair services are either now defined separately or broken down into minor and major sub-categories. Several categories of new uses were added to reflect recent economic and technological changes.

**New Uses:**

- Accessory Retail within I-2 zoning districts: Up to 10% of floor area may be used for retail sales accessory to another permitted principal use (e.g. tasting room, showroom, clearance center).
- Artisan-Oriented Retail: Small-scale manufacturing for retail sale (e.g. jewelry, furniture, pottery, leathercraft, textiles, painting, sculpture, etc.).
- Food Trucks & Food Courts.
- Micro-Breweries, Micro-Wineries, & Micro-Distilleries.

New restrictions and locational standards are also proposed for certain high-impact uses. These changes address uses that either have a detrimental impact when concentrated or greater impacts dependent upon the scale of the use or specific activity.

**Proposed Locational Standards:**

- Minimum separation distance of a 1/4 mile (1,320 ft.) for new pawn shops, payday loan and check cashing stores, and rent-to-own stores from another use of the same type.
- Major motor-vehicle fuel sales, greater than six pumps/12 fueling positions, subject to certain location restrictions and conditional use.
- Major motor vehicle repair services, body shops and paints shops, limit by right to I-1, I-2 and I-3 (Heavy Industrial) zoning district and through a conditional use in C-2 zoning districts.

Lastly, staff is proposing a change which will allow for the indoor cultivation of non-food crops (ornamental plants and plants used for pharmaceutical and manufacturing purposes) in addition to food crops in I-1 and I-2 zoning. This change is proposed in response to the recent legalization of the cultivation of both hemp and medical marijuana.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A” and “B,” be approved.
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### Commercial/Industrial Uses

- **Office**
- **Residential**
- **Industrial**
- **Commercial**

### Residential Uses

- **District Office**
- **District Commercial**
- **District Industrial**
- **District Residential**

**Note:** The 2.3.1.2 permitted principal uses shall include...
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**Healthcare & Social Services**

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**Water Quality & Wastewater Treatment**

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- भूमिका
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- अन्तर
- संख्या
- श्रेणी
- मूल अंकन
- एलाका विवरण
2.6 MASTER USE LIST

2.6.1 INTENT

It is the intent of this article to provide a master list of all uses addressed by this land development code and definitions for the uses that require such definitions. Some uses are further defined in Article 5 (Regulation of Specific Uses) and elsewhere in this code.

2.6.2 SIGNIFICANCE OF STANDARD INDUSTRIAL CLASSIFICATION NUMBERS

Some industrial, warehouse, wholesale and transportation uses in the Master Use List are described or defined by reference to a U.S. Government Standard Industrial Classification (SIC) code number or numbers. (The Standard Industrial Classification system is available on several U.S. Government agency web sites.) When the use is identified by the phrase "as listed in SIC group" followed by a number, the identification has no regulatory significance; it is provided for information only. When the use is identified by the phrase "including all uses listed in SIC group" followed by a number, the identification has regulatory significance; it means the use identified includes all the uses listed in the specified SIC group and that all those uses are permitted wherever the named use is permitted. When the use is identified by the phrase "including the following uses listed in SIC group" followed by a number and a list of uses, the identification has regulatory significance in that the list of uses that follow the SIC group number are included in the previously named use and that all those uses are permitted wherever the named use is permitted. However, no other uses, from the indicated SIC, group are permitted.

2.6.3 PRINCIPAL USES LISTED AND DEFINED

2.6.3.1 Principal Residential Uses

Convents and Monasteries

Dormitories: Including buildings used as group living quarters as an accessory use for a college, university, boarding school, orphanage, or other similar institutional use.

Farm Employee Housing: Single or multiple family dwellings or dormitories provided for the exclusive use of farm employees and their families.

Fraternities and Sororities

Residential, Single-Family Attached: Single-family attached residential uses consist of single-family attached dwellings as defined in Article 2.

Residential, Single-Family Detached: Single-family detached residential uses consist of single-family detached dwellings as defined in Article 2.

Residential, Two-Family: Two-family residential uses consist of two-family dwellings as defined in Article 2.

Residential, Multi-Family: Multi-family residential uses consist of multi-family dwellings as defined in Article 2.

Residential, Multi-Family for the Elderly: Multi-family residential uses which are restricted to occupancy by the elderly. For the purposes of this section, the elderly shall be all persons who
are 62 years of age or older plus all persons in a household the head of which is 62 years of age or older plus persons in a household at least half of whose members are 62 years of age or older. Units are considered to be restricted to occupancy by the elderly if they are restricted by any long term, binding public or private covenant. Covenants shall be considered to be long term if they will be in effect for a period of at least 15 years from the date of initial building occupancy. Covenants shall be considered to be binding if they are judged by the City Attorney to incorporate all reasonable and feasible language to render them binding.

Residential, Mobile Home

Residential, One or More Dwelling Units Located Above the First Floor of a Building Which Contains Another Permitted Principal Use on the First Floor

Residential, One or More Dwelling Units Located Above the First Floor of a Building Fronting on a Transit Oriented Corridor and Which Contains Another Permitted Principal Use on the First Floor

Child Care Facility: A facility for the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his/her individual needs, and for which a payment, fee, or grant is made for care. (See Day Care Center/Child.)

Convents and Monasteries

Dormitories: Including buildings used as group living quarters as an accessory use for a college, university, boarding school, orphanage, or other similar institutional use.

Farm Employee Housing: Single or multiple family dwellings or dormitories provided for the exclusive use of farm employees and their families.

Fraternities and Sororities

Group Homes, Level I: Level I Group Homes are group homes which do not house more than eight clients at any one time. A group home is a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities, assisted living facilities, foster care facilities, community residential homes are included in this definition. The following residential social service facilities are NOT group homes pursuant to this definition: halfway houses, delinquent detention centers; residential rehabilitation intermediate care facilities for the mentally retarded and residential treatment facilities. Also excluded from this definition of group homes are rooming houses, hostels and similar uses; residential clubs; fraternities and sororities; monasteries and convents; hotels; nursing homes and emergency shelters.

Group Homes, Level II: Level II Group Homes are group homes which house between eight and 20 clients at any one time.

Group Homes, Level III: Level III Group Homes are group homes which house more than 20 clients at any one time.

Institutional Residential, Level I: Level I institutional residential facilities do not house more than eight clients at any one time. Institutional residential facilities include the following state-licensed facilities: Delinquent detention centers—Emergency shelters—Halfway
houses—Intermediate care facilities and—Residential rehabilitation facilities for the mentally retarded—Residential treatment facilities

**Institutional Residential, Level II:** Level II institutional residential facilities house between eight and 20 clients at any one time and include all Level I institutional residential facilities.

**Institutional Residential, Level III:** Level III institutional residential facilities house more than 20 clients at any one time and include all Level I and II institutional residential facilities.

**Nursing Homes:** Including extended or intermediate care facilities licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, except persons suffering from mental ailments and persons so ill as to require regular hospitalization.

**Rooming Houses, Hostels and Similar Uses, Level I:** Level I rooming houses and similar uses are uses which are: 1) owner-occupied, and 2) occupied by not more than eight guests at any one time, and 3) occupied only by guests whose visits are pre-arranged, and 4) occupied only by guests whose visits are for a period of not less than seven days, and 5) contain kitchen facilities. Rooming houses, hostels and similar uses by definition shall not include rescue missions or any similar use in which meals and/or lodgings are provided to the indigent at no cost or at a subsidized cost.

**Rooming Houses, Hostels and Similar Uses, Level II:** Level II rooming houses and similar uses are rooming houses and similar uses which are not Level I rooming houses and similar uses.

**Transient Lodging or Social Services Facility:** A facility owned and operated by a private organization or by a public agency which offers counseling services or meals or temporary shelter to primarily transient or indigent persons. Such facilities may also provide counseling and temporary custodial care to nonviolent prerelease inmates from federal or state correctional institutions and may provide supervision for persons convicted of misdemeanors in local courts. Such facilities are not designed to provide medical or psychiatric care and treatment.

### 2.6.3.2 Principal Office Uses

**Office Uses, Government:** Including U.S. Postal Service facilities and administrative offices of city, county, state and federal agencies.

**Office Uses, Medical:** Establishments primarily engaged in providing healthcare services to individuals. Examples include the offices of physicians, dentists, and other health practitioners, medical and dental laboratories, diagnostic centers, outpatient care facilities, blood/plasma collection facilities, medical day spas and other miscellaneous types of medical services. This general category does not include establishments which offer long-term inpatient care such as hospitals and residential treatment facilities.

**Office Uses, Non-Government:** Business administrative offices, including establishments primarily engaged in management and general administrative functions such as executive, personnel, finance, and sales activities performed centrally for other establishments of the same company.

- Commercial art, graphics and photography services
- Computer and data processing services
- Consumer credit reporting agencies, mercantile reporting agencies and adjustment and collection agencies
Correspondence schools
Detective agencies and protective service offices
Direct mail advertising services
Employment agencies primarily engaged in helping potential employees find employers and potential employers find employees
Financial institutions
Financial planners
Medical and health care offices, including medical laboratories
Holding and other investment offices
Insurance agent, broker and service offices, including auto insurance claims centers
Legal offices
Management consulting and public relations services
Medical photography and art services
Membership organization offices
Miscellaneous office-type business services including the following:
  Appraisers
  Automobile recovery services
  Bail bonding services
  Business brokers
  Charge account services
  Contractors disbursement control services
  Credit card collection services
  Drafting services, except temporary help
  Fire protection services, other than forestry or public
  Fund raising services
  Hotel reservation services
  Interior design and decorator consulting services, but not painters or paperhangers
  Inventory computing services
  Mail box and postal address services
  Map drafting services
  Messenger services, except telegraph and radio
  Microfilm recording and developing service
  Notary publics
  Parcel packaging services
  Personal investigation services
  Photogrammetric mapping services
  Photographic library services
  Press clipping services
  Process serving services
  Radio broadcasting music checkers
  Radio transcription services
  Recording studios
  Repossession services
  Speakers bureaus
  Styling of fashions, apparel, furniture, textiles, and similar products
  Telegraph service, florist
  Telephone message services
  Telephone solicitation services
  Yacht broker offices
Motion picture production and distribution service offices
News syndicate offices
Office-type personnel services including the following:
Babysitting bureau not providing babysitting on the premises
Birth certificate agencies
Dating service
Debt counseling or adjustment service to individuals
Escort service
Genealogical investigation service
Radio, television and publishers advertising representative offices
Radio and television broadcasting studios and facilities
Real estate office
Social service counseling offices including the following:
  Adoption services
  Child guidance agencies
  Counseling centers
  Family and marriage counseling services
  Family location services
  Referral services for personal and social problems
Personnel supply firms primarily engaged in providing temporary or continuing help that does not report to the office from which the help is provided on a daily or other frequent basis. Such uses may include:
  Employee leasing services
  Fashion show model supply services
  Help supply services
  Labor pools
  Manpower pools
  Modeling services
  Office help supply services
  Temporary help services
Social service organization offices
Sports and entertainment service offices
Stenographic services
Theatrical production and related service offices

**Office Uses, Non-Medical**: Establishments which primarily focus on activities conducted in an office setting such as administrative offices for businesses and government agencies, professional offices and financial services. Examples include professional services such as lawyers, accountants, architects and engineers, financial businesses such as lenders, brokerage houses, insurance agencies, real estate agencies and financial planners, data processing and software development, sales offices and call centers, travel agencies, public utility offices, counseling services, personnel services and recording/broadcast studios. This general category does not include building, electrical, plumbing, heating and air-conditioning contractors with shops or storage yards, or commercial testing laboratories where any office uses are incidental to the principal use of the property as an industrial-type service establishment.

**Office-Type Research and Development Facilities**: Research and development activities not involving processes or activities of an industrial nature. Such uses shall include establishments performing research and development on a contract basis as well as facilities of manufacturing or other activities performing proprietary research and development.

**Travel Agencies**
a. Commercial Lodging Uses

**Bed & Breakfasts:** An establishment in a single-family detached dwelling, not a hotel or motel, with five rooms or less which offers short-term lodging accommodations and may offer meals to registered guests as part of the accommodation.

**Hotels:** Establishments containing six or more guest rooms or suites which offer short-term lodging accommodations for the general public intended or designed for temporary occupancy in which all or most rooms are accessed using an interior hallway. Such facilities may include, as an accessory use, uses such as restaurants, bars, meeting rooms, indoor and outdoor recreational facilities, gift shops, barber shops, beauty salons and day spas.

**Motels:** Establishments containing six or more guest rooms or suites which offer short-term lodging accommodations for the general public intended or designed for temporary occupancy in which all or most rooms are accessed directly from the exterior of the building. While those accessory uses commonly associated with hotels are permitted, motels generally offer less services and amenities than full-service hotels.

b. Motor Vehicle Oriented Uses

**Commercial Vehicles, Construction Equipment & Trailers, Sales, Rental & Service:** Businesses specializing in the sales, rental and service of commercial vehicles, construction equipment and trailers as defined in Sub-Section 5.17.2.

**Drive-Through/Drive-In Facilities:** Facilities which allow for the delivery of products or services to customers while they remain in their motor vehicles, as either a principal or accessory use. Examples include drive-through windows for bank tellers and dry cleaners, coffee shops, pharmacies, fast food restaurants and ice cream shops with drive-through facilities.

**Mobile Home, Boat and Recreational Vehicle Sales, Rental & Service:** Businesses specializing in the sales, rental or service of mobile homes, boats, and recreational vehicles. Recreation Vehicles are vehicles designed, intended and used for the purpose of an off-site temporary housing or for recreational activities and traveling. Such vehicles include, but are not limited to, travel trailers, hard-sided truck campers, camping trailers, self-propelled motor homes and bus campers.

**Motor Vehicle Fuel Sales, Minor:** Facilities used or intended to be used for the retail sale and dispensing of vehicular fuels, as a principal or accessory use, which have no more than six pumps/twelve fueling positions.

**Motor Vehicle Fuel Sales, Major:** Facilities used or intended to be used for the retail sale and dispensing of vehicular fuels, as a principal or accessory use, which have more than six pumps/twelve fueling positions. Where allowed as a conditional use, such uses shall be only located on an arterial street, at an intersection with another arterial or collector street or an interchange with any limited access highway, subject to a minimum separation distance of 300 feet from any residential zoning districts.

**Motor Vehicle Parts & Accessory Stores:** Stores specializing in the retail sales of motor vehicle parts and accessories, typically without dedicated service bays, where any installation of the products sold is incidental to the principal retail use.
**Motor Vehicle Rental**: Rental agencies specializing in the short-term rental of automobiles, light trucks, motorcycles and similar vehicles. Sales of used motor vehicles are prohibited, except when incidental motor vehicle rentals. This category does not include rentals and leasing of heavy trucks, tools or equipment which are classified as an Industrial Type Service Establishment, Level II.

**Motor Vehicle Sales, New**: Businesses specializing in the sales of new automobiles, light trucks, motorcycles and similar vehicles. Sales of used motor vehicles are prohibited except when incidental to new vehicle sales.

**Motor Vehicle Sales, Used**: Businesses specializing in the sales of used or pre-owned automobiles, light trucks, motorcycles and similar vehicles.

**Motor Vehicle Service & Repair, Minor**
- Electric vehicle charging and battery exchange facilities, as a principal use
- Motor vehicle cleaning, polishing and detailing
- Motor vehicle service centers and service stations, including stores specializing in the sales and installation of tires, batteries and other minor parts and accessories
- Motor vehicle repair, not including body work and paint shops
- Motor vehicle washing facilities, automated or self-service
- Small engine repair

**Motor Vehicle Repair, Major**
- Body Shops & Collision Centers
- Paint Shops

**Off-Street Parking, Surface**: Surface parking lots, as either a principal or accessory use, intended for the short-term parking of motor vehicles by the general public in support of another adjacent or nearby use in accordance with the development standards specified by Section 5.16. This use does not include lots intended for the temporary storage of impounded or repossessed vehicles and lots intended for the wholesale storage of equipment and vehicles which are classified as either an industrial-type service or wholesale trade and transportation use.

**Off-Street Parking, Structured**: Parking garages, as either a principal or accessory use, intended for the short-term parking of motor vehicles by the general public in support of another adjacent or nearby use. This use is subject to the same restrictions as surface parking lots.

c. Personal Services Uses

**Barber Shops, Hair Salons & Day Spas**: Establishments licensed by the State of Florida which provide personal grooming services and/or non-medical therapeutic treatments for the purposes of improving health, beauty and relaxation. Examples include hair cutting and styling, nail, skin, and body treatments, massages, and other similar services.

**Banks, Credit Unions and Savings & Loan Associations**: Establishments which are chartered by the Federal government or the State of Florida and offer banking services such as deposits and withdrawals, commercial and consumer loans, mortgages, checking and savings accounts, and debit cards.
**Exercise, Fitness & Martial Arts Studios:** Commercial establishments which provide indoor exercise equipment and recreational facilities and/or regularly scheduled classes in fitness and wellness activities including martial arts training.

**Funeral Homes and Crematoriums:** Establishments which receive and prepare the bodies of the deceased for final disposition, in accordance with state law and local ordinances, and offer services such as burial or cremation.

**Kennels:** Establishments which confine or house domesticated animals for the purposes of sale, rental, boarding, breeding or other commercial venture and are subject to the development standards specified by Section 5.7 of the Land Development Code. A kennel shall not include pet shops or animal shelters or animal boarding when offered as an accessory use to another permitted principal use such as a veterinary clinic or animal hospital.

**Laundry and Cleaning Establishments, Retail:** Establishments which provide service directly to the public and service to the public or through pick up stations located off the premises, but not including industrial facilities that serve primarily institutional customers or facilities that serve other retail laundry and cleaning establishments. This category includes self-service, coin-operated laundry establishments.

**Music & Dance Studios:** Establishments which offer instruction and practice or rehearsal space for musicians and dancers where all activities occur inside an enclosed building.

**Payday Loan, Title Loan & Check Cashing Services:** Commercial establishments which, as a principal use, offer consumer financial services such as short term, high interest loans in exchange for a pay stub and post-dated check against future earnings or secured against a title on a motor vehicle, or services in which checks and money orders are cashed for a fee. Where permitted, such uses are subject to special deglomeration measures and may not be located within a quarter mile (1,320 ft.) of another payday loan, title loan & check cashing service use.

**Pet Grooming & Pet Day Care:** Establishments which offer grooming services for domesticated animals and short-term care, supervision and protection of such animals for a period of less than 16 hours per day, with no provisions for overnight boarding.

**Repair-Oriented Services:** Commercial establishments oriented towards the general public which offer repair or alteration services for consumer electronics, appliances, tools, jewelry, sports equipment, apparel and other durable consumer goods in which all activities occur inside an enclosed building where the business is located. This category of uses does not include industrial-type services such as plumbing repair, electrical repair, HVAC repair, and other miscellaneous services offered by special trade contractors in which all work is performed off-site.

**Tax Preparation Services, Retail:** Seasonal tax preparation services marketed and oriented towards the general public in a retail context, where tax returns are not prepared by a certified professional accountant and in which high interest, short-term loans, secured by a taxpayer’s anticipated refund, may be offered.
**Tattoo Parlors & Body Art Establishments:** Establishments which through the use of needles or other instruments designed to contact, penetrate or puncture the skin, offer services such as tattooing or body piercing. This use does not include tattooing performed by a licensed medical professional for medical or dental purposes, or the application of permanent cosmetic makeup as an accessory use to another personal services use such as a hair salon or day spa.

**Veterinary Clinics and Animal Hospitals:** Establishments which offer primarily veterinary services in accordance with the standards specified by Section 5.23. Such establishments may allow overnight boarding of animals as an accessory use.

d. **Recreation & Entertainment Uses**

**Adult (Regulated) Uses:** Regulated Use shall mean adult arcade, adult book store, adult dancing establishment, adult entertainment, adult theater or massage establishment. For purposes of this code these terms are further defined in Section 5.3 (Adult (Regulated) Uses).

**Adult Arcade Games:** As defined in Section 5.2

**Bars, Lounges and Related Entertainment Uses**
- Ballrooms
- Banquet halls
- Bars
- Cabarets and cabaret theaters
- **Dance Halls**
- Dinner theaters
- **Discotheques**
  Night clubs, including restaurants, dining rooms or other similar establishments where dancing, floor shows or other form of lawful entertainment is provided for guests after eleven o'clock, P.M.

**Commercial Recreation, Indoors**
- Auditoriums and meeting halls
- **Billiards, pool halls**
- Bowling alleys
- Game arcades
- Gymnasiums
- Skating rinks, indoor
- Swimming pools, indoor
- Tennis, hard ball and racquetball facilities, indoor
- Theaters, indoor

**Commercial Recreation, Outdoors**
- Amphitheaters
- **Amusement parks, including outdoor facilities, which may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.**
- Drive-in theaters
- **Go-cart and other recreation vehicle tracks**
- Golf driving ranges
Ministerial golf establishments
Sports and recreation camps
Sports parks including batting cages, trampolines and similar sports facilities
Stadiums and sports arenas
Swimming pools, including water-filled enclosures, permanently constructed or portable, have a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool, having a depth of more than 30 inches, designed, used and maintained for swimming and bathing.
Tennis, hand ball and racquet ball courts
Water slides

Marine Uses
Boat and yacht clubs, membership
Boat excursions and sightseeing docks
Marinas including facilities for storing, servicing, fueling, berthing and securing of pleasure boats.

Outdoor Gun Ranges: Outdoor shooting facilities, either public or private, where as specified in Table 2.3-3.

e. Restaurant Uses

Carry Out/Delivery: Restaurants, which through the design of physical facilities, service or packaging procedures, specialize in the sales of ready-to-eat, prepared foods primarily intended for off-site consumption. This category includes restaurants with limited traffic such as snack bars and sandwich shops.

Food Trucks: A mobile food unit, mobile food vendor or any other food service/vending vehicle or cart that has been inspected and licensed as such by the appropriate state agency.

Food Truck Courts: A commercial site intended to host two or more food trucks on a semi-permanent basis as either a principal or accessory use.

Restaurants, Low Turn-Over: Eating establishments with low turnover rates usually of at least one hour or longer. Generally high quality, destination restaurants which do not rely on drive-by traffic with the majority of sales occurring during evening dinner hours.

Restaurants, High Turn-Over: Eating establishments with high turnover rates generally of less than one hour. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve breakfast, lunch and dinner, and are sometimes open 24 hours per day, with the majority of sales coming from eat-in customers. This category includes “fast casual” type restaurants with or without drive-through facilities.

Restaurants, Very High Turn-Over: Fast food “quick service” type eating establishments with or without drive-through facilities. This type of restaurant is characterized by a high volume of drive-through or carry out sales; long hours of service, often 24 hours per day, and very high turnover rates for eat-in customers, generally less than 30 minutes.

f. Retail Sales Uses: Retail sales primarily oriented towards the general public
**Accessory Retail to a Permitted Principal Use in I-2 Zoning Districts:** Up to 10% of the floor area may be used for retail sales accessory to a permitted principal use within I-2 zoning district. Such sales must be directly related to a manufacturing activity or service which is the principal use on the premises. Examples include, but are not limited to, a tasting room for a brewery, a showroom, or a clearance center to allow for sales of surplus or returned goods from a warehouse.

**Antique Shops & Consignment Boutiques:** Retail establishments specializing in the sale of furniture, artwork and decorative objects, generally produced at least 30 years ago or older, and those which sell used items of moderate to high value (typically clothing, accessories or furniture) on behalf of the original owner who receives a percentage of the sales price. This category does not include thrift or secondhand stores.

**Artisan-Oriented Retail:** Small-scale manufacturing establishments, less than 10,000 sq. ft. in floor area, which primarily produce and offer for retail sale items such as jewelry, furniture, pottery, leathercraft, textiles, painting and sculpture and in which all activities occur indoors within an enclosed building.

**Big Box Retail:** Retail establishments containing 40,000 square feet of gross floor area or greater which offer a broad range of convenience and consumer goods, and fresh, processed or prepared foods, or specialize in a single consumer product category such as office supplies, home furnishings, electronics, appliances, or sporting goods.

**Building Materials Sales, Retail, Level I**
- Awnings
- Cabinets
- Doors
- Electrical supply
- Fencing dealers
- Flooring
- Hot tubs and whirl pools
- Insulation material
- Lumber
- Plumbing supply
- Prefabricated buildings
- Roofing materials, but not hot tar or aggregate
- Swimming pools
- Tile dealers
- Wallboard
- Window and screen

**Building Materials Sales, Retail, Level II**
- Building material dealers, including the following uses listed in SIC group 5211:
  - Brick dealers, retail
  - Cement dealers, retail
  - Concrete and cinder block dealers, retail
  - Lime and plaster dealers, retail
  - Roofing material dealers including hot tar and aggregate dealers
  - Sand and gravel dealers, retail
  - Structural clay products, retail
Convenience Sales and Personal Service Uses

Convenience sales uses:
- Card shops
- Cosmetics stores
- Drug stores and pharmacies
- Dry goods and notions stores
- Fabric stores
- Flowers shops
- Hardware stores
- Key shops
- Lawn and garden supply stores
- Newspaper and magazine stores
- Paint, glass and wallpaper stores

Special service and product food stores including:
- Candy, nut and confectionery stores
- Dairy stores
- Delicatessens, and produce markets
- Meat and fish markets
- Retail bakeries
- Specialty food stores
- Sundry shops
- Ticket agencies
- Tobacco shops
- Variety stores

Personal service uses:
- Barber shops
- Beauty shops
- Clothing rental
- Coin-operated laundry and dry cleaning establishments
- Day spas
- Exercise studios
- Facial and scalp treatment service
- Gunsmith shops
- Laundry, cleaning and related garment service pick-up stations serving primarily the public
- Locksmith establishments
- Martial arts studios
- Motor vehicle title and tag service
- Music and dance studios
- Musical instrument tuning and repair
- Pet grooming establishments, but not kennels
- Photographic studios serving primarily the public
- Picture framing establishments
- Taxidermists

Repair establishments for the public as follows:
- Camera repair
- Hearing aid repair
- Optical goods repair
- Shoe and leather goods repair
- Small electronic equipment, television, radio and computer repair
- Small household appliance repair
- Watch, clock and jewelry repair
Tailor and dressmaker shops
Tax return preparation services
Video tape and equipment rental establishments

**Convenience Store:** A retail store usually 4,000 square feet or less which primarily sells convenience goods. A retail store typically 4,000 square feet or less, generally open 24 hours a day or into the late evening, which primarily sells convenience foods and goods such as candy, snacks, drinks, processed and prepared foods, tobacco products and package sales of alcoholic beverages for off-site consumption. The sale of motor vehicle fuel shall be permitted accessory to a convenience store only where motor vehicle fuel sales uses are permitted by right or as a conditional use.

**Day Care Center/Adult:** Any building or premises used for the care, protection and supervision of more than five adults, 18 years of age or older, for a period of less than 18 hours per day. Such care shall not include the provision of overnight sleeping accommodations.

**Day Care Center/Child:** Any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

A. Public schools and nonpublic schools and their integral programs, except as provided in Florida Statute 402.3025;
B. Summer camps having children in full-time residence;
C. Summer day camps; and
D. Bible schools normally conducted during vacation periods.
   (See Child Care Facility)

**Department Stores:** Retail establishments containing 80,000 square feet of gross floor area or greater which carry several lines of merchandise, such as women's ready-to-wear and accessories, men's and boys' clothing, piece goods, small wares, and home furnishings, all of which are organized into separate departments.

**Dollar Stores & Variety Stores:** Retail establishments, usually 12,000 square feet in floor area or less, which maintain regular daytime and early evening store hours and offer for sale a combination of convenience foods and consumer goods for off-site consumption with a majority of items available for sale for ten (10) dollars or less.

**Drug Stores & Pharmacies:** Retail establishments which primarily sell prescription drugs, over the counter medicines and other items intended for health and wellness, but which may also sell small quantities of consumer goods such as convenience foods, personal care products, toys, gifts and sundries.

**Firearms Sales and Indoor Gun Ranges:** Retail stores which primarily sell firearms and accessories and/or offer indoor facilities which involve the use of firearms such as private gun clubs and shooting ranges. This category does not include general retail sales uses such as stores which specialize in sales of sporting goods or outdoor recreation merchandise and in which any sales of firearms are incidental.

**Food Stores**
Funeral Homes and Crematoriums

Game Arcades

**Grocery Stores:** Retail establishments generally containing 20,000 square feet of gross floor area or greater which primarily sell a wide variety of foods such as fresh meats, fish and poultry, fresh fruits and vegetables, dairy products, canned, packaged, frozen and prepared foods, that are intended for preparation or consumption at home or off-site.

**Hotel:** Facilities containing six or more guest rooms offering transient lodging accommodations to the general public intended or designed to be used or rented for temporary occupancy, with no provision for cooking in any room and providing additional services such as restaurants, meeting rooms, and recreation facilities and other accessory service facilities such as newsstands for its occupants and the public.

Indoor Commercial Recreation Uses
Auditoriums and meeting halls
Billiards, pool halls
Bowling alleys
Game arcades
Gymnasiums
Skating rinks, indoor
Swimming pools, indoor
Tennis, hard ball and racquetball facilities, indoor
Theaters, indoor

Indoor Gun Clubs and Shooting Galleries

**Kennels:** A place designed to confine household animals where any number of such animals are kept for the purpose of sale, rental, boarding, breeding or other commercial venture. A kennel shall not include pet shops or animal shelters.

**Laundry and Cleaning Establishments, Level I:** Including those providing service directly to the public, but not those providing service for pick-up stations located off the premises.

**Laundry and Cleaning Establishments, Level II:** Including those providing service directly to the public and those providing service to the public through pick-up stations located off the premises, but not including facilities that serve primarily institutional customers or facilities that serve other laundry and cleaning establishments serving the public.

**Liquor Stores:** A retail store selling beverages containing more than 14 percent of alcohol by weight for off-premise consumption.

**Marine Uses**
Boat and yacht clubs, membership
Boat excursions and sightseeing docks
Marinas including facilities for storing, servicing, fueling, berthing and securing of pleasure boats.

**Micro-Breweries, Micro-Wineries & Micro-Distilleries:** Establishments which produce beer, wine or distilled spirits in relatively small quantities in conjunction with a restaurant, tasting
room or retail sales operation. A micro-brewery is defined as an establishment which is duly-licensed to produce beer and/or cider in quantities not to exceed 15,000 barrels per year (465,000 U.S. gallons). A micro-winery is defined as an establishment which is duly-licensed to produce wine and/or mead in quantities not to exceed 100,000 U.S. gallons per year. A micro-distillery is defined as an establishment which is duly-licensed to produce distilled spirits in quantities not to exceed 15,000 U.S. gallons per year. Where permitted only through a conditional use, the maximum production capacity may be further limited to minimize impacts on adjacent uses.

**Medical Marijuana Dispensing Facility:** As defined in Section 1.6, establishments authorized to sell and dispense medical marijuana and related supplies.

**Mobile Home Sales, Rental and Service Agencies:** Mobile home sales, rental and service agencies by definition shall NOT include the occupancy of mobile homes for permanent or transient residential purposes.

**Motels:** Including establishments providing transient accommodations containing six or more rooms with at least 25 percent of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

**Motor Vehicle and Boat Sales and Rental Uses**
Automobile and light truck rental agency storage and maintenance yards
Automobile and light truck sales and service agencies, including the use of any building, land area or other premises for the display and sale of new or used automobiles, panel trucks or vans, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use.
Boat and boat accessory sales establishments, but not marinas
Boat storage establishments, indoor, but not marinas
Large recreation vehicle sales and service establishments
Lawn mower and other small engine sales and service establishments
Motorcycle sales and service establishments
Trailer sales and rental establishments
Used car lots, including any area of land, and structures thereon, that is used or designated to be used for the buying and selling at retail and the open storage and display incidental thereto of used or second hand motor vehicles.

**Motor Vehicle Fuel Sales Uses:** Automobile filling stations, including buildings, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories.

**Motor Vehicle Service Uses**
Automobile cleaning, polishing and detailing
Automobile service stations, including buildings, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories.
Automobile washing establishments, attended
Automobile washing establishments, self-service
Electric vehicle charging facilities
Electric vehicle battery exchange facilities

**Motor Vehicle Parts and Accessory Stores**
Including the installation of parts and accessories.
- Battery sales and installation
- Brake lining sales and installation
- Glass replacement
- Muffler and exhaust system sales and installation
- Tire sales and wheel alignment

**Motor Vehicle Repair, Retail**: Including buildings, premises and land in which or upon which a business, service or industry involving the maintenance, servicing or repair of motor vehicles is conducted or rendered.
- Carburetor and fuel system repairs
- Engine repair
- Motor vehicle body repair and paint shops
- Transmission repair

**Neighborhood Convenience Centers**: Small scale, neighborhood oriented commercial uses which may be allowed in certain residential and office zoning districts as a conditional use, as specified by Section 5.13.

**Office Support Retail & Service Uses**
- Blueprinting
- Barber shops, hair salons and day spas
- Business machine sales
- Business equipment and computer stores
- Business service centers, including pack and ship stores
- Delivery Services
- Drug stores and pharmacies
- Exercise & martial arts studios
- Laundry, cleaning and related garment service pick-up stations primarily serving the public
- Office furniture and supply stores
- Photocopying, offset printing and similar reproduction services
- Phototypesetting
- Sandwich shops and snack bars
- Sundry shops

**Outdoor Commercial Recreation**
- Amphitheaters
- Amusement parks, including outdoor facilities, which may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.
- Drive-in theaters
- Go-cart and other recreation vehicle tracks
- Golf driving ranges
- Miniature golf establishments
- Sports and recreation camps
- Sports parks including batting cages, trampolines and similar sports facilities
Stadiums and sports arenas
Swimming pools, including water-filled enclosures, permanently constructed or portable, have a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool, having a depth of more than 30 inches, designed, used and maintained for swimming and bathing.
Tennis, hand ball and racquet ball courts
Water slides

Outdoor Gun Ranges

Outdoor Retail Sales of New and Used Merchandise

Outdoor Sales, New and Used, as a Principal Use: Establishments in which products and merchandise for sale are displayed outdoors and primarily intended for outdoor use. Examples include retail establishments which specialize in the sale of outdoor goods such as outdoor furnishings, monuments and landscaping materials such as mulch or sod. This use does not include equipment rental and leasing services, which are classified as a Level II Industrial-type Service Use, or establishments which primarily sell building materials such as crushed stone, gravel, or sand and are classified as Building Materials Sales, Retail, Level II.

Outdoor Storage of Boats, Motor Homes and Trailers, Retail Service

Pawn Shops: Establishments which provide short-term loans in exchange for personal goods or other items as collateral and resell those same items as a secondary retail service. Where permitted, such uses are subject to special deglomeration measures and may not be located within a quarter mile (1,320 ft.) of another pawn shop.

Plant Nurseries & Greenhouses: Retail establishments specializing in the sale of plants, trees and shrubs in which the majority of inventory sold is grown and cultivated off the premises.

Rent-To-Own Stores: Retail establishments which primarily lease consumer goods such as furniture, electronics and appliances where the customer may take ownership after making a specified number of payments. Where permitted, such uses are subject to special deglomeration measures and may not be located within a quarter mile (1,320 ft.) of another rent-to-own-store.

Recycling Collection Centers: A retail business used solely for the purpose of collecting and temporarily storing recyclable materials having no objectionable odors, dust, or visibility from off the site.

Restaurants, Carry Out: Restaurants serving the general public, including establishments which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared ready-to-eat foods intended primarily to be consumed off the premises, and where the consumption of food in motor vehicles on the premises is not permitted or not encouraged.

Restaurants, Low Turn-Over Restaurants Serving the General Public: Eating establishments of high quality and with turnover rates usually of at least one hour or longer. Generally, quality restaurants do not serve breakfast; some do not serve lunch; all serve dinner.
Restaurants, High Turn-Over Restaurants Serving the General Public: Eating establishments with turnover rates generally of less than one hour. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve breakfast, lunch and dinner, and are sometimes open 24 hours per day.

Restaurants, Very High Turn-Over Restaurants Serving the General Public: Fast food eating establishments with or without drive-through windows. This type of restaurant is characterized by a large carry out clientele; long hours of service and high turnover rates for eat-in customers.

Restaurants, Sandwich Shops, Snack Bars Serving the General Public

Restaurants Serving a Limited Clientele

Shopping Centers, Neighborhood: A shopping center usually selling goods necessary to meet daily needs, occupying up to 10 acres and having up to 100,000 square feet of gross leasable area. It generally draws its clientele from a radius of approximately a five-minute drive from the center.

Shopping Centers, Community: A shopping center usually featuring a junior department store, having approximately 150,000 square feet of gross leasable area, and a site area of 10 to 25 acres. It generally draws its clientele from a radius of approximately a 10-minute drive from the center.

Shopping Centers, Regional: A shopping center usually containing a wide range of retail and service establishments, occupying 50 to 100 acres of land, having at least one or more anchor stores, and containing over 400,000 square feet of gross leasable space. It draws its clientele from as much as a 45-minute drive away.

Single-Destination Commercial Uses

Cosmetic stores
Custom upholstering, cloth and canvas products fabrication, including the fabrication of slipcovers, awnings and similar products
Food storage lockers
Furniture and domestic equipment rental establishments
Furniture reupholstering and repair, but not furniture stripping
Greenhouses
Locker rental establishments
Locksmith establishments
Medical supply stores
Monument sales establishments
Nurseries, retail, for the sale of plant materials grown off the premises
Orthopedic and artificial limb stores
Pawn shops
Professional equipment and supplies sale
Repair shops providing repair primarily for household goods and dealing directly with the public
Small recreation vehicle sales and rental
Taxidermists
Tent stores
Trade schools not involving industrial, motor vehicles or other heavy equipment
Trophy shops
Payday Loans and check-cashing establishments
Pet food stores

**Specialty Comparison Commercial Uses**

- Antique stores
- Apparel and accessory stores
- Art and drafting supply stores
- Art merchandising studios
- Auction rooms
- Bathroom and kitchen contractor showrooms
- Bicycle shops
- Book and stationery stores
- Business machine sales
- Camera and photographic supply stores
- Candle shops
- Carpet and other flooring stores
- Coin and philatelic stores
- Craft shops
- Electrical and electronic product stores
- Fine rug dealers
- Frame stores and custom frame stores
- Furniture stores
- Gem stores
- Gift shops
- Hearing aid stores
- Hobby, toy and game stores
- Household appliance stores
- Household goods and accessory stores
- Interior decorator showrooms
- Jewelry stores
- Leather and luggage stores
- Lighting fixture showrooms
- Mail order and catalogue stores
- Mirror and glass stores
- Music and record stores
- Musical instrument sales
- Novelty shops
- Office supply, furniture and equipment stores
- Optician retail sales
- Orthopedic and artificial limb stores
- Pet stores
- Radio and television stores
- Security equipment stores, but not the installation of equipment on motor vehicles
- Souvenir shops
- Sporting goods

**Thrift & Secondhand Stores:** Retail stores specializing in the sale of secondhand clothes and other household goods that are heavily discounted or donated for resale, typically for the benefit of a charitable organization.

**Tobacco & Vape Shops:** Retail establishments specializing in the sale of tobacco, cigars, cigarettes and other derivative tobacco products, smoking and vaping accessories.
Veterinary Clinics and Hospitals with All Facilities in a Completely Enclosed Building

2.6.3.4 Principal Industrial and Industrial-Service Uses

**Industrial-type Service Establishments, Level I**: Level I industrial-type service establishments are those which generally have a moderate impact on their neighbors. They include the following:

- Armature rewinding, including all uses listed in SIC group 7694.
- Automatic merchandising machine operators and services, including all uses listed in SIC group 5962.
- Automobile towing services as listed in SIC group 7549.
- Carpet and upholstery cleaning, including the following uses listed in SIC group 7217:
  - Carpet cleaning on customers' premises
  - Furniture cleaning on customers' premises
  - Upholstery cleaning on customers' premises
- Catering establishments as listed in SIC group 5812.
- Cleaning and maintenance services, including all uses listed in SIC group 7349.
- Coin operated service machine operators, including scales, shoe shine machines and lockers as listed in SIC group 7299.
- Commercial testing laboratories, including all uses listed in SIC group 8734.
- Decoration services for special events.
- Direct selling establishments, including all uses listed in SIC group 5963.
- Distribution of advertising materials, including circulars, coupons, handbills, samples and shopping news publications as listed in SIC group 7319.
- Distribution of telephone and other directories as listed in SIC group 7389.
- Drive away automobile service as listed in SIC group 7389.
- Freezer and locker meat provisioners as listed in SIC group 5421.
- Ice dealers, retail, as listed in SIC group 5999.
- Locker rental, off premises, as listed in SIC group 7299.
- Mail order houses, including all uses listed in SIC group 5961.
- Machine shops.
- Miscellaneous advertising services, including the following uses listed in SIC group 7319:
  - Bus card advertising
  - Display advertising services, except outdoor
  - Poster advertising services
  - Transit advertising services
- Miscellaneous industrial-type business services for the trade, including the following uses listed in SIC group 7389:
  - Apparel pressing services,
  - Batik work and other hand painting on textiles
  - Cloth cutting, bolting, or winding
  - Exhibit construction services
  - Float construction and decoration
  - Fire extinguishers, service of
  - Inspection of commodities
  - Laminating photographs
  - Liquidators of merchandise, contract
  - Outdoor storage facilities for families and small businesses
  - Packaging and labeling services
  - Parcel packing services, contract
  - Produce weighing services
  - Rug binding.
Sampling of commodities
Textile folding and packing services
Weighing foods and other commodities
Welcome wagon services

Outdoor advertising services, including all uses listed in SIC group 7312.
Radio and television repair, including all uses listed in SIC group 7622.
Refrigeration and air conditioning service and repair, including all uses listed in SIC group 7623.
Repair shops and related services to the trade, including the following uses listed in SIC groups 7629 and 7699:
  Aircraft flight instrument repair, electrical and other
  Antique repair and restoration, except furniture
  Appliance repair
  Awning repair
  Business machine repair
  Caliper, gauge, and other machinists precision instrument repair
  Coppersmithing repair work (other than construction)
  Electric and electronic equipment repair, including all uses listed in SIC group 762 and 7622
  Furnace cleaning and repair
  Gas appliance repair service
  Instrument repair, mechanical and electrical
  Leather goods repair
  Machinery cleaning
  Mattress renovating and repair shops
  Office equipment repair
  Optical goods repair
  Organ and piano repair and tuning
  Photographic equipment repair
  Reneedling work
  Repair of photographic equipment
  Rug repair shops, not combined with cleaning
  Scale repair service
  Sharpening and repairing knives, saws, and tools
  Stove repair shops
  Taxidermists
  Telephone repair
  Tinsmithing, repair work only; other than construction
  Washing machine repair
Shops (but not work or storage yards) for lawn and garden service contractors, including the following uses listed in SIC group 078:
  Garden planting and maintenance contractors
  Lawn care contractors
  Lawn mowing services
  Sprigging service contractors
Shops (but not work or storage yards) of building construction contractors, including all uses listed in SIC major group 15.
Shops (but not work or storage yards) of gas system conversion contractors as listed in SIC group 7399.
Shops (but not work or storage yards) of special trade contractors, including all uses listed in SIC major group 17.
Swimming pool cleaning and maintenance service contractors as listed in SIC group 7399.
Water softener services as listed in SIC group 7399.
Window cleaning services as listed in SIC group 7341.
Window trimming services as listed in SIC group 7399.

**Industrial-type Service Establishments, Level II:** Level II industrial-type service establishments are those which generally have a significant impact on their neighbors. They include the following:
- Engine repair as listed in SIC group 7699.
- Equipment rental and leasing services, including all uses listed in SIC group 7359.
- Farm machinery repair as listed in SIC group 7699.
- Furniture stripping and re-finishing
- Labeling of bottles, cans, and other containers for the trade
- Laundry cleaning and garment services, including the following uses listed in SIC group 721:
  - Carpet and upholstery cleaning and dyeing establishments
  - Cleaning and dyeing plants providing service to the public through pick-up stations located off the premises
  - Cleaning room apparel supply
  - Diaper service
  - Industrial launderers
  - Industrial uniform supply
  - Laundered mat and rug supply
  - Linen supply services serving the public or businesses with deliveries
  - Power laundries providing service to the public through pick-up stations located off the premises
  - Press shops providing service to the public through pick-up stations located off the premises
  - Safety glove supply
  - Towel supply
  - Treated mats, rugs, mops, dust tool covers and cloth supply
  - Work clothing supply
- Miscellaneous industrial type business services, including the following uses listed in SIC group 7399:
  - Metal slitting and shearing
  - Salvaging of damaged merchandise
- Rebabbitting as listed in SIC group 7699.
- Service station equipment repair
- Sign painting and lettering shops as listed in SIC group 7399, but not including sign manufacturing as listed in SIC group 3993.
- Shops, and work and storage yards for boiler and tank cleaning and repair contractors, as listed in SIC group 7699.
- Shops, and work and storage yards for building construction contractors, including all uses listed in SIC major group 15.
- Shops, and work and storage yards for construction contractors other than building construction contractors, including all uses listed in SIC major group 16.
- Shops, and work storage yards for gas system conversion contractors, as listed in SIC group 7399.
- Shops, and work and storage yards for lawn and garden service contractors, including the following uses listed in SIC group 0782:
  - Garden planting and maintenance contractors
  - Lawn care contractors
  - Lawn fertilizing services
  - Lawn mowing services
  - Lawn spraying services
  - Sprigging service contractors
Shops, and work and storage yards for oil and gas producers and contractors serving oil and gas producers, including all uses classified in SIC major group 13.

Shops, and work and storage yards of special trade contractors, including all uses listed in SIC major group 17.

Tire retreading and repair shops including all uses listed in SIC group 7534.

Truck (heavy) and tractor repair as listed in SIC group 7699.

Welding repair services, including all uses listed in SIC group 7692.

**Industrial-type Service Establishments, Level III:** Level III industrial-type service establishments are those which generally have a very significant impact on their neighbors. They include the following:

- Brick cleaning as listed in SIC group 7699.
- Cesspool cleaning service as listed in SIC group 7699.
- Fuel dealers, including all uses listed in SIC group 598.
- Gas system conversion contractors' shops, work and storage yards as listed in SIC group 7399.
- Refuse system operation, including the following uses listed in SIC group 4953:
  - Acid waste collection and disposal
  - Ash collection and disposal
  - Garbage collection and disposal
  - Hazardous waste material disposal sites
  - Incineration operations
  - Radioactive waste disposal
  - Refuse system operation
  - Rubbish collection and disposal
  - Sanitary landfill operation
  - Sludge disposal sites
  - Street refuse systems
- Septic tank cleaning service as listed in SIC group 7699.
- Sewer cleaning and rodding as listed in SIC group 7699.
- Solvents recovery service as listed in SIC group 7399.

**Industrial Uses, Level I:** Level I industrial uses are those manufacturing, processing, assembly and related uses which generally have a moderate impact on their neighbors. They include the following:

- Apparel and other finished products manufacturing from fabric and similar material which does not involve dyeing and/or coating with pyroxylin plastic or similar material, including all such uses listed in SIC major group 23.
- Communication equipment manufacturing, including all uses listed in major SIC group 366.
- Computers and related equipment manufacturing, including all uses listed in SIC group 357
- Costume jewelry, costume novelties, buttons, and miscellaneous notions manufacturing, including all uses listed in major SIC group 396.
- Electric lighting and wiring equipment manufacturing, including all uses listed in SIC group 364.
- Electronic components and accessories manufacturing, including all uses listed in SIC group 367.
- Games, toys, and children vehicle manufacturing, except dolls and bicycles, including all uses listed in SIC group 3944.
- Glass products from purchased glass manufacturing, including all uses listed in SIC group 323.
- Ice manufacturing, but not dry ice manufacturing, including all uses listed in SIC group 2097.
- Jeweler's findings and materials and lapidary work manufacturing, including all uses listed in SIC group 3915.
Jewelry and precious metal products manufacturing, including all uses listed in SIC group 3911.
Leather and related products manufacturing including all uses listed in SIC group 313, 314, 315, 316, 317 and 319
Leather luggage and related products manufacturing, including all uses listed in SIC group 316.
Measuring, analyzing and controlling instrument manufacturing; photographic, medical and optical goods manufacturing; and watch and clock manufacturing, including all uses listed in SIC group 38.
Miscellaneous manufacturing, including all uses listed in SIC group 3999, except dressing of furs.
Motion picture and television filming studios, including all uses listed in SIC groups 7813 and 7814.
Music instruments manufacturing, including all uses listed in SIC group 3931.
Paper bag and related manufacturing which does not include coating with pyroxylin plastic or similar material, including all such uses listed in SIC groups 2673 and 2674.
Paper envelope, stationery, tablets and related products manufacturing which does not include coating with pyroxylin plastic or similar material, including all such uses listed in SIC groups 2677 and 2678.
Paper sanitary and related products manufacturing, including all uses listed in SIC group 2676.
Paperboard container and box manufacturing which does not include coating with pyroxylin plastic or similar material, including all such uses listed in SIC group 265.
Paints and allied products manufacturing, including all uses listed in SIC group 285, provided all are water-base.
Printing and related manufacturing, including bookbinding, typesetting, platemaking and related uses as listed in SIC group 27.
Radio and television receiving equipment manufacturing, including all uses listed in SIC group 365.
Signs and advertising displays manufacturing, including all uses listed in SIC group 3993.

Industrial Uses, Level II: Level II industrial uses are those manufacturing, processing, assembly and related uses which generally have a significant impact on their neighbors. They include the following:
- Aircraft and aircraft parts manufacturing, including all uses listed in SIC group 372.
- Apparel and other fabric and similar-material finished products manufacturing, including dyeing, finishing and coating of textile products
- Bakery products manufacturing, including all uses listed in SIC group 205.
- Beverage manufacturing, including all uses listed in SIC group 208.
- Boat building and repairing, including all uses listed in SIC group 373.
- Burial casket manufacturing, including all uses listed in SIC group 3995.
- Canned, frozen, preserved and prepared food specialties manufacturing, including all uses listed in SIC groups 203, 2091, 2092, 2095, 2096, 2098 and 2099.
- Confectionery and sugar products manufacturing, including uses listed in SIC groups 2061, 2062, 2063, 2064, 2066, 2067 and 2068.
- Construction, mining and materials handling machinery and equipment manufacturing, including all uses listed in SIC group 353.
- Cutlery, hand tools, and general hardware manufacturing, including all uses listed in SIC group 342.
- Dairy product manufacturing, including all uses listed in SIC group 202.
- Electrical industrial apparatus manufacturing, including all uses listed in SIC group 362.
Electrical transmission and distribution equipment manufacturing, including all uses listed in SIC group 361.
Engine and turbine manufacturing, including all uses listed in SIC group 351.
Fabricated structural metal products manufacturing, including all uses listed in SIC group 344.
Farm and garden machinery and equipment manufacturing, including all uses listed in SIC group 352.
Furniture and fixture manufacturing, including all uses listed in SIC major group 25.
General industrial machinery and equipment manufacturing, including all uses listed in SIC group 356.
Grain mill products manufacturing, including all uses listed in SIC group 204, but not including the slaughtering of animals for animal food as listed in SIC group 2048.
Heating equipment, except electric and warm air, and metal plumbing fixtures manufacturing, including all uses listed in SIC group 343.
Household appliance manufacturing, including all uses listed in SIC group 363.
Metal cans and shipping containers manufacturing, including all uses listed in SIC group 341.
Metalworking machinery and equipment manufacturing, including all uses listed in SIC group 354.
Miscellaneous electrical machinery, equipment and supplies manufacturing, including all uses listed in SIC group 369.
Miscellaneous fabricated metal products manufacturing, including all uses listed in SIC group 349.
Miscellaneous machinery, except electrical, manufacturing, including all uses listed in SIC group 359.
Miscellaneous transportation equipment manufacturing, including all uses listed in SIC group 3799.
Motor vehicle parts and accessory manufacturing, including all uses listed in SIC group 3714.
Motorcycle, bicycle and parts manufacturing, including all uses listed in SIC group 375.
Ordnance and accessories manufacturing, including small arms and all uses listed in SIC group 348, but excluding all ammunition manufacturing and all such uses listed in SIC groups 3482 and 3483.
Paper coating and laminating and related products manufacturing which does not include coating with pyroxylin plastic or similar material, including all such uses listed in SIC groups 2671 and 2672.
Paper die-cutting and related products manufacturing, including all uses listed in SIC group 2675.
Pottery, vitreous earth, porcelain and related products manufacturing, including all uses listed in SIC group 326.
Refrigeration and service industry machinery manufacturing, including all uses listed in SIC group 358.
Sausages and other prepared meat products manufacturing, including all uses listed in SIC group 2013.
Screw machine products; and bolt, nut, screw, rivet and washer manufacturing, including all uses listed in SIC group 345.
Silverware, plated ware, and stainless steel ware manufacturing, including all uses listed in SIC group 3914.
Special industry machinery and equipment, except metal working machinery and equipment, manufacturing, including all uses listed in SIC group 355.
Sporting and athletic miscellaneous goods manufacturing, including all uses listed in SIC group 3949.
Textile mill products manufacturing which does not involve dyeing and which does not involve coating with pyroxylin plastic or similar material, including all uses listed in SIC major group 22.
Travel trailer and camper manufacturing, including all uses listed in SIC group 3792.
Vegetable fat and oil mills, including all uses listed in SIC groups 2074, 2075, 2076 and 2099,
except not including any animal and marine fat and oil manufacturing.
Wood buildings and mobile homes manufacturing, including all uses listed in SIC group 245.
Wood containers manufacturing, including all uses listed in SIC group 244.
Wood kitchen cabinets manufacturing, including all uses listed in SIC group 2434.
Wood milling, including all uses listed in SIC group 2431, but not uses listed in 242.
Wood products miscellaneous manufacturing, including all uses listed in SIC group 2499.
Wood structural members manufacturing, including all uses listed in SIC group 2439.
Wood veneer and plywood manufacturing, including all uses listed in SIC groups 2435 and 2436.

**Industrial Uses, Level III:** Level III industrial uses are those manufacturing, processing, assembly
and related uses which generally have a very significant impact on their neighbors. They include
the following:

- Ammunition manufacturing, including all such uses listed in SIC groups 3482 and 3483.
- Animal rendering for fats and oil, including all uses listed in SIC group 2077.
- Animal slaughtering, meat packing and meat processing, including all uses listed in SIC groups
- Animal slaughtering for animal food manufacturing as listed in SIC group 2048.
- Apparel and other finished products manufacturing from fabric and similar material which
  involves dyeing and/or coating with pyroxylin or similar material, including all such uses
  listed in SIC group 23.
- Brick, structural clay tile and other structural clay products manufacturing, including all uses
  listed in SIC groups 3251 and 3259.
- Cement, hydraulic, manufacturing, including all uses listed in SIC group 324.
- Ceramic wall and floor tile manufacturing, including all uses listed in SIC group 3253.
- Chemical and allied products manufacturing, including all uses listed in SIC group 28.
- Clay refractories, including all uses listed in SIC group 3255.
- Concrete, gypsum and plaster products manufacturing, including all uses listed in SIC group
  327.
- Glass and glass products manufacturing, including all uses listed in SIC groups 321 and 322.
- Leather tanning and finishing, including all such uses listed in SIC group 311.
- Metal coating, engraving and allied services, including all uses listed in SIC group 347.
- Nonmetallic mineral and earth grinding and treating, including all such uses listed in SIC
  groups 3295 and 3297.
- Nonmetallic mineral products manufacturing, including all uses listed in SIC groups 3296 and
  3299.
- Paper and other pulp mills, including all such uses listed in SIC groups 261, 262 and 263.
- Petroleum-based asphalt felt and coating manufacturing, including all uses listed in SIC group
  2952.
- Petroleum-based asphalt paving mixture and brick manufacturing, including all uses listed in
  SIC group 2951.
- Petroleum-based linoleum, and other hard surface floor coverings manufacturing, as listed in
  SIC group 3996.
- Petroleum-based lubricating oil and grease blending, compounding, re-refining and related
  manufacturing, including all uses listed in SIC group 2992.
- Petroleum refining and other petroleum related manufacturing, including all uses listed in SIC
  groups 2911 and 2999.
- Primary metal industries such as blast furnaces; iron foundries; steel foundries; steel works;
  primary and secondary smelting and refining of nonferrous metals; and rolling, drawing,
extruding and finishing mills, including all uses listed in SIC groups 331, 332, 333, 334, 335, 336 and 339.
Railroad equipment manufacturing, including all uses listed in SIC group 374.
Rubber and miscellaneous plastic products manufacturing, including all uses listed in SIC group 30.
Stone cutting and related stone products manufacturing, including all uses listed in SIC group 328.
Textile mill products manufacturing which involves dyeing and/or coating with pyroxylin plastic or similar material, including all such uses listed in SIC group 22.
Wood preserving, including all uses listed in SIC group 2491.
Wood reconstituted products manufacturing, including all uses listed in SIC group 2493.
Wood sawmilling and planing, including all uses listed in SIC group 242.

Outdoor Storage of Boats, Motors & Trailers, Retail Service

Pest Control Services and Exterminators
(Ord. No. 5455, 07-21-14)

Research and Development Facilities of an Industrial Nature: Research and development activities involving processes or activities of an industrial nature. Such uses shall include establishments performing research and development on a contract basis as listed in SIC group 7391 as well as facilities of manufacturing or other activities performing proprietary research and development.

Recycling Collection Centers: A retail business used solely for the purpose of collecting and temporarily storing recyclable materials having no objectionable odors, dust, or visibility from off the site.

Scrap, Waste and Reclaimed Materials Trade, Level I
Limited to the following uses and provided that the handling or processing of such materials occurs within an enclosed building:
  Building materials, second hand, retail, as listed in SIC group 5931.
  Motor vehicle parts, used, as listed in SIC group 5015. This group includes establishments primarily engaged in dismantling motor vehicles for the purpose of selling parts at retail.
  Scrap and waste material wholesale trade, including the following uses listed in SIC group 5093:
    Iron and steel scrap, wholesale
    Metal waste and scrap, wholesale
    Nonferrous metal scrap, wholesale
    Plastic scrap, wholesale
    Rubber scrap, wholesale

Scrap, Waste and Reclaimed Materials Trade, Level II
Building materials, second hand, retail, as listed in SIC group 5931.
Junk yard including any area of land, and structures thereon, that is used or designed to be used for the buying and selling at retail and/or wholesale and storage, reconditioning of old, used or secondhand materials, or items of any kind, which among others include cloth, rubber, paper, rubbish, bottles, iron, brass, copper, steel and other metals, furniture and used inoperable motor vehicles or parts thereof, or other articles exclusive of or in conjunction with any other use.
Motor vehicle parts, used, as listed in SIC group 5015. This group includes establishments primarily engaged in dismantling motor vehicles for the purpose of selling parts at retail.
Scrap and waste material wholesale trade, including the following uses listed in SIC group 5093:

- Automobile and other motor vehicle wrecking for scrap, wholesale
- Iron and steel scrap, wholesale
- Junk and scrap, general line, wholesale
- Metal waste and scrap, wholesale
- Nonferrous metal scrap, wholesale
- Oil waste, wholesale
- Plastic scrap, wholesale
- Rubber scrap, wholesale
- Scavengering, wholesale
- Scrap and waste material, wholesale

2.6.3.5 Principal Warehouse, Wholesale Trade and Transportation Uses

Principal Warehousing and Wholesale Trade Uses

Airports, Landing Fields and Heliports, Public and Private: Including All Uses Listed in SIC Group 45.

Railroad Marshaling Yards: Railroad marshaling yards for establishments listed in SIC group 40.

Transit Storage and Maintenance Facilities for Passenger Transportation Operations

Storage and maintenance facilities for local, suburban and intercity passenger transportation operators, including the following uses listed in SIC groups 411, 412, 413, 414, 415 and 417:

- Airport transportation services
- Limousine rental, with drivers
- Ambulance service
- Passenger railroads
- Automobile rental, with drivers
- School buses
- Bus charter services
- Sightseeing buses
- Bus lines
- Taxicab companies

Transit Terminal Facilities for Passenger Transportation Operations: Terminal facilities for local, suburban and intercity passenger transportation operators, including the following uses listed in SIC groups 411, 412, 413, 414, 415 and 417:

- Airport transportation services
- Limousine rental, with drivers
- Ambulance service
- Passenger railroads
- Automobile rental, with drivers
- School buses
- Bus charter services
- Sightseeing buses
- Bus lines
- Taxicab companies

Warehousing and Motor Freight Transportation Uses, Level I: Level I warehouse and motor freight transportation uses are those which generally have a moderate impact on their neighbors. They include the following:

- General warehousing and storage as listed in SIC group 4225.
- Mini warehousing and storage as listed in SIC group 4225.
- Outdoor storage of boats, motor homes, trailers and other equipment as a principal use
- Self-storage warehousing as listed in SIC group 4225.

Warehousing and Motor Freight Transportation Uses, Level II: Level II warehouse and motor freight transportation uses are those which generally have a significant impact on their neighbors. They include the following:
Farm product warehousing and storage, including all uses listed in SIC group 4221.
Motor freight transportation local and long distances, including all uses listed in SIC group 421.
Refrigerated warehousing, including all uses listed in SIC group 4222.

**Warehousing and Motor Freight Transportation Uses, Level III:** Level III warehouse and motor freight transportation uses are those which generally have a very significant impact on their neighbors. They include the following:
- Warehousing, including the following uses listed in SIC group 4226:
  - Chemical bulk stations and terminals
  - Petroleum bulk stations and terminals

**Wholesale Trade Uses, Level I:** Level I wholesale trade-type establishments are those which generally have a moderate impact on their neighbors. They include the following:
- Apparel, piece goods and notions wholesale trade, including all uses listed in SIC group 513.
- Drugs, drug proprietary and druggists' sundries wholesale trade, including all uses listed in SIC group 512.
- Durable goods not elsewhere classified wholesale trade, including all uses listed in SIC group 5099.
- Electrical goods wholesale trade, including all uses listed in SIC group 506.
- Farm-product raw materials not elsewhere classified wholesale trade, including the following uses listed in SIC group 5159:
  - Animal hair
  - Bristles
  - Broom corns
  - Feathers
  - Moss
  - Pelts
  - Silk, raw
- Fibers, vegetable
- Furs, raw
- Hides
- Mohair
- Skins, raw
- Wool, raw
- Wool tops and knolls

- Furniture and home furnishings wholesale trade, including all uses listed in SIC group 502.
- Hardware, and plumbing and heating equipment and supplies wholesale trade, including all uses listed in SIC group 507.
- Jewelry, watches, diamonds and other precious stones wholesale trade, including all uses listed in SIC group 5094.
- Nondurable goods, miscellaneous, wholesale trade, including all uses listed in SIC group 5199 except the following:
  - Rubber, crude
  - Sawdust

- Paint related supplies wholesale trade, including the following uses listed in SIC group 5198:
  - Paint brushes
  - Rollers
  - Sprayers
  - Wallpaper

- Paper and paper products wholesale trade, including all uses listed in SIC group 511.
- Plastic materials, other than resins, in basic forms and shapes, including all such uses listed in SIC group 5162.
- Professional and commercial equipment and supplies wholesale trade, including all uses listed in SIC group 504.
- Service establishment equipment and supplies wholesale trade, including all uses listed in SIC group 5087.
- Sporting, recreational, toy and hobby goods wholesale trade, including all uses listed in SIC group 509.
- Tobacco and tobacco products wholesale trade, including all uses listed in SIC group 5194.
Wholesale Trade Uses, Level II: Level II wholesale trade-type establishments are those which generally have a significant impact on their neighbors. They include the following:

Beer, wine and distilled alcoholic beverages wholesale trade, including all uses listed in SIC group 518.

Brick, stone and other non-wood construction materials wholesale trade, including the following uses listed in SIC groups 5032, 5033 and 5039:
- Architectural metalwork, wholesale
- Awnings, wholesale
- Blocks, building, wholesale
- Brick, wholesale
- Building stone, wholesale
- Ceramic construction materials, wholesale
- Clay construction materials, wholesale
- Concrete building products, wholesale
- Felts, tarred, wholesale
- Fence and accessories, wire, wholesale
- Fiberglass building materials, wholesale
- Flue linings, wholesale
- Glass, flat, wholesale
- Grain storage bins, wholesale
- Granite building stone, wholesale
- Insulation, mineral wool and thermal, wholesale
- Limestone, wholesale
- Marble building stone, wholesale
- Metal buildings, wholesale
- Mobile homes, wholesale
- Plaster, wholesale
- Plate glass, wholesale
- Prefabricated buildings, wholesale
- Roofing, asphalt and sheet metal, wholesale
- Septic tanks, wholesale
- Sewer pipe, clay, wholesale
- Shingles, asbestos cement or asphalt, wholesale
- Siding, sheet metal, wholesale
- Stone, building, wholesale
- Structural assemblies, prefabricated, wholesale
- Tile, clay and other ceramics, wholesale
- Window glass, wholesale

Construction and mining machinery and equipment wholesale, including all uses listed in SIC group 5082.

Farm and garden machinery and equipment wholesale trade, including all uses listed in SIC group 5083.

Farm-product raw materials not elsewhere classified wholesale trade, including the following uses classified in SIC group 5159:
- Cotton
- Hops
- Oil kernels
- Oil nuts
- Oil seeds
- Peanuts
- Pecan
- Sugar, raw
- Tobacco

Grain wholesale trade, including all uses listed in SIC group 5153.

Groceries and related products wholesale trade, including all uses listed in SIC group 514.
Industrial machinery and equipment wholesale trade, including all uses listed in SIC group 5084.
Industrial supplies wholesale trade, including all uses listed in SIC group 5085.
Lumber, plywood and millwork wholesale trade, including all uses listed in SIC group 5031.
Metals wholesale service centers, including warehouse facilities for all uses listed in SIC group 5051.
Motor vehicles and automotive parts and supplies wholesale trade, including all uses listed in SIC group 501.
Paints, varnishes and supplies wholesale trade, including the following uses listed in SIC group 5198:
  - Calcimines
  - Colors and pigments
  - Enamels
  - Lacquers

Paints, varnishes and supplies wholesale trade, including the following uses listed in SIC group 5198:
  - Shellac
  - Varnishes

Scrap and waste materials wholesale trade, including only the following uses listed in SIC group 5093:
  - Bag reclaiming, wholesale
  - Bottle, waste, wholesale
  - Boxes, waste, wholesale
  - Fur cutting and scraps, wholesale
  - Rags, wholesale
  - Textile waste, wholesale
  - Waste paper, wholesale
  - Wiping rags, including washing and reconditioning, wholesale

Transportation equipment and supplies wholesale trade, including all uses listed in SIC group 5088.

**Wholesale Trade Uses, Level III**: Level III wholesale trade-type establishments are those which generally have a very significant impact on their neighbors. They include the following:

Brick, stone and related construction materials wholesale trade, including the following uses listed in SIC group 5032:
  - Aggregate, wholesale
  - Asphalt mixtures, wholesale
  - Cement, wholesale
  - Cinders, wholesale
  - Construction mixtures, wholesale
  - Gravel, wholesale
  - Lime, wholesale
  - Mason's materials, wholesale
  - Paving mixtures, wholesale
  - Plaster, wholesale
  - Sand, wholesale
  - Stone, crushed or broken, wholesale
  - Stucco, wholesale
  - Terra-cotta, wholesale

Chemicals and allied products wholesale trade, including all uses listed in SIC group 5169.
Coal and other minerals and ore wholesale trade, including all uses listed in SIC group 5052.
Petroleum and petroleum products wholesalers other than bulk stations, including all uses listed in SIC group 5172.
Petroleum bulk stations and terminals, wholesale trade, including all uses listed in SIC group 5171.
Plastic and synthetic resins, wholesale trade, as listed in SIC group 5162.
Rubber, crude, as listed in SIC group 5199.
Sawdust, wholesale, as listed in SIC group 5199.

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2.6.3.6 Public and Quasi-Public Non Commercial Principal Uses, General
2.6.3.6 Community Facilities Uses

**Churches, Synagogues and Other Houses of Worship**
Colleges, Junior Colleges, Universities and Seminaries

Day Care Center Accessory to a House of Worship

Day Care Center/Adult: Any building or premises used for the care, protection and supervision of more than five adults, 18 years of age or older, for a period of less than 18 hours per day. Such care shall not include the provision of overnight sleeping accommodations.

Day Care Center/Child: Any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

A. Public schools and nonpublic schools and their integral programs, except as provided in Florida Statute 402.3025;
B. Summer camps having children in full-time residence;
C. Summer day camps; and
D. Bible schools normally conducted during vacation periods

Enclosed Storage for Use by Residents

Family Day Care Home: An occupied residence in which child care is regularly provided for children and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. A family day care home shall be allowed to provide care for any one of the groups of children defined in Florida Statutes Chapter 402.302 (5).

Outdoor Storage for Use by Residents

Public and Quasi-Public Non-Commercial Principal Uses, Level I
Uses having low impact operated by governmental agencies or by private concerns for the general public or for specific clients. They include the following:

- Botanical gardens
- Cemeteries
- Nature Preserves
- Parks
- Wildlife Refuges

Public and Quasi-Public Non-Commercial Principal Uses, Level II
Uses having moderate impact operated by governmental agencies or by private concerns for the general public or for specific clients. They include the following:

- Animal shelters
- Aquariums
- Aviaries
- Clinics
- Community buildings
- Entertainment and assembly facilities, indoor, including theaters, auditoriums and meeting halls
Entertainment and assembly facilities, outdoor, including amphitheaters
Golf courses and executive golf courses
Libraries
Museums
Recreation facilities, indoor, such as gymnasiums, swimming pools, racquet-ball courts and tennis courts
Recreation facilities, outdoor, such as swimming pools and tennis courts
Schools, including elementary, intermediate and secondary schools offering courses in general education and vocational training for activities permitted in these districts.
Stadiums and sports arenas, indoor or outdoor
Zoos

2.6.3.7 Public and Quasi-Public Non-Commercial Principal Uses, for Munn Park and Downtown Districts

Public and Quasi-Public Non-Commercial Principal Uses for Munn Park and Downtown District, Level I
Uses having low impact operated by government agencies or by private concerns for the general public or for specific clients. They include the following:

- Botanical gardens
- Parks

Public and Quasi-Public Non-Commercial Principal Uses for Munn Park and Downtown Districts, Level II
Uses having moderate impact operated by governmental agencies or by private concerns for the general public or for specific clients. They include the following:

- Aquariums
- Aviaries
- Clinics
- Community buildings
- Entertainment and assembly facilities, indoor, including theaters, auditoriums and meeting halls
- Entertainment and assembly facilities, outdoor, including amphitheaters
- Libraries
- Museums
- Recreation facilities, indoor, such as gymnasiums, swimming pools, racquet-ball courts and tennis courts
- Recreation facilities, outdoor, such as swimming pools and tennis courts
- Schools, including elementary, intermediate and secondary schools offering courses in general education and vocational training for activities permitted in these districts.
- Stadiums and sports arenas, indoor or outdoor

(Ord. No. 5522, 07-20-15)

Vocational Training for Activities Permitted the District Where Located

2.6.3.7 Healthcare & Social Services Uses

Blood Banks & Plasma Collection Facilities
Group Homes, Level I: Level I Group Homes are group homes which do not house more than eight clients at any one time. A group home is a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities, assisted living facilities, foster care facilities, community residential homes are included in this definition. The following residential social service facilities are NOT group homes pursuant to this definition: halfway houses, delinquent detention centers; residential rehabilitation intermediate care facilities for the mentally retarded and residential treatment facilities. Also excluded from this definition of group homes are rooming houses, hostels and similar uses; residential clubs; fraternities and sororities; monasteries and convents; hotels; nursing homes and emergency shelters.

Group Homes, Level II: Level II Group Homes are group homes which house between eight and 20 clients at any one time.

Group Homes, Level III: Level III Group Homes are group homes which house more than 20 clients at any one time.

Hospitals & Emergency Rooms: Hospitals and emergency rooms, including institutions providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Institutional Residential, Level I: Level I institutional residential facilities do not house more than eight clients at any one time. Institutional residential facilities include the following state-licensed facilities:
- Delinquent detention centers
- Emergency shelters
- Halfway houses
- Intermediate care facilities and
- Residential rehabilitation facilities for the mentally retarded
- Residential treatment facilities

Institutional Residential, Level II: Level II institutional residential facilities house between eight and 20 clients at any one time and include all Level I institutional residential facilities.

Institutional Residential, Level III: Level III institutional residential facilities house more than 20 clients at any one time and include all Level I and II institutional residential facilities.

Nursing Homes: Including extended or intermediate care facilities licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, except persons suffering from mental ailments and persons so ill as to require regular hospitalization.

Transient Lodging or Social Services Facility: A facility owned and operated by a private organization or by a public agency which offers counseling services or meals or temporary shelter to primarily transient or indigent persons. Such facilities may also provide counseling and temporary custodial care to nonviolent prerelease inmates from federal or state correctional institutions and may provide supervision for persons convicted of misdemeanors in local courts. Such facilities are not designed to provide medical or psychiatric care and treatment.
2.6.3.8 Churches, Synagogues and Other Houses of Worship
2.6.3.8 Infrastructure & Transportations Uses

Airports, Landing Fields & Heliports: Including all uses listed in SIC Group 45.

Broadcast and Transmission Towers: Radio transmission and reception structures, television transmission and reception structures and microwave transmission and reception structures which are not Personal Wireless Service Facilities.

Broadcast and Transmission Towers atop Buildings Greater than 50 ft. in Height

Communication Studios: Radio, television and microwave broadcasting studios.

Ground-Mounted Personal Wireless Service Facilities

Railroad Marshalling Yards: Railroad marshaling yards for establishments listed in SIC group 40.

Solar Power Generation Facilities

Transit Storage & Maintenance Facilities
Storage and maintenance facilities for local, suburban and intercity passenger transportation operators, including the following uses listed in SIC groups 411, 412, 413, 414, 415 and 417:

- Airport transportation services
- Ambulance service
- Automobile rental, with drivers
- Bus charter services
- Bus lines
- Limousine rental, with drivers
- Passenger railroads
- School buses
- Taxicab companies

Transit Terminals
Transit terminal facilities for local, suburban and intercity passenger transportation operators, including the following uses listed in SIC groups 411, 412, 413, 414, 415 and 417:

- Airport transportation services
- Ambulance service
- Automobile rental, with drivers
- Bus charter services
- Bus lines
- Limousine rental, with drivers
- Passenger railroads
- School buses
- Taxicab companies

Utility and Essential Service Facilities, Level I

Electrical substations
Cable television and wireless cable television headend and transmission facility
Gas regulator stations
Major transmission lines
Telephone exchange and transmission equipment buildings
Water pumping stations
Wastewater pumping station

Utility and Essential Service Facilities, Level II: On-site “package” sewage treatment plants as part of a mobile home park or other residential complex.
Processing of water for domestic, commercial and industrial use as listed in SIC group 494.

Utility and Essential Service Facilities, Level III: Facilities for the collection and disposal of refuse, including the following uses listed in SIC group 4953:
- Acid waste collection and disposal, operated by public agencies
- Ash collection and disposal, operated by public agencies
- Dumps, operated by public agencies
- Garbage collection, destroying and processing, operated by public agencies
- Hazardous waste material disposal sites, operated by public agencies
- Incinerators, operated by public agencies
- Radioactive waste disposal, operated by public agencies
- Refuse systems, operated by public agencies
- Sanitary landfills, operated by public agencies
- Sludge disposal, operated by public agencies
- Street refuse systems, operated by public agencies
Processing of wastes collected through a sewage system as listed in SIC group 4952.
Production facilities for electrical service, including all uses listed in SIC groups 491 and 493.
Production facilities for natural and liquefied petroleum gas, including all uses listed in SIC groups 492 and 493.

2.6.3.9 Colleges, Junior Colleges, Universities and Seminaries

2.6.3.10 Principal Communication Uses

Broadcast and Transmission Towers: Radio transmission and reception structures, television transmission and reception structures and microwave transmission and reception structures which are not Personal Wireless Service Facilities.

Communication Studios: Radio, television and microwave broadcasting studios.
Ground-Mounted Personal Wireless Service Facilities

2.6.3.11 Parking as a Principal Use

Parking Garages as Principal Uses

Parking Lots as Principal Uses on a Parcel, When Not Operated as an Accessory to a Use or Uses Located on Another Parcel

Parking Lots as Principal Uses on a Parcel, When Operated as an Accessory to a Use or Uses Located on Another Parcel

2.6.3.12 Utility and Essential Service Facilities

Utility and Essential Service Facilities, Level I
- Electrical substations
- Cable television and wireless cable television headend and transmission facility
- Gas regulator stations
Major transmission lines
Telephone exchange and transmission equipment buildings
Water pumping stations
Wastewater pumping station

Utility and Essential Service Facilities, Level II: On-site “package” sewage treatment plants as part of a mobile home park or other residential complex.
  Processing of water for domestic, commercial and industrial use as listed in SIC group 494.

Utility and Essential Service Facilities, Level III: Facilities for the collection and disposal of refuse, including the following uses listed in SIC group 4953:
  Acid waste collection and disposal, operated by public agencies
  Ash collection and disposal, operated by public agencies
  Dumps, operated by public agencies
  Garbage collection, destroying and processing, operated by public agencies
  Hazardous waste material disposal sites, operated by public agencies
  Incinerators, operated by public agencies
  Radioactive waste disposal, operated by public agencies
  Refuse systems, operated by public agencies
  Sanitary landfills, operated by public agencies
  Sludge disposal, operated by public agencies
  Street refuse systems, operated by public agencies
  Processing of wastes collected through a sewage system as listed in SIC group 4952.
  Production facilities for electrical service, including all uses listed in SIC groups 491 and 493.
  Production facilities for natural and liquefied petroleum gas, including all uses listed in SIC groups 492 and 493.

2.6.3.13 Vocational Training for Activities Permitted in the District Where Located

2.6.3.14 Agricultural, Forestry and Mining Uses

Agricultural Production, Crops, Level I: Limited to the following uses and provided that the cultivation, harvesting and packaging of such crops occurs within an enclosed building:

Production of ornamental plants, flowers and food crops under cover as listed in SIC group 018, and fibrous plants used for manufacturing and pharmaceutical purposes, excluding those cultivated in greenhouses.

Agricultural Production, Crops, Level II: General farming operations as listed in SIC group 019.

Growing of cash grains including wheat, rice, corn, soybeans and others as listed in SIC group 0111.
Growing of fruits and tree nuts, including berry crops, grapes, tree nuts, citrus fruits, deciduous tree fruits and other fruit and tree nuts as listed in SIC group 017.
Growing of horticultural specialties, including ornamental floriculture and nursery products, food crops grown under cover, and other horticultural specialties as listed in SIC group 018.
Growing of other field crops including cotton, tobacco, sugar, potatoes and others as listed in SIC group 0131.
Growing of vegetables and melons as listed in SIC group 016.
Agricultural Production, Livestock, Level I: Animal specialty farms, large animals, including the following uses listed in SIC group 0279:

- Alligator farms
- Dog farms
- Kennels, breeding and raising own stock

Animal specialty farms, small animals, including the following uses listed in SIC group 0279:

- Apiaries
- Aviaries
- Bee farms
- Cat farms
- Catfish farms
- Earth worm hatcheries
- Fish farms
- Frog farms
- Goldfish farms
- Honey production
- Laboratory animal
- Minnow farms
- Silkworm farms
- Trout farms
- Worm farms

Fish hatcheries as listed in SIC group 092.

Fur-bearing animal and rabbit farms as listed in SIC group 0271.

Horse and other equine farms as listed in SIC group 0272.

Poultry and egg farms as listed in SIC group 025.

Agricultural Production, Livestock, Level II

Beef cattle feedlots as listed in SIC group 2011.

Beef cattle raising as listed in SIC group 0212.

Dairy farms as listed in SIC group 024.

Sheep and goat farms and feedlots as listed in SIC group 0214.

Agricultural Services

Animal services, except veterinary services, as listed in SIC group 075.

Crop harvesting services as listed in SIC group 0722.

Crop planting, cultivating and protection services as listed in SIC group 0721.

Crop preparation services as listed in SIC groups 0723 and 0724.

Farm labor contractor and crew services as listed in SIC group 0761.

Farm management services as listed in SIC group 0762.

Hunting and trapping, and game propagation as listed in SIC group 097.

Landscape and horticultural services as listed in SIC group 078.

Soil preparation services as listed in SIC group 071.

Mining: Including the extraction of minerals; quarrying; well operation; milling, such as crushing, screening, washing and flotation; and other preparation customarily done at the mine site or as part of a mining activity.

- Anthracite mining, including uses listed in SIC major group 11.
- Bituminous coal and lignite mining, including all uses listed in SIC major group 12.
- Metal mining, including uses listed in SIC major group 10.
- Nonmetallic minerals mining, except fuels, including uses listed in SIC major group 14.
Community & Economic Development
Staff Recommendation

Date: September 17, 2019  Reviewer: Matthew Lyons
Project No: LDC19-002  Applicant: City of Lakeland
P&Z Hearing: August 20, 2019  P&Z Final Decision: September 17, 2019
Request: Changes to Article 4 (General Site Development Standards) to adopt parking standards for single-family and two-family residential development.

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances or to address unintended consequences of existing standards. The proposed changes to Article 4 (General Site Development Standards) adopt off-street parking standards for single-family and two-family uses.

The recommended changes are included as Attachment “A.”

1.2 Attachments


Attachment B: Residential Driveways & Parking Illustration

2.0 Discussion

Currently, the Land Development Code only regulates the design and construction of vehicle use areas on properties developed for multi-family, office, commercial, and industrial uses. For single-family and two-family uses, there are no design standards in place which regulate the design and construction of residential driveways and parking areas.

As a result, there are numerous examples of residential properties within the City in which vehicles regularly park in unimproved front and street side yards. Typically, this occurs because there is no driveway, the existing driveway is in poor condition, or the driveway is not large enough to accommodate the number of vehicles in the household. Other issues that have arisen include multiple driveway openings or curb cuts on a single property, and the construction of substandard driveways such that vehicles either encroach onto adjacent properties or impede access to pedestrian facilities within the adjacent right-of-way. In the absence of minimum standards, it is left to the individual property owner to decide whether the parking is improved and how it is designed and maintained. Should a property owner decide not to have any improved parking or pave over the entire front yard, the City has no recourse in which to address negative impacts on adjacent property owners.

The proposed changes establish minimum design standards for the design and construction of vehicle use areas for single-family and two-family uses. The standards only apply to parking and driveways within front and street side yards for new construction. Existing improved driveways and off-street parking areas will be deemed legal, nonconforming structures if noncompliant with the proposed standards. Only upon the construction of a new single-family will driveways and parking areas be required to be brought into conformance.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

**Recommendation**

It is recommended that the proposed changes to the LDC, as described in Attachment “A” and “B,” be approved.
ATTACHMENT “A”

4.11.4.6 Vehicle Use Area Design & Construction Standards for Single-Family and Two-Family Residential Uses

It is the intent of this section to adopt standards for the design and construction of off-street parking for single-family and two-family residential uses to minimize visual impacts on building frontages/streetscapes; impacts to pedestrians; and impacts on adjacent property owners. The standards set forth in this section shall only apply to parking located within the front or street side yards of any property zoned or developed for either single-family or two-family residential uses.

a. In accordance with Table 4.11-1, parking shall be provided at the ratio of two spaces/dwelling unit. All parking shall be located on the same lot or parcel as the residential use and within either the actual driveway itself, an accessory parking pad, under a carport or within an enclosed garage. Driveways shall terminate only in in front of a garage, within a carport, or within the interior side yard of the principal structure on the lot or parcel.

b. Driveway Dimensions: The minimum and maximum dimensions shall be as specified below.

1. Standard Driveways: For properties located within a designated historic district, the minimum width for standard driveways shall be eight (8) feet and the maximum width ten (10) feet. For all other areas, the minimum driveway width shall be ten (10) feet and the maximum width twenty-four (24) feet.
2. Ribbon Driveways: Minimum width seven (7) feet, from outer edge to outer edge, and a maximum width of 10 (feet). Minimum width for vehicle tire tracks: two (2) feet.
3. Circular Driveways: Minimum width ten (10) feet and a maximum width of fourteen (14) feet. Minimum lot frontage of seventy-five (75) feet.
4. To accommodate vehicle turning movements into and from a property, driveway aprons may exceed the maximum driveway widths specified above, up to a maximum of three (3) feet on either side of the driveway.
5. Minimum Driveway Length and Setbacks: All driveway and/or parking pads shall extend for a minimum distance of 20 feet on the property, not including any portion of the driveway located within the right-of-way which serves as a connection to an adjacent street or alley. To account for the driveway apron flare, the portion of the driveway located within any right-of-way shall be setback a minimum distance of three (3) feet from any side lot line.
6. If the minimum amount of parking required will be accommodated through tandem parking in a single-car driveway, the driveway shall extend for a minimum distance of forty (40) feet.

c. Surface Materials: Residential driveways and parking areas shall be constructed of asphalt, concrete, brick or ornamental pavers, crushed stone, rock, gravel or other similar materials and shall be maintained as a durable, dust free surface at all times. The use of crushed shell and other floatable materials such as wood chips, mulch or shredded rubber shall be prohibited.
d. **Curb Cuts:** There shall be no more than one (1) driveway apron/curb cut, per lot or parcel, with the exception of circular driveways, driveways serving two-family dwellings constructed in a side-by-side configuration, and properties with access to an improved alley.

e. **Accessory Parking Pads:** Within front and street side yards, a parking pad up to ten (10) feet in width may be constructed accessory to a legal, conforming driveway provided that the pad is located entirely within the property boundaries.

f. **Side Loaded Garages:** Driveways serving side loaded garages shall provide a minimum of twenty-four feet (24) feet of maneuvering space for vehicle turning movements.

g. **Garage Conversions:** Conversion of existing garages to other uses shall not be permitted if such a conversion reduces the amount of off-street parking available below the minimum amount required for all uses on the property.

h. **Non-Conformities:** Non-conforming driveways and off-street parking areas constructed prior to the effective date of these standards shall be deemed legal, non-conforming structures and may be maintained and repaired provided that the extent or size of the nonconformity is not increased or intensified. Upon construction of a new single-family or two-family home, such driveways and parking areas shall be brought into conformance.
ATTACHMENT “B”

Residential Driveways & Parking Areas

(A) Standard Driveway Width: 10’ Min./24’ Max.*
(B) Circular Driveway Width: 10’ Min./14’ Max.
(C) Accessory Parking Pad: Max. Width 10’
(D) Side-Loaded Garage: Min. 24’ Maneuvering Space
(E) Minimum Lot Frontage for Circular Driveways: 75 feet
(F) Minimum Side Yard Setback Within Right-of-Way: 3 feet
*8’ Min./10’ Max. if Located within Historic District
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) primarily address food trucks and provide standards for their use. The recommended changes are included as Attachment “A.”

1.2 Attachments

Attachment A: Changes to Section 1.6 (Definitions) to define food trucks and food truck courts

Attachment B: Proposed standards for Section 5.10 (Food Trucks)

2.0 Discussion

Food trucks are currently addressed under Chapter 78 (Peddlers and Solicitors) of the Code of Ordinances as “Mobile Food Vendors.” The current regulations were developed in an earlier era when food trucks primarily functioned as mobile canteens or snack vendors. Menus were generally limited to pre-packaged, convenience foods such as sandwiches, hot dogs, ice cream, candy, chips and sodas with most food preparation work occurring at an off-site commissary. Such trucks primarily operated on construction sites or other work sites during business hours when dining options were limited. Any waste produced was largely limited to disposable packaging and utensils, glass bottles, aluminum cans, and food scraps. Onboard, water was limited in quantity and primarily used for hygiene purposes.

Modern food trucks came about during the Great Recession due to low startup costs and changing consumer tastes and have very different operational characteristics than the earlier food trucks. Modern food trucks are highly mobile and rely on a business model that is only possible because of technological innovations such as smartphones and social media applications such as Instagram, Twitter, and Facebook. Essentially, they operate as mobile restaurants capable of preparing a wide variety of specialty, ethnic, and gourmet food items fresh from scratch. Modern food trucks are much more versatile than their predecessors and can operate out of business parks, commercial strips, downtown main streets, festivals, and special events; essentially anywhere where customers can easily find them through social media.

Current regulations limit food trucks to C-2 and C-4 zoning districts. Under the proposed changes, food trucks that are not associated with a special event (e.g. downtown rally and market) will be permitted by right in C-2, C-4, I-1, and I-2, and as a conditional use in C-6. The current regulations do not limit the number of trucks that may operate on a single parcel, accessory to another permitted
principal use. Under the proposed standards, two or more food trucks on a single lot or parcel may be permitted as either an accessory or principal use, but only through a conditional use for a food truck court. All food trucks will be required to meet development standards which specify minimum setbacks from sidewalks, driveways, fire hydrants, aboveground utilities, and adjacent residential properties. Any parking set aside for food truck operations will count against the minimum required to support the principal use.

Because food is prepared fresh for customers using an on-board kitchen, modern food trucks produce a very different waste stream than traditional food trucks. In addition to solid waste, they generate a substantial amount of liquid waste (e.g. greywater, grease, and used cooking oil) that can create public health concerns if not properly disposed. As such, all food truck operators will be required to maintain a Disposal Documentation log. The log, which must be provided at the request of the Water Utilities Department, will specify the time, date, address of the disposal location, and the amount of liquid waste, grease, or used cooking oil disposed. All commissaries and disposal sites will require approval by Water Utilities. If a food truck is located on a property with a grease trap and monitoring manhole, direct connection to the sanitary sewer may be permitted subject to review and approval by the Water Utilities Department.

Similarly, because improperly sourced potable water could potentially contaminate the municipal water system, all food truck operators will be required to maintain a Potable Water Acquisition Log. The log, which must be produced at the request of the Water Utilities Department, will specify the time, date, address location and the amount of potable water obtained. All commissaries and off-site water fill sites within the City’s utility service area will require approval by Water Utilities. If a food truck is located on a property with a City domestic water meter and backflow prevention device, direct connection to the water service line may be permitted subject to review and approval by the Water Utilities Department.

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department and Water Utilities Department reviewed this request and recommend the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachments “A,” and “B,” be approved.
1.6 DEFINITIONS

...  

1.6.2 DEFINITIONS

Unless the context clearly indicates a different meaning, for the purposes of this Code, the following words and terms shall be defined as follows:

...

**Floor Area Ratio:** The gross floor area of all buildings on a lot divided by the gross land area.

**Food Truck:** A mobile food unit, mobile food vendor or any other food service/vending vehicle or cart that has been inspected and licensed as such by the appropriate state agency.

**Food Truck Court:** Two or more food trucks as either a principal or accessory use located on the same parcel.
5.10 Food Trucks

5.10.1 General Development Standards

a. Where allowed in Table 2.3-1, no more than one (1) food truck shall be in operation on a given property as an accessory use to another permitted principal commercial use. Two or more food trucks may only be considered through a conditional use for a food truck court.

b. With the exception of special events, such as food truck rallies which are approved through a special event permit, food trucks shall not be located within any public or private right-of-way.

c. Food trucks, and any accessory outdoor tables or seating, shall be setback a minimum of five (5) feet from any sidewalks, ten (10) feet from any driveways and above ground utilities, fifteen (15) feet from any fire hydrants, and fifty (50) feet from any residentially-zoned property.

d. Food trucks, and any accessory outdoor tables or seating, shall not block or otherwise impede access to any sidewalks, driveways, ADA accessible parking or fire lanes.

e. Food trucks shall only be located on an improved, stabilized surface such as concrete, gravel, asphalt or other similar material. If located within an off-street parking area, any parking spaces used will count against the minimum parking ratio required to support the principal use of the property. The amount of parking used shall not result in a reduction of the number of available off-street parking required to support the principal use, as specified by Table 4.11-1.

f. Solid waste collection receptacles shall be provided for use by food truck customers. All solid waste collected shall be properly disposed of either off-site or on-site within an approved solid waste collection bin (dumpster) through an agreement with the property owner.

g. Electrical service may be provided by either an on-board generator or through a temporary electric connection, subject to compliance with all codes and any permitting requirements. Permanent connections for electrical service shall be prohibited.

h. Liquid Waste Disposal

1. There shall be no discharge of liquid waste or grease trap waste into any storm or sanitary sewer system. Liquid waste shall be disposed of through one of the following methods:

   (a) A licensed contracted commissary or a licensed designated sanitary sewer disposal site. All commissaries and disposal sites must have approved grease traps, and monitoring manholes per City of Lakeland Standards and Specifications.

   (b) Direct connection to sanitary sewer by new or existing services.
If a food truck is located on a property that has a grease trap and monitoring manhole approved by the Water Utilities Department, connection to the sanitary sewer shall require compliance with all water utility requirements and approval by the Water Utilities Department. If at any time the Water Utilities Department has concerns about the connection, immediate disconnection shall occur.

2. Disposal Documentation Log

All food truck operators shall maintain a Disposal Documentation Log. The disposal log shall be kept in the food truck at all times and shall include date, time, address location, and the amount of liquid waste, grease or used cooking oil disposed. At the request of the Water Utilities Department and/or upon inspection, the food truck operator shall provide copies of the disposal log. The Disposal Documentation Log to be used by the food truck operator can be found on the City of Lakeland Water Utilities’ website, or by contacting the department.

i. Water Consumption

1. Water shall be provided from one of the following methods:

   (a) A licensed contracted commissary or A licensed designated potable water fill site

   There shall be no connection to any non-potable water source. All commissaries must have an approved backflow prevention device per City of Lakeland Standards and Specifications.

   (b) Direct connection to water by a new or existing domestic service.

If a food truck is located on a property that has a City installed domestic water meter and backflow prevention device approved by the Water Utilities Department, connection to the water service line, downstream of the backflow prevention device, shall be in accordance with all water utility requirements. If at any time the Water Utilities Department has concerns with the connection, or the meter and/or backflow prevention device are bypassed, immediate disconnection shall occur.

2. Potable Water Acquisition Log: The food truck operator shall maintain a Potable Water Acquisition Log. The log shall be kept in the food truck at all times and shall include date, time, address location, and the amount of potable water obtained. At the request of the Water Utilities Department, and/or upon inspection, the food truck operator shall provide copies of the log. The Acquisition Log to be used by the food truck proprietor can be found on the City of Lakeland Water Utilities’ website, or by contacting the department.
5.10.2  Required Documentation

a. Prior to the issuance of a business tax receipt, the food truck proprietor shall submit a Food Truck Sanitary Sewer Disposal & Potable Water Source Form. This form, which can be found on the City of Lakeland Water Utilities’ website or by contacting the department, must be completed and signed by the Water Utilities Department.

b. The applicant shall also submit written consent from the property owner which authorizes the food truck use and guarantees access to permanent bathroom facilities on the site.

c. The food truck proprietor shall maintain a Disposal Documentation Log. The disposal log shall be kept in the food truck and shall include date, time, address location, and the amount of liquid waste, grease or used cooking oil disposed. Food Truck permittee and/or operator shall provide copies of the disposal log when requested by the Water Utilities Department and/or upon inspection.
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances and to address unintended consequences of existing standards. The proposed changes to Article 4 (General Site Development Standards) limit the use of barbed wire, razor wire, and electrical fences in commercial zoning districts. The recommended changes are included as Attachment “A.”

1.2 Attachments

Attachment A: Proposed Changes to Section 4.4 (Fences and Walls)

2.0 Discussion

Historically, the Land Development Code has allowed barbed wire, razor wire and electrified fencing without any restrictions outside of residential zoning districts. Most zoning codes limit such fencing to industrial zoning districts and limit or outright prohibit the use in all other zoning districts. As a result of the current standards, there are numerous examples of commercial properties located along highly visible commercial corridors and at or near the City’s gateways where such fencing can be found within front, rear and street side yards. When allowed without any restrictions, the use of such fencing in front and street side can give the perception of blighted commercial corridors that are crime-ridden and unsafe.

The proposed changes will apply to Office, Commercial, and Light Industrial-Limited Commercial zoning districts. Within such districts, electrified fencing will still be permitted, but will be limited to interior side and rear yard areas. Barbed wire fencing will only be permitted through the variance process, subject to the same location restrictions as electric fences, when the applicant can demonstrate a significant need for the security that such fencing provides and that a denial would result in an unnecessary hardship. Razor wire, however, will be prohibited.

Within I-2 and I-3 zoning districts, barbed wire, razor wire and electric fences will still be permitted. Staff, however, recommends that the use of razor wire be limited to side and rear yards and only when abutting another non-residential zoning district.

Lastly, staff recommends an exemption for Utility and Essential Services Facilities, such as electric substations, water treatment facilities, power generation, and waste collection facilities, to allow for the use of barbed wire fencing or electrified fencing for security purposes within any zoning district.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
4.4 FENCES AND WALLS

4.4.1 GENERAL

a. For purposes of this section, fences and walls shall mean free-standing fences and walls that are not structural elements of a building.

b. Fences and walls, whether required or optional, shall be constructed of the following types of materials.
   1. Chain link or ornamental wire manufactured for fences with uniformly spaced metal or wood posts; or
   2. Ornamental wrought iron, aluminum, or plastics manufactured for fences; or
   3. Treated or finished wood or wood units of uniform size; or
   4. Brick, stone, split block, stucco on concrete block or other finished precast masonry units of uniform size; or
   5. Finished poured concrete.

c. The Director of Community Development may approve other fence or wall materials on a particular site if he finds that the proposed materials would provide equal or greater protection, would result in equivalent impacts on the general appearance of near or adjacent property, and do not violate the intent of the code.

d. Barbed Wire, Razor Wire, and Electric Fencing No barbed wire, razor wire or electrified fence shall be allowed in any residential district.

   1. Residential Zoning Districts: The use of barbed wire, razor wire and electrified fencing shall be prohibited in all residential zoning districts or the portion of any PUDs zoned for residential uses.

   2. Office (O-1, O-2, O-3), Commercial (C-1, C-2, C-3, C-4, C-5, C-6, C-7), and Light Industrial (I-1) Zoning Districts: Electrified fencing may be used for security purposes within all office, commercial, and light industrial zoning districts or the portion of any PUDs zoned for office, commercial and/or I-1 uses. Use of such fencing shall be limited to interior side and rear yards. The use of barbed wire fencing in such zoning districts may be considered through the variance process, subject to the same locational standards as electrified fencing, when the applicant can demonstrate a significant security need such that denial of use of the fencing material would result in an unnecessary hardship. In applying the variance criteria, the Zoning Board of Adjustment and Appeals shall consider the visual impact of such fencing when viewed from any adjacent streets or rights of way and may require landscaping or other mitigation measures as conditions of approval. The use of razor wire fencing in all office, commercial and light industrial zoning districts, or the portion of any PUDs zoned for office, commercial and/or I-1 uses, shall be prohibited.
3. Medium (I-2) and Heavy (I-3) Industrial Zoning Districts: Barbed wire, razor wire or electrified fence may be used for security purposes within I-2 and I-3 zoning districts or the portion of any PUDs zoned for medium and/or heavy industrial uses. The use of razor wire fencing, however, shall be limited to interior side and rear yards.

4. Utility and Essential Services Facilities: Notwithstanding the above provisions, the use of barbed wire or electrified fencing may be used for security purposes for Utility and Essential Services Facilities (All Levels) within any zoning district.
Community & Economic Development
Staff Recommendation

<table>
<thead>
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<th>Date:</th>
<th>September 17, 2019</th>
<th>Reviewer:</th>
<th>Phillip Scearce</th>
</tr>
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<tr>
<td>Project No:</td>
<td>LDC19-005</td>
<td>Applicant:</td>
<td>City of Lakeland</td>
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<td>P&amp;Z Hearing:</td>
<td>August 20, 2019</td>
<td>P&amp;Z Final Decision:</td>
<td>September 17, 2019</td>
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<tr>
<td>Request:</td>
<td>Changes to Article 3 (Urban Form Standards) to specify a minimum height of 24 feet for street facing building facades on properties located within the Urban Center (UCT) context sub-district.</td>
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1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 3 (Urban Form Standards) address the minimum height for street facing building facades on properties located in the downtown core within the Urban Center (UCT) context sub-district. The recommended changes to Table 3.4-3 are included as Attachment “A.”

1.2 Attachments

Attachment A: Proposed Changes to Table 3.4-3 (Urban Center Standards)

2.0 Discussion

Within walkable areas such as downtown, the framing of streets with building facades significantly impacts how streets are perceived and used by pedestrians. Generally, urban design principles suggest that well-designed streets should feel like an “outdoor room” where the height of the adjacent buildings is at least half the width of the street. Within downtown where taller buildings are encouraged, there is currently no minimum building height. Specifying a minimum building height of two-stories, however, is not always economically feasible.

Instead, staff proposes establishing a minimum façade height of 24’ for new street facing building facades within the C-6 and C-7 zoning districts of Urban Center (UCT) context sub-district. This amendment is targeted to the Downtown including the Munn Park Historic District. The proposed minimum façade height achieves the walkability goal of enclosure while avoiding establishing a minimum building story requirement. Architecturally, this effect can be achieved through the use of a parapet wall which simulates a two-story building façade.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
## Table 3.4-3 Urban Center Standards

<table>
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<th>Urban Center UCT</th>
<th>Context sub-district: C-6, All other districts not specified</th>
<th>Context sub-district: C-7</th>
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<td></td>
<td>Minimum</td>
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<td><strong>Block Requirements</strong></td>
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<td>Block Face</td>
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<td>Lot Area</td>
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<td>Lot Coverage¹</td>
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<td>100%</td>
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<td><strong>Principal Building Requirements</strong></td>
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<tr>
<td>Street Setback</td>
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<tr>
<td>Arterial</td>
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<td>Collector</td>
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<td>Local Street</td>
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<td>Interior Side Setback (Minimum)</td>
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<td>Rear Setback (Minimum)</td>
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<tr>
<td>Entrance Feature</td>
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<td>Commercial</td>
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</tbody>
</table>

¹Subject to applicable Floor Area Ratio limits. See Table 1.4-2.
²Outside of the Parking Exempt Area, the required frontage buildout may be reduced only as required to accommodate access to a rear parking area for which no other access is available. In which case, access shall be limited to a single 20' wide drive.
³Minimum height of 24' for street facing building facades adjacent to sidewalks on properties with C-6 or C-7 zoning.

(Ord. No. 5455, 07-21-14; Ord. No. 5725, 07-02-18)
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 3 (Urban Form Standards) provide additional options for compliance with the requirement for civic open space in areas zoned for dense urban development.

1.2 Attachments

Attachment A: Proposed Changes to Section 3.4.6 (Civic Open Space Requirements)

2.0 Discussion

As part of the major update to Land Development Code that was approved by the City Commission in 2013, new development standards were adopted which specify that a minimum amount of land be set aside as civic open space for most new residential, office and commercial development. The amount of space required is dependent upon either the number of lots or dwelling units (residential) or as a ratio based on building square footage (office and commercial).

The current provisions for Civic Open Space are largely intended for suburban style development where ample land is available. The intent of the proposed changes is to allow for greater flexibility for properties located in essentially built-out urban context sub-districts where land may be constrained and there are no publicly-maintained parks or recreation facilities within a quarter mile radius. Under the proposed changes, private amenities such as courtyards and rooftop terraces would meet the requirement for civic open space in such circumstances.

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
CIVIC OPEN SPACE REQUIREMENTS

General

Civic Open Space Requirements describe minimum standards for the creation of civic open space. It is the intent of the Civic Open Space Requirements to provide opportunities for civic activity and recreation, spatially define the urban form, provide aesthetic relief, provide wildlife habitat, reduce stormwater runoff and add value to development.

a. Civic open space shall be privately maintained unless dedicated to and accepted by the city as a public park or recreation facility, in which case it may be eligible for impact fee credits in accordance with city impact fee ordinances. Required civic open space in public housing developments shall be maintained by the public housing authority.

b. Civic open space shall be indicated on the site plan or plat as applicable.

c. Each area of land designated as civic open space shall meet the minimum criteria for a civic open space type in accordance with Sub-Section 3.4.6.2. Such land areas may also be incorporated into larger parks or recreation facilities in accordance with minimum criteria contained in the City of Lakeland Parks, Recreation and Trails Master Plan. More than one type may be provided.

(Ord. No. 5455, 07-21-14)

d. Civic open space that is not dedicated to and accepted by the city for maintenance may be made available to the general public or restricted by covenant to residents of the development or subdivision.

e. Civic open space shall not include rights-of-way, except where the right-of-way incorporates a multi-use path system meeting the minimum standards for Urban Trails outlined in the City of Lakeland Parks, Recreation and Trails Master Plan.

f. Civic open space shall not include stormwater management areas unless such areas have been specifically designed and made available for public use.

g. In calculating the required amount of civic open space for any residential subdivision or multi-family development, credit shall be given on an acre-for-acre basis for existing publicly-maintained parks or recreation facilities located within a quarter mile (1,320 feet) of the development. The quarter mile distance shall be measured by the shortest route of pedestrian travel from any pedestrian access to the subdivision or multi-family development to the nearest pedestrian access to the public park or recreation facility.

h. For commercial, mixed use and multi-family development projects located within an urban context sub-districts, amenities such as courtyards and roof top terraces may be considered as an alternative to the Civic Open Space Types specified under Sub-Section 3.4.6.3 when ample land is not available.
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 3 (Urban Form Standards) adopt a new definition for frontage building, increase the maximum front setback range for principal structures in the Urban Neighborhood (UNH) context sub-district and specify that entrance features are optional on new construction within the Suburban Neighborhood context sub-district. The recommended changes are included as Attachment “A.”

1.2 Attachments

Attachment A: Proposed Changes to Section 3.4.5 (Principal Building Requirements), Table 3.4-1 (Urban Neighborhood Standards) and Table 3.4-5 (Suburban Neighborhood Standards)

2.0 Discussion

As part of the major update to Land Development Code that was approved by the City Commission in 2013, new development standards were adopted which address both minimum and maximum front yard setbacks, minimum frontage buildout, and entrance features.

The maximum setback requirement is intended to ensure a continuous building frontage along streetscapes while providing enough flexibility to accommodate a variety of different building plans and forms. Within the Urban Neighborhood (UNH) context sub-district, the difference between the minimum and maximum is too narrow and does not account for the setbacks of existing homes, particularly on larger lots in established neighborhoods. As a result, an administrative variance is often required for infill construction to align a new home with the front setbacks of existing homes. The proposed changes address this problem by moderately increasing the maximum setback while still allowing for an administrative variance in those circumstances where a greater front setback may be justified by the existing conditions along a given street.

Frontage buildout is currently defined as the minimum percentage of total building width that must fall at or within the minimum and maximum setback range for a given zoning district. This definition is somewhat confusing. and when applied to commercial properties, it rarely produces the type of urban form envisioned. The proposed changes adopt a new definition recommended by the Congress for New Urbanism (CNU) which defines the frontage buildout as the minimum width for the front elevation of a principal structure, as a percentage of the width of a lot or parcel, that must be located with the front setback range established for a given zoning district.
Lastly, changes are proposed which will make the required entrance feature optional with the suburban neighborhood context sub-districts. This change is being made in response to feedback received from homebuilders who have had to make changes to their standardized house plans in order to meet the current standard. Often, the changes required are relatively minimal as the plans meet the spirit and intent of the standards, if not the exact dimensional requirements. As such, to minimize conflicts with the LDC and the need for administrative adjustments, staff is recommending that entrance features be optional within the suburban neighborhood context.

### 3.0 Recommendation

#### 3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with *Lakeland Comprehensive Plan: 2010-2020* and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

**Recommendation**

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
3.4.5 PRINCIPAL BUILDING REQUIREMENTS

... c. **Rear Setback**: Describes minimum and maximum principal building setbacks in feet from the rear lot line.

d. **Frontage Buildout**: Describes the minimum and maximum percentage of total building width that must fall at or within the minimum and maximum front setbacks.

d. **Frontage Buildout**: The minimum width for the front elevation of a principal structure, as a percentage of the width of a lot or parcel, that must be located within the front setback range established for a given zoning district.

e. **Building Height**: Describes the minimum and maximum building height in feet measured as the vertical distance from finished grade to the highest finished roof surface in the case of flat or mansard roofs, or to the mean height between eaves and ridge in the case of gable, hip or gambrel roofs.
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<th>Urban Neighborhood UNH</th>
<th>Context sub-district: RA-1, RA-2</th>
<th>Context sub-district: RA-3, RA-4, RB</th>
<th>Context sub-district: MF-12, MF-16, MF-22</th>
<th>Context sub-district: O-1, C-1</th>
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<td><strong>Block Requirements</strong></td>
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<td>Block Face</td>
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<td>Detached</td>
<td>Detached, Attached by Conditional Use within RA-3 and RA-4 (Special: SFA, ZLL, CT) 1</td>
<td>Detached, Attached (Special: SFA, ZLL, CT) 1</td>
<td>Detached, Attached (Special: SFA, ZLL, CT) 1</td>
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<tr>
<td><strong>Lot Requirements</strong></td>
<td><strong>Minimum</strong></td>
<td><strong>Maximum</strong></td>
<td><strong>Minimum</strong></td>
<td><strong>Maximum</strong></td>
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<tr>
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<td>55%</td>
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<td>80%</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Street Setback</strong></td>
<td><strong>Arterial</strong></td>
<td>20'</td>
<td>15'</td>
<td>25'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>15'</td>
<td>15'</td>
<td>25'</td>
</tr>
<tr>
<td></td>
<td>Main Street</td>
<td>0'</td>
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<td>20'</td>
</tr>
<tr>
<td></td>
<td>Local Street</td>
<td>15'</td>
<td>15'</td>
<td>20'</td>
</tr>
<tr>
<td></td>
<td>Interior Side Setback (Minimum)</td>
<td>7' Detached</td>
<td>0' SFA or ZLL</td>
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<td>Rear Setback</td>
<td>20'</td>
<td>15'</td>
<td>20'</td>
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<td>Frontage Buildout</td>
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<td></td>
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<td>Parking Location</td>
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<td>Zone 2, 3 1</td>
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<td>Entrance Feature</td>
<td>Porch, Stoop</td>
<td>Porch, Stoop</td>
<td>Porch, Stoop, Forecourt</td>
<td>Commercial</td>
</tr>
<tr>
<td>Other</td>
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</table>

1For sub-district M11, the maximum block face shall be 550' and the maximum block perimeter shall be 1,900'. Urban form standards shall be as set forth in Section 5.11.
2Subject to applicable Floor Area Ratio Limits. See Table 3-1. Maximum lot coverage may be higher where single-family attached uses are permitted by right or as a conditional use.
3The required frontage buildout may be reduced only as required to accommodate access to a rear parking area for which no other access is available, in which case access shall be limited to a single 20' wide drive.
4Parking permitted in Zone 1 only if parking in other zones is not feasible due to physical site constraints or where necessary to maintain pre-existing off-site connections.
5The ZLL and CT special building types are subject to establishment procedures for single-family sub-districts in accordance with Sub-section 3.4.3.2.
6For properties located outside of designated historic districts, maximum height of 35' if the principal use is multi-family residential or residential located above a 1st floor non-residential use where permitted in accordance with Table 2.2–1.

(Ord. No. 5455, 07-21-14; Ord. No. 5522, 07-20-15; Ord. No. 5582, 05-16-16; Ord. No. 5734, 07-16-18)
<table>
<thead>
<tr>
<th>Suburban Neighborhood</th>
<th>Context sub-district: RA-1, RA-2</th>
<th>Context sub-district: RA-3, RA-4, RB</th>
<th>Context sub-district: MF-12, MF-16, MF-22</th>
<th>Context sub-district: O-1, C-1</th>
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<tr>
<td><strong>Block Requirements</strong></td>
<td><strong>Minimum</strong></td>
<td><strong>Maximum</strong></td>
<td><strong>Minimum</strong></td>
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<tr>
<td>Block Perimeter</td>
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<td><strong>Allowable Building Types</strong></td>
<td>Detached</td>
<td>Detached, Attached by Conditional Use within RA-3 and RA-4 (Special SFZ)</td>
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<td>Detached</td>
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<td><strong>Lot Requirements</strong></td>
<td><strong>Lot Width</strong></td>
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<td><strong>Lot Area</strong></td>
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<td></td>
<td><strong>Lot Coverage</strong></td>
<td>35%</td>
<td>35%</td>
<td>50%</td>
</tr>
<tr>
<td><strong>Principal Building Requirements</strong></td>
<td><strong>Street Setback</strong></td>
<td><strong>Arterial</strong></td>
<td>25'</td>
<td>55'</td>
</tr>
<tr>
<td></td>
<td><strong>Collector</strong></td>
<td>20'</td>
<td>50'</td>
<td>15'</td>
</tr>
<tr>
<td></td>
<td><strong>Main Street</strong></td>
<td>0'</td>
<td>25'</td>
<td>0'</td>
</tr>
<tr>
<td></td>
<td><strong>Local Street</strong></td>
<td>15'</td>
<td>50'</td>
<td>15'</td>
</tr>
<tr>
<td></td>
<td><strong>Interior Side Setback</strong></td>
<td>5'</td>
<td>7'</td>
<td>1-story</td>
</tr>
<tr>
<td></td>
<td><strong>Rear Setback</strong></td>
<td>25'</td>
<td>10'</td>
<td>30'</td>
</tr>
<tr>
<td></td>
<td><strong>Frontage Buildout</strong></td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td><strong>Building Height</strong></td>
<td>35'</td>
<td>35'</td>
<td>35'</td>
</tr>
<tr>
<td></td>
<td><strong>Parking Location</strong></td>
<td>Zone 1, 2, 3, 4, Porch-Stoop Optional</td>
<td>Zone 1, 2, 3, 4, Porch-Stoop Optional</td>
<td>Zone 1, 2, 3, 4, Porch-Stoop Optional</td>
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<tr>
<td></td>
<td><strong>Entrance Feature</strong></td>
<td>1st floor</td>
<td>1st floor</td>
<td>1st floor</td>
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<tr>
<td></td>
<td><strong>Other</strong></td>
<td>Civic Open Space Requirements in accordance with Sub-Section 3.4.7; Other Standards in accordance with Sub-Section 3.4.8</td>
<td>Design Standards for Principal Buildings in accordance with Sub-Section 3.4.6</td>
<td></td>
</tr>
</tbody>
</table>

1 For Context sub-district NH, the maximum block face shall be 700’ and the maximum block perimeter shall be 2,000’. Development standards shall be as set forth in Section 5.11.

2 Subject to applicable Floor Area Ratio limits. See Table 1.4.2. Maximum lot coverage may be higher where single-family attached uses are permitted by right or as a conditional use.

3 The required frontage buildout may be reduced only as required to accommodate access to a rear parking area for which no other access is available. In which case access shall be limited to a single 20’ wide drive.

(Ord. No. 5455, 07-21-14; Ord. No. 5582, 05-16-16)
Community & Economic Development
Staff Recommendation

<table>
<thead>
<tr>
<th>Date:</th>
<th>September 17, 2019</th>
<th>Reviewer:</th>
<th>Phillip Scearce</th>
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<tr>
<td>Project No:</td>
<td>LDC19-008</td>
<td>Applicant:</td>
<td>City of Lakeland</td>
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<td>P&amp;Z Hearing:</td>
<td>August 20, 2019</td>
<td>P&amp;Z Final Decision:</td>
<td>September 17, 2019</td>
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<td>Request:</td>
<td>Changes to Article 6 (Natural Resource Protection Standards) to allow an administrative variance process for the construction of shoreline stabilization structures, such as seawalls and riprap, and from the 50-foot minimum setback requirement for property located on protected lakeshores when constructing principal or accessory structures.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 6 (Natural Resource Protection Standards) address the variance process for the construction of shoreline stabilization structures such as seawalls and riprap and for any construction within the 50-foot minimum setback from ordinary high water line on designated protected lakeshores.

1.2 Attachments

Attachment A: Proposed Changes to Sub-Section 6.4.3.2 (Minimum Setbacks for Protected Lakeshores)

2.0 Discussion

Section 6.4.3.2 of the Land Development Code requires all structures, either primary or accessory, to be setback a minimum of 50’ from the ordinary high-water line of protected lakeshores of certain designated lakes. Currently, variances from the 50-foot setback requirement require a formal application before the Zoning Board of Adjustment & Appeals. The consideration of such variances, however, is not based on a strict hardship test like other applications and requires substantial technical expertise from the Lakes and Stormwater Division.

The proposed amendment to Section 6.4.3.2 allows for an administrative variance to be considered by the Lakes & Stormwater Division based on the technical merits of the application in lieu of a formal variance. By doing so, the permitting process is streamlined and the applicant no longer has the uncertainty associated with a formal variance application. This change will apply to common improvements such as swimming pools and screen enclosures, as well as shoreline stabilization structures such as seawalls and riprap.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department and Lakes and Stormwater Division reviewed this request and recommend the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
6.4.3  STANDARDS FOR PROTECTED HABITAT AREAS
...
6.4.3.2 Minimum Setbacks for Protected Lakeshores
...

3. Pesticides, excluding appropriate herbicides, shall not be used within the setback distance due to their potential to harm the aquatic ecosystem. All required state or federal permits shall be obtained prior to the control or management of any wetland or aquatic plants. Fertilizer products may be applied to this setback area, in amounts prescribed by label, no more than once a year.

4. Where determined by the Manager of Lakes and Stormwater that proposed structures will not have an adverse impact to adjacent water body and nearby properties, an administrative variance to the 50-foot lakeshore setback may be considered. Such variances may be granted for shoreline stabilization structures (e.g. seawall and riprap) and for principal and accessory structures including, but not limited to, swimming pools and screened pool enclosures. Administrative variance requests shall be submitted in writing with the associated building or site plan permit. Consideration for such variances shall be based on the relative impacts to the water body and the setbacks of existing structures and improvements on adjacent and nearby properties. Variances to the 50 foot lakeshore setback shall be considered based on the relative impact to the water body, existing setbacks on adjacent and nearby properties and in accordance with the process utilized for other variances to zoning setbacks by the Zoning Board of Adjustment and Appeals. Provided, application to the Zoning Board of Adjustment and Appeals shall not be required when application to the City Commission is otherwise required pursuant to Sub-Section 6.4.3.4.e and City Commission approval is secured.

(Ord. No. 5455, 07-21-14; Ord. No. 5579, 05-16-16)
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Section 1.6 (Definitions) revise the definitions for multi-family and two-family dwellings. The recommended changes are included as Attachment “A.”

1.2 Attachments

Attachment A: Proposed Amendment to Section 1.6.2 (Definitions)

2.0 Discussion

The current definitions for multi-family and two-family dwelling units were carried over from the previous version of the Land Development Code. The definitions are somewhat obsolete and inconsistent with how such uses have been developed in practice.

The proposed changes allow for greater flexibility when developing properties zoned for multi-family uses by allowing for the use of single-family and two-family typologies which are generally more attractive from a development cost as they do not require expensive sprinkler systems. Revisions to the definition for two-family dwelling units align with the definition with the frontage requirements specified by the Land Development Code.

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
1.6  DEFINITIONS

1.6.2  DEFINITIONS

**Dwelling, Multiple-Family:** A building containing three or more dwelling units.

**Dwelling, Multi-Family:** A building or parcel of land containing three or more dwelling units in which each unit is directly accessed from the outside or from a common, interior hallway.

**Dwelling, Two-Family:** A building containing two dwelling units on the same lot or parcel, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

**Dwelling, Two-Family:** A building on a single lot or parcel of land containing two dwelling units, in which each unit has frontage on the primary street adjacent to the lot or parcel and is totally separated from the other by either an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both units.
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 3 (Urban Form Standards) redefine how transparency is measured for new development within office, commercial, and light industrial zoning districts, and change how transparency is measured for development located outside of downtown. The recommended changes are included as Attachment “A.”

1.2 Attachments

Attachment A: Proposed Changes to Sub-Section 3.4.7.4 (Ground Floor Transparency)

2.0 Discussion

Buildings with few openings and darkly tinted windows and doors impact community character and public safety. Visually, they result in streets and commercial corridors that are unappealing to both motorists and pedestrians. More critically, they inhibit community policing measures by reducing or obscuring the “eyes on the street” that produce and reinforce a sense of safety in public spaces.

The existing standard is a one-size-fits-all approach which does not achieve the intended results in downtown and other pedestrian-oriented areas. The proposed text amendment changes how transparency is measured and creates separate sets of standards for pedestrian oriented zoning districts (C-1, C-6 and C-7) and motor vehicle oriented commercial districts (O-1, O-2, O-3, C-2, C-3, C-4, C-5 and I-1).

Currently, the Land Development Code specifies that the first fifteen feet of building height of ground floor building façades facing a primary street contain a minimum of 40% openings (glass windows, transoms and doors) with a minimum visible transmittance rating of 10%. Under the proposed changes, transparency will be measured in the area located between two feet above grade and ten feet above grade. By doing so, it focuses on visibility at the pedestrian level eliminating the need for superfluous and costly glazing.

Within C-1, C-6 and C-7 zoning districts, for street facing facades, a minimum of fifty percent of the ground floor façade between two feet in height and ten feet in height will be required to have clear glass windows and doors with a minimum visible transmittance rating of 70%. For a fifty-foot wide building façade, this translates to an area of 200 square feet (50 ft. x 8 ft. x 0.50 = 200 sq. ft.). Under the current standard, the same 50-foot façade would be required to provide 300 square feet of glazing (50 ft. x 15 ft. x 0.40 = 300 sq. ft.).
Within O-1, O-2, O-3, C-2, C-3, C-4, C-5 and I-1 zoning districts, for street facing building facades, a minimum of forty percent of the ground floor façade between two feet in height and ten feet in height will be required to have semi-transparent glass windows and doors with a minimum visible transmittance rating of 40%. For a one hundred-foot wide building façade, this translates to an area of 320 square feet (100 ft. x 8 ft. x .40 = 320 sq. ft.). Under the current standard, the same 100-foot façade would be required to provide 600 square feet of glazing (100 ft. x 15 ft. x 0.40 = 600 sq. ft.).

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
3.4.7.4 Ground Floor Building Transparency of Buildings in Commercial, Office and I-1 Industrial Zoning Districts

The first fifteen feet of building height of ground floor (first story) building façades facing the primary street shall contain between 40 and 70 percent openings (glass windows, transoms and doors). Ground floor (first story) building façades facing the secondary street shall have between 25 and 50 percent openings. All glass shall have a visible transmittance rating of no less than 10 percent.

a. Ground Floor Transparency for Buildings on Properties located within C-1, C-6, and C-7 zoning districts

For street facing building facades, a minimum of fifty percent (50%) of the ground floor façade, when measured between two feet above grade and ten feet above grade at the pedestrian/sidewalk level, shall consist of clear glass windows and doors with a visible transmittance rating of no less than seventy percent (70%).

b. Ground Floor Transparency for Buildings on Properties located within O-1, O-2, O-3, C-2, C-3, C-4, C-5, and I-1 zoning districts

For street facing building facades, a minimum of forty percent (40%) of the ground floor façade, when measured between two feet above grade and ten feet above grade at the pedestrian/sidewalk level, shall consist of glass windows and doors with a visible transmittance rating of no less than forty percent (40%).
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to the Land Development Code (LDC) address the arrangement of lots and lot lines through the subdivision process, as specified under Article 9 (Subdivision Standards). The recommended changes are included as Attachment “A.”

1.1 Attachments

Attachment A: Proposed Changes to Section 1.6.2 (Definitions) and 9.8.4 (Lots)

2.0 Discussion

The intent of the subdivision standards is to protect the public health, safety, and general welfare and through the promotion of the orderly development of land. The proposed changes are primarily intended to address the creation of atypical, irregularly shaped lots that can be disruptive if introduced into existing platted subdivisions.

A flag lot is an irregular shaped lot with minimal frontage on a public or private street, typically no more than a driveway. The bulk of the lot (flag) is set back far from the road frontage, with a long, narrow driveway (flag pole) typically being the only connection to the primary road frontage. Flag lots are common in rural areas where limited infrastructure is in place. Historically, flag lots were used as an economical way to create additional buildable lots, from of an otherwise deep or narrow parcel of land, to allow for the construction of additional single-family homes. In suburban and urban areas, flag lots are inefficient and make it difficult to assemble or reassemble land such that it can be developed into an orderly pattern of regular shaped blocks and streets. Within existing subdivisions, the use of such lots is disruptive to a pattern of otherwise uniform lot widths and setbacks and results in the proliferation of new impacts that were never intended at the time of plat approval. Flag lots can also be confusing to police, fire, solid waste collection or other city services as a narrow driveway is often the only clue that there may be a home on the property.

A through lot is defined as a lot which has frontage upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. Such lots may be appropriate when created at the time of subdivision review as part of a block in which all of the lots are uniform in depth and share the same double frontage. When created through the combination of two platted lots within an existing subdivision, however, they can be disruptive to the existing setback and lot pattern and introduce additional impacts that were never intended at the time of plat approval.
The proposed changes define the term flag lot and prohibit the creation of new flag lots whether through the subdivision process or through a simple lot split which does not require subdivision review. New through lots may be created, but only as part of the platting of a new subdivision or through a replat of an existing subdivision, in which all lots within a given block are through lots with a uniform lot depth.

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
1.6.2 DEFINITIONS

Unless the context clearly indicates a different meaning, for the purposes of this Code, the following words and terms shall be defined as follows:

Lot Depth: The average distance, measured from the front lot line to the rear lot line, measured in the general direction of the side lot lines.

Lot, Flag: A lot not meeting minimum lot frontage requirements so shaped and designed that the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the public or private frontage street.

Lot Frontage: The length of the front lot line measured at the street right-of-way line.

9.8.4 LOTS

9.8.4.1 Arrangement

Insofar as practical, side lot lines shall be unbroken and at right angles to straight street lines, and radial to curved street lines. The creation of new flag lots, whether through the subdivision process or as a simple parcel split, shall be prohibited. New through lots may only be created as part of the platting of a new subdivision, or as part of a replat of an existing subdivision, in which all lots within a given block are through lots with a uniform lot depth.
Community & Economic Development
Staff Recommendation

Date: September 17, 2019  Reviewer: Phillip Scearce
Project No: LDC19-012  Applicant: City of Lakeland
P&Z Hearing: August 20, 2019  P&Z Final Decision: September 17, 2019

Request: Changes to Article 4 (General Site Development Standards) to adopt buffering and locational standards for aboveground equipment such as backflow preventers, utility meters, and sprinkler monitoring systems.

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 4 (General Site Development Standards), Sub-Section 4.5.8.1, address the location and buffering of backflow prevention assemblies, utility meters, and sprinkler monitoring systems.

1.2 Attachments

Attachment A: Proposed Amendment to Sub-Section 4.5.8.1

2.0 Discussion

The existing regulations only address screening around backflow prevention assemblies and do not provide any direction as to their placement. The design and engineering of such equipment is typically performed late in the development review process. As a result, there are multiple examples of such facilities being placed in either a highly visible, inappropriate location or too close to principal building entrances and pedestrian facilities.

The proposed changes address backflow prevention assemblies, utility meters, and sprinkler monitoring systems and limit the placement of such equipment near building entrances and pedestrian facilities to minimize view from adjacent sidewalks and streets. Outside of downtown, when located adjacent to a street or sidewalk, a Type A hedge (minimum height of 18 inches and 50 percent view blockage at time of planting) will be required on three sides to screen such equipment from view. Within the downtown core in the Urban Center (UCT) context district, such equipment may only be located on either an alley or the service side of a building or entirely hidden from view through the use of landscaping, planters, street furniture or other decorative concealment measures.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
4.5.8  LANDSCAPING OF OTHER ON-SITE FACILITIES

4.5.8.1 Backflow Prevention Assemblies, Utility Meters and Fire Sprinkler Monitoring Systems

Backflow prevention assemblies shall be screened from view by a Type A hedge on three sides, leaving the service side open for maintenance and repair accessibility as illustrated in Figure 4.5-7 (Landscaping of Backflow Prevention Assemblies).

Unless deemed impractical at the time of site plan review, backflow prevention assemblies, utility meters and fire sprinkler monitoring systems shall be located away from building entrances and pedestrian facilities, such that visual impacts are minimized when viewed from adjacent sidewalks and streets. Outside of downtown, when located adjacent to a street or sidewalk, backflow preventers shall be screened from view through the use of a Type A hedge on three sides, leaving the service side open for maintenance and repair accessibility as illustrated in Figure 4.5-7 (Landscaping of Backflow Prevention Assemblies). Such landscaping, along with the proposed location of the backflow preventer, shall be shown on the landscaping plan at the time of site plan submittal. In downtown, within the Urban Center (UCT) context sub-district, backflow preventers, utility meters and fire sprinkler monitoring systems shall be located on either an alley or the service side of a building, or entirely hidden from view to pedestrian and vehicular traffic through the use of landscape planters, street furniture or other decorative concealment measures.
1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 2 (Use Standards) address development standards for single-family dwelling units in areas zoned for Limited Development (LD). The recommended changes are included as Attachment “A.”

1.2 Attachments

Attachment A: Proposed Table 2.3.4 (LD Development Standards for a Single-Family Dwelling Unit)

2.0 Discussion

The current version of the Land Development Code (LDC) was adopted by the City Commission in December of 2013. Prior to that time, the LDC contained specified development standards for single-family residential uses in areas with LD zoning. LD zoning is intended to limit development in accordance with the future land use designation of the area. Historically, LD has been applied to limit development on properties with a future land use designation of Preservation (P), Conservation (C) or Recreation (R) or those properties located within the Green Swamp Area of Critical State Concern (GSACSC). It has also been applied as a placeholder to conserve rural, agricultural or undeveloped lands in the absence of any specific development proposals when services are not in place to support more intense development.

The proposed changes restore development standards that were in place prior to 2013 which allow for the construction of one single-family detached home dependent upon size of the parcel. For areas designated Preservation or Recreation, the minimum parcel size is five acres. The minimum parcel size increases to 10 acres if designated Conservation or 20 acres if located within the GSACSC.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommends the proposed changes to the LDC.

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
### Table 2.3-4: LD Development Standards for a Single Family Dwelling Unit

<table>
<thead>
<tr>
<th>Lot Requirements</th>
<th>Future Land Use District: Preservation, Recreation</th>
<th>Future Land Use District: Conservation</th>
<th>Green Swamp Area of Critical State Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width</td>
<td>Minimum 200'</td>
<td>Maximum 200'</td>
<td>Minimum 200'</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>Minimum 300'</td>
<td>Maximum 300'</td>
<td>Minimum 300'</td>
</tr>
<tr>
<td>Lot Area</td>
<td>Minimum 5 acres</td>
<td>Maximum 10 acres</td>
<td>Minimum 20 acres</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>Minimum 5%</td>
<td>Maximum 5%</td>
<td>Minimum 5%</td>
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<tr>
<td><strong>Principal Building Requirements</strong></td>
<td></td>
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</tr>
<tr>
<td>Street Setback</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Arterial</td>
<td>Minimum 65'</td>
<td>Maximum 65'</td>
<td>Minimum 65'</td>
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<tr>
<td>Collector</td>
<td>Minimum 50'</td>
<td>Maximum 50'</td>
<td>Minimum 50'</td>
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<tr>
<td>Local Street</td>
<td>Minimum 30'</td>
<td>Maximum 30'</td>
<td>Minimum 30'</td>
</tr>
<tr>
<td>Interior Side Setback (Minimum)</td>
<td>Minimum 15' Detached</td>
<td>Maximum 15' Detached</td>
<td>Minimum 15' Detached</td>
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<tr>
<td>Rear Setback</td>
<td>Minimum 40'</td>
<td>Maximum 40'</td>
<td>Minimum 40'</td>
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<tr>
<td>Frontage Buildout</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Building Height</td>
<td>Minimum 35'</td>
<td>Maximum 35'</td>
<td>Minimum 35'</td>
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<tr>
<td>Parking Location</td>
<td>Minimum Zone 1, 2, 3, 4</td>
<td>Maximum Zone 1, 2, 3, 4</td>
<td>Minimum Zone 1, 2, 3, 4</td>
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<tr>
<td>Entrance Feature</td>
<td>Optional</td>
<td>Optional</td>
<td>Optional</td>
</tr>
</tbody>
</table>

**ATTACHMENT “A”**
### Community & Economic Development Staff Request for Application Withdrawal

<table>
<thead>
<tr>
<th>Date:</th>
<th>September 17, 2019</th>
<th>Reviewer:</th>
<th>Todd Vargo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project No:</td>
<td>PUD19-009</td>
<td>Location:</td>
<td>3355 Harden Boulevard</td>
</tr>
<tr>
<td>Owner:</td>
<td>Drummond Company, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Timothy F. Campbell, Clark, Campbell, Lancaster and Munson PA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>PUD (Planned Unit Development)</td>
<td>Future Land Use:</td>
<td>RAC (Regional Activity Center)</td>
</tr>
<tr>
<td>Context District:</td>
<td>UCT (Urban Center)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P&amp;Z Hearing:</td>
<td>May 21, 2019</td>
<td>P&amp;Z Final Decision:</td>
<td>TBD</td>
</tr>
<tr>
<td>Request:</td>
<td>Major Modification of PUD (Planned Unit Development) zoning to increase the maximum floor area for retail commercial/office uses from 50,000 to 55,000 square feet, allow up to four fast casual restaurants and one quick service (fast food) restaurant with drive-through service, remove existing entitlements for a 150,000 square foot office building, a 130-room hotel, and a convenience store with motor vehicle fuel sales, and adopt a new site development plan on approximately 17.79 acres located north of Town Center Drive and west of Harden Boulevard.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

After several months of delays, the applicant has become non-responsive regarding staff’s repeated requests for revisions to the application. Staff is requesting that the application be withdrawn and removed from further consideration until the applicant and client are ready to move forward.
Community & Economic Development
Staff Recommendation

Date: September 17, 2019 Reviewer: Todd Vargo
Project No: SPI19-001 Applicant: City of Lakeland
P&Z Hearing: August 20, 2019 P&Z Final Decision: September 17, 2019
Request: Revisions to the Special Public Interest (SPI) zoning overlay for the South Lake Morton Historic District (Ordinance 3050, as amended), to revise the maximum living area for detached, secondary, residential structures and garage apartments to align with the standards for Accessory Dwelling Units (ADUs) specified under Section 4.3.2 of the Land Development Code.

1.0 Background

The proposed changes to the Special Public Interest zoning overlay for the South Lake Morton Historic District (Ordinance 3050, as amended by Ordinances 3394, 3574 and 4502) address the maximum living area for detached, secondary, residential structures and garage apartments. The recommended changes are included as Attachment “A.”

In 1988, the City Commission adopted Ordinance 3050 as an overlay district in order to preserve the historical character of the largest concentration of pre-1930’s residential structures in the city of Lakeland. The SPI overlay recognized that the subject area would best be served by allowing for the continued use of existing non-conforming uses such as detached, secondary, residential structures.

The standards for detached, secondary, residential structures within the SPI overlay have been amended several times since adoption. Ordinance 3394, adopted in 1992, allowed for the construction of new detached, secondary, residential structures as a conditional use, but limited the maximum floor area to 450 square feet. In 2004, the City Commission approved Ordinance 4502, which increased the maximum allowable floor areas for such uses to 530 square feet.

1.2 Attachments

Attachment A: Proposed Changes to Ordinance 3050, as amended.

2.0 Discussion

In 2009, the Land Development Code (LDC) was amended to allow Accessory Dwelling Units (ADUs) by-right for single-family homes located within the Central City Area subject to specific ownership and utility restrictions. In accordance with Table 4.3-1 of the Land Development Code, ADUs are limited to a maximum living area of either 800 square feet or 40% of the square footage of the living area of the principal dwelling unit, whichever is less. The proposed change to the South Lake Morton SPI aligns the maximum floor area for detached, secondary, residential structures with the standards for ADUs specified by the Land Development Code. Approval of this change will provide greater flexibility to property owners within the Lake Morton Historic District that would like to construct an accessory dwelling unit, but without the ownership restrictions and utility limits specified by the LDC.
3.0 Recommendation

3.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommended the proposed changes to the LDC.

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.

Recommendation

It is recommended that the proposed changes to the LDC, as described in Attachment “A,” be approved.
ATTACHMENT “A”

Ordinance 3050, as reamended.

F.2.6. Development Standards for the Construction of Detached, Secondary, Residential Structures and Garage Apartments Permitted After the Effective Date of this Ordinance:

a. Building Bulk Regulations

(5) Maximum floor living area per unit: Five hundred thirty (530) square feet. Eight hundred (800) square feet or 40% of the living area of the principal dwelling, whichever is less.
Community and Economic Development
Staff Recommendation

<table>
<thead>
<tr>
<th>Date:</th>
<th>September 17, 2019</th>
<th>Reviewer:</th>
<th>Joshua Cheney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project No:</td>
<td>SPI19-002</td>
<td>Location:</td>
<td>1131 Frank Lloyd Wright Way</td>
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<tr>
<td>Owner:</td>
<td>Florida Southern College</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>City of Lakeland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>RA-3 (Single-Family) SPI (Special Public Interest)</td>
<td>Future Land Use:</td>
<td>RM (Residential Medium)</td>
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<tr>
<td>Context District:</td>
<td>UNH (Urban Neighborhood)</td>
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<td></td>
</tr>
</tbody>
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P&Z Hearing: August 20, 2019  
P&Z Final Decision: September 17, 2019

Request: Expansion of the Special Public Interest (SPI) zoning overlay for Florida Southern College – Ordinance 5144, as amended, to allow a new 2-story school building, as part of an expansion of the existing Roberts Academy school, on property located at 1131 Frank Lloyd Wright Way.

1.0 Location Maps

![Location Map](image-url)
2.0 Background

2.1 Summary

The City of Lakeland requests an expansion of the Special Public Interest (SPI) zoning overlay for Florida Southern College to allow a new 2-story school building, as part of an expansion of the existing Roberts Academy school, on property located at 1131 Frank Lloyd Wright Way. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property is located at the southwest corner of Frank Lloyd Wright Way and Hollingsworth Road, south of the existing Roberts Academy campus at 1140 Frank Lloyd Wright Way and adjacent to the eastern boundary of the Florida Southern College campus. The property consists of a single platted lot of record, approximately 1.17 acres in area, with a 1,458 square foot single-family detached home that was relocated to the property in 2000 by Florida Southern College. The proposed modification to the SPI overlay will incorporate this property into Sub-District E (Roberts Academy) of the SPI overlay. Sub-District E allows for uses such as a pre-school, elementary school, secondary and post-secondary education classrooms as part of a unified teaching center under the administration of Florida Southern College. Accordingly, if this request is approved, the existing single-family home will be demolished to prepare for site development.

2.3 Project Background

The proposed school building is two-stories in height with a total floor area of approximately 22,000 square feet. The new school building will be used for the continued instruction of children of middle school age (grades six through eight). A revised master plan for the campus showing all existing buildings and the new building is included as Attachment “C-1.” A proposed site development plan for the middle school building is included as Attachment “C-6.”

2.4 Existing Uses of Adjacent Properties

<table>
<thead>
<tr>
<th>Boundary</th>
<th>Existing Land Use</th>
<th>FLUM</th>
<th>Zoning</th>
<th>Context</th>
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<tr>
<td>North</td>
<td>Florida Southern College</td>
<td>RM</td>
<td>RA-3; SPI</td>
<td>UNH</td>
</tr>
<tr>
<td>South</td>
<td>Single-Family Residential</td>
<td>RM</td>
<td>RA-3</td>
<td>UNH</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family Residential</td>
<td>RM</td>
<td>RA-3</td>
<td>UNH</td>
</tr>
<tr>
<td>West</td>
<td>Florida Southern College</td>
<td>RM</td>
<td>RB-3; SPI</td>
<td>UNH</td>
</tr>
</tbody>
</table>

2.5 Attachments

Attachment A: Legal Description
Attachment B: Revised Florida Southern College SPI Sub-District Map
Attachment C-1: Revised Florida Southern College Master Plan
Attachment C-2: Previously Approved Site Plan for “Roberts Academy”
3.0 Discussion

Over the last decade, the Florida Southern College campus has experienced a remarkable period of reinvestment and expansion. Under the leadership of Dr. Anne Kerr, Florida Southern College has constructed numerous new academic buildings, athletic facilities and student housing, restored Frank Lloyd Wright’s historic “Child of the Sun” campus, and constructed both a new visitor center located at the intersection of Johnson Avenue and Frank Lloyd Wright Way, and a new business school and admissions center along Lake Hollingsworth Drive. The most recent modification to the SPI in 2018, allowed for the construction of an early childhood learning lab and teaching program on property located at the northwest corner of Frank Lloyd Wright Way and Jefferson Avenue.

The subject property is an appropriate location for the proposed use given the proximity to the existing Roberts Academy which provides academic programs for elementary school aged children that have been diagnosed with dyslexia. Similar to the existing facilities, the new building will also be privately operated under the administration of Florida Southern College with programming designed to serve middle school aged children. Nine classrooms will be housed in this building, each with a capacity of 15 students, and the school will operate between 7 a.m. and 4:00 p.m. on weekdays. The proposed 135 student-capacity of the new building represents an increase from the current maximum enrollment of 204 student in the original buildings on the Florida Southern College campus. This building will also serve as a practical training area for students majoring in education at Florida Southern College; however, it will not have any administrative offices for faculty.

As shown in Attachment “C-6,” setbacks for the proposed building from Frank Lloyd Wright Way and Hollingsworth Road are consistent with the development standards for the Roberts Academy campus. To the north, the property will be setback a minimum of 30 feet to allow required landscaping adjacent to Frank Lloyd Wright Way, and to the east, the site will be setback a minimum of 30 feet to allow for the required landscaping adjacent to Hollingsworth Road. Similarly, to the south, the proposed building will also be setback a minimum of 25 feet from the interior side to allow for the required landscaping adjacent to the neighboring single-family residence. Lastly, the proposed building, while two-stories in height, will be architecturally and visually compatible with the existing Roberts Academy facilities.

In respect to buffering for adjacent residential properties, staff is recommending a standard Type A buffer along the interior side (south) property supplemented with an eight-foot high fence or wall in lieu of the six-foot minimum specified by the Land Development Code. Within 20 feet of the Hollingsworth Road right-of-way, the fence or wall will be required to step down to four feet in height. Likewise,
adjacent to both Frank Lloyd Wright Way and Hollingsworth Road, a five-foot wide frontage buffer will be required, as specified by Table 4.5-1 and 4.5.3 of the Land Development Code.

Subsequent to the public hearing, staff received a letter from Historic Lakeland, Inc. expressing concern about the future encroachment of the Florida Southern College along the west side of Hollingsworth Road. Hollingsworth Road, which functions as the major north-south gateway into the Lake Hollingsworth neighborhood from Bartow Road, is lined with numerous historic residential structures. Along the west side of Hollingsworth Road, adjacent the Florida Southern College Campus, there are a total of four residential properties that are currently located outside of the SPI overlay. While located outside of a designated historic district, two of the lots presently contain significant 1920s era single-family homes that would be considered contributing structures if they were located within either the South Lake Morton or Biltmore-Cumberland Historic Districts.

The SPI was specifically adopted to define those areas which would be appropriate for future expansion of the college while simultaneously protecting and maintaining the residential and historic character of the adjacent neighborhoods. While Historic Lakeland is not opposed to expanding the SPI overlay to accommodate a middle school expansion for the Roberts Academy, they urge the City to draw a line against any further expansion to the east along Hollingsworth Road, both for the preservation of the remaining homes and the maintenance of the neighborhood’s single-family character.

### 3.1 Transportation and Concurrency

The subject site is located in the southwest quadrant of the Frank Lloyd Wright Way/Hollingsworth Road intersection, two streets that are classified as “urban collector” streets in the Lakeland Comprehensive Plan 2010-2020. Per the Polk Transportation Planning Organization’s 2017 Roadway Network Database, Hollingsworth Road carries approximately 9,800 annual average daily trips with 356 northbound and 342 southbound trips during the PM Peak Hour (4 p.m. – 6 p.m.). Hollingsworth Road operates at Highway Level-of-Service (LOS) “B”, better than the “LOS E Average” standard that is applicable to this corridor due to its location within the Central City Transit Supportive Area as designated in the Comprehensive Plan. The Roadway Network Database does not include information for Frank Lloyd Wright Way, east of Ingraham Avenue. The Comprehensive Plan has assigned a “Community Street” typology to Frank Lloyd Wright Way that supports enhanced aesthetics and infrastructure for pedestrian, bicycle and transit modes of travel on streets that link lakes, community centers and parks within the City.

Using the Institute of Transportation Engineers’ Trip Generation Manual (10th Edition), City staff estimates that the 135 additional students for this proposed Private School (K-8) will generate an estimated 123 trips during the A.M. Peak Period of Adjacent Street Traffic (One Hour between 7 a.m. – 9 a.m.) and 35 trips during the P.M. Peak Period of Adjacent Street Traffic (One Hour between 4 p.m. – 6 p.m.).

The proposed school is not expected to create any transportation concurrency deficiencies on the surrounding street network; however, parent drop-off and pick-up operations is a major consideration as is the case with other schools throughout Lakeland. To accommodate safe and efficient ingress and egress, Florida Southern College will require car line traffic to enter the site from the southwest via Harvard Road and a queuing area extending through the adjacent tennis complex parking lot that can accommodate approximately 36 vehicles outside of public right-of-way. Additional vehicles can stack within the parking lot to Callahan Court, if necessary. Exiting traffic will be required to turn right onto Frank Lloyd Wright Way with a raised landscaped median that will also serve as a pedestrian refuge.
island at the existing mid-block crosswalk between Hollingsworth Road and Duke Place/Jefferson Avenue. Florida Southern College will continue to work with the City to stagger start and dismissal times relative to other existing and proposed nearby schools to further minimize impacts to the surrounding street network.

3.2 Comprehensive Plan Compliance

The Community Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan. All roadway levels of service are acceptable with mitigation as recommended in the conditions for approval in the SPI modification. Other essential services are presently available to provide concurrency for the proposed use. Actual construction is subject to final concurrency determinations at the time of site plan review.

4.0 Recommendation

4.1 Community Development Staff

The Community Development Department reviewed this request and recommends the approval of the modification of the Florida Southern College SPI zoning overlay.

4.2 The Planning & Zoning Board

It is recommended that the Florida Southern College SPI (Ordinance 5144, as amended) be revised as follows:

Florida Southern College SPI

I. ESTABLISHMENT

There is hereby created a “Florida Southern College Special Public Interest Zoning District” (hereafter “Florida Southern SPI” or “SPI”) the boundaries of which are legally described in Attachment “A” and graphically depicted in Attachment “B.” To the extent provided herein, this SPI shall have the effect of modifying the requirements and regulations of the underlying zoning district classifications within the described boundaries. In the event that the Land Development Regulations and the provisions of this SPI conflict, the provisions of this SPI shall prevail.

II. INTENT

The intent of the Florida Southern SPI is to permit the redevelopment and growth of the Florida Southern College campus in a planned and orderly manner while maintaining the character and quality of life of the surrounding residential neighborhoods and protecting the natural, aesthetic and recreational qualities of Lake Hollingsworth.

III. GENERAL REGULATIONS

A. Conceptual Master Plan
Limited by and subject to the provisions of this SPI, the configuration of the streets and the general arrangement of activity areas shall be in substantial accordance with the plans included as Attachment “C”:

1. Florida Southern College Master Plan dated **June 18, 2018 June 28, 2019** (Attachment “C-1”);
2. “Roberts Academy” site development plan dated December, 2009 (Attachment “C-2”); and
3. “Florida Southern College Visitor’s Center” site development plan dated April, 2010 (Attachment “C-3”).
4. “New Business School and Admissions Building” site development plan dated August 2, 2012. (Attachment C-4);
6. “Roberts Academy Middle School Expansion” site development plan dated August, 2019 (Attachment “C-6”).

These plans are conceptual with footprint and orientation of future structures and the configuration of future parking areas subject to change pending approval of final site plans by the Development Review Team, and where applicable, review by the Historic Preservation Board, provided that such changes do not violate the intent of this SPI.

B. **Buffering**

Where a proposed college-related use (building, parking lot, recreation facility etc.) located in Sub-District A or B will directly abut residential property at the perimeter boundary of the SPI, a buffer shall be installed along the perimeter boundary consisting of a minimum 15-foot wide buffer yard, a minimum 4-foot high decorative fence, and a continuous hedge on the college side of the fence. The buffer yard may be part of a required yard. In addition, trees 4-inch DBH or greater shall be preserved within the buffer yard. Where preservation of existing trees will create a hardship, the Parks and Recreation Department may authorize the use of replacement trees elsewhere on the subject property.

C. **Lighting**

Except for City-approved street lights within rights-of-way, athletic activity lighting and decorative luminaries integral to the architectural elements of residentially designed buildings, all outdoor lighting fixtures shall be of the “fully shielded” type such that the light emitting, distributing, reflecting and refracting components of the light fixture (lamp, lens, reflective surfaces, etc.) shall not extend beyond the opaque housing of the fixture.

Outdoor lighting fixtures existing as of the effective date of this SPI that are not “fully shielded” may be continued or repaired. Any such fixtures that are replaced shall be of the “fully shielded” type.

D. **Street Trees**
Street trees shall be provided along all streets in accordance with City of Lakeland regulations.

E. Uniform Signage Plan

To facilitate way-finding and provide a uniform theme for campus signage, a uniform signage plan is hereby adopted, permitting certain signs and banners in accordance with Attachments "D 1-3."

IV. SUB-DISTRICT REGULATIONS

The Florida Southern SPI shall be divided into the following geographic sub-districts as graphically depicted in Attachment “B.”

A. ACADEMIC FACILITY AND STUDENT HOUSING SUB-DISTRICT

1. Permitted Uses

Buildings and facilities of an institution of higher learning including but not limited to classroom buildings, lecture halls, libraries, performing arts facilities, administrative offices, dormitories, student housing, fraternity houses, sororities, student centers, recreation centers, maintenance facilities, surface parking lots, parking garages and stormwater management facilities. Limited commercial uses such as book stores, cafeterias, snack bars, automated vending, limited convenience retail, and similar uses catering to students and staff and accessory to principal buildings shall also be permitted.

The following shall apply to the area west of Johnson Avenue: Permitted uses shall be limited to classroom buildings, lecture halls, administrative offices and surface parking areas. Single family residential uses shall be permitted in accordance with the underlying zoning district classification. Residential structures may be occupied by students in conformance with the single family use regulations but student congregate living facilities such as dormitories, fraternities or sororities are prohibited. Parking garages are prohibited.

2. Land Development Regulations

a. Structure Non-Conformities

Structures existing as of the effective date of this SPI that do not meet the setback, height, lot coverage or other requirements of this SPI shall be declared conforming as to such non-conformities.

b. Minimum Building Setbacks

Adjacent to Lake Hollingsworth Drive: 50 feet
Adjacent to McDonald Street: 25 feet
Adjacent to Johnson Avenue: 15 feet
Adjacent to Mississippi Avenue: 20 feet
Adjacent to Ingraham Avenue: 20 feet
Adjacent to Hollingsworth Road: 50 feet
Front and street side setback from all other street ROWs: 10 feet
Adjacent to any lot containing a single family detached dwelling: 30 feet from lot line
Minimum separation between buildings: In accordance with minimum Building Code and Fire Code separation requirements.

c. Maximum Building Heights

36 feet or 1 foot in height for each 2 feet in setback from the sub-district boundary, whichever is greater, to a maximum of 75 feet
d. Off-Street Parking Requirements

In accordance with the Land Development Regulations except for the following:

The required off-street parking for specific uses may be located anywhere that off-street parking is permitted within the SPI.

At the discretion of the City, shared parking may be permitted where it can be demonstrated that under normal circumstances the land uses sharing the parking area have different hours of operation.

At the discretion of the City, required off-street parking ratios may be reduced where it can be demonstrated that the parking demand is lower due to student pedestrian activity, the availability of on-street parking, the availability of shared parking, or other pertinent circumstances.
B. ATHLETIC & RECREATION SUB-DISTRICT

1. Permitted Uses

Those uses permitted in the Academic Facility and Student Housing Sub-District (A-1, above). In addition, the following uses shall be permitted: Collegiate athletic and recreation facilities including but not limited to athletic fields, baseball and softball diamonds, tennis courts, natatoriums, swimming pools, gymnasiums and field houses.

2. Land Development Regulations

a. Structure Non-Conformities

Structures existing as of the effective date of this SPI that do not meet the setback, height, lot coverage or other requirements of this SPI shall be declared conforming as to such non-conformities.

b. Minimum Building Setbacks

Adjacent to McDonald Street: 25 feet

Other front and street side: 20 feet

Adjacent to any lot containing a single family detached dwelling: 30 feet from lot line

Minimum separation between buildings: In accordance with minimum Building Code and Fire Code separation requirements.

c. Maximum Building Heights

36 feet or 1 foot in height for each 2 feet in setback from the sub-district boundary, whichever is greater, to a maximum of 70 feet.

d. Off-Street Parking Requirements

Parking for athletic and recreation activities may be provided anywhere that off-street parking is permitted within the SPI.

e. Hours of Operation Adjacent to Single Family Residential

Where outdoor athletic and recreation facilities are located adjacent to or across a street from the residential uses, such facilities shall not be operated earlier than 7 am or after 10 pm except that officially sanctioned competition events that are delayed or run late may continue until the end of play.
C. RESIDENTIAL-SCALE BUFFER SUB-DISTRICT

1. Permitted Uses

   a. Single family detached dwellings.

   b. Existing single family structures may be converted to college-related uses such as administrative offices, classrooms for specialized training or instruction, meeting facilities, or college support services in accordance with C.2. below. This shall not be interpreted to allow the use of retail or commercial office uses. Residential structures may be occupied by students in conformance with the single family use regulations but student congregate living facilities such as dormitories, fraternities or sororities are prohibited.

   c. Surface parking lots shall be permitted in accordance with the following:

      (1) New surface parking lots may be established in the block between Ingraham Avenue and Jefferson Avenue in accordance with the normal conditional use process.

      (2) Surface parking lots in existence as of the effective date of this SPI may be continued provided that:

          (a) Prior to the college use of any existing single family structure east of Park Hill Avenue, Parking Lot “L” (east of Ingraham Avenue) shall be upgraded to meet code requirements.

          (b) Prior to the college use of any existing single family structure between Johnson Avenue and Park Hill Avenue, any parking lots within that block shall be upgraded to meet code requirements.

   d. A visitor center, including meeting rooms, restrooms and a gift shop, shall be permitted in accordance with C.2. below and the site development plan included as Attachment “C-3.”

2. Land Development Regulations

   a. In accordance with the underlying zoning district requirements except as otherwise provided herein.

   b. In order to preserve the single-family character of the sub-district, the following shall apply to structures converted to college-related uses as defined above:
(1) Such college-related uses shall not be subject to buffering requirements.

(2) Vehicle parking shall be limited to existing driveways and garages. Additional parking in rear yards shall be permitted only in accordance with the normal conditional use process.

(3) Signage shall be limited to one ground or wall sign with a maximum sign area of 10 square feet. The maximum height for ground signs shall be 4 feet.

c. Within the visitor center site as provided for in C.1. above, the following shall apply:

(1) Vehicle parking shall be located within the area shown on the site development plan included as Attachment “C-3” and shall be limited to no more than three (3) parking spaces. The use of asphalt paving is prohibited.

(2) Signage shall be in accordance with C.2.b.(3) and shall be compatible with the architectural character and materials of the buildings(s) served.

D. LAKESHORE SUB-DISTRICT

1. Permitted Uses

The Lakeshore Sub-District is intended to preserve open space shoreward of Lake Hollingsworth Drive. Park, recreation and water-access facilities such as boardwalks, benches, gazebos, commemorative monuments, docks, piers, and boathouses, and stormwater management facilities, may be permitted by the City Commission in accordance with City of Lakeland review and approval procedures for parkway lakes.

E. ROBERTS ACADEMY AND EARLY LEARNING LAB SUB-DISTRICT

1. Permitted Uses

Permitted uses shall be a pre-school, elementary school, middle school, secondary education classrooms and post-secondary education classrooms operating as a unified teaching center under the administration of Florida Southern College. Ancillary support uses including administrative offices, meeting rooms, cafeteria space, outdoor playground areas and surface parking areas shall also be permitted. Outdoor playground areas and surface parking areas shall be generally located in accordance with Attachments “C-2,” “C-5” and “C-6.”
2. Development Standards Specific to the Roberts Academy, as shown in Attachment “C-2”

   a. Minimum Building Setbacks

      Adjacent to Hollingsworth Road: 30 feet

      Adjacent to McDonald Place: 30 feet

      Adjacent to Frank Lloyd Wright Way: 25 feet

      Adjacent to Jefferson Avenue: 20 feet

   b. Maximum Building Height: 36 feet

   c. Buffering

      A minimum 15-foot wide buffer-yard with decorative fence and hedge shall be maintained along the northern perimeter boundary adjacent to McDonald Place and in accordance with condition III.B., except that the hedge shall be placed between the fence and McDonald Place. In addition, the maximum height of the fence shall be 4 ft.

d. Signage

      With the exception of traffic control signage, all other signage shall conform to the sign types provided in the Uniform Signage Plan.

3. Development Standards Specific to the Early Learning Lab, “Carol Jenkins Barnett and Curry Building,” as shown in Attachment “C-5”

   a. Minimum Building Setbacks

      Adjacent to Frank Lloyd Wright Way: 30 feet

      Adjacent to Jefferson Avenue: 20 feet

      Adjacent to North Boundary: 25 feet.

      Adjacent to West Boundary: 0 feet

   b. Maximum Building Height: 34 feet

   c. Buffering

      i. Adjacent to the north property boundary, a 7.5-foot wide landscape buffer shall be constructed consisting of a minimum of four “B” Trees and 16 shrubs per 100 linear feet or fraction thereof. An 8-foot high view blockage fence or wall shall be
constructed along the rear (north) property line which steps down to four feet in height within 20 feet of the Jefferson Avenue right-of-way.

ii. Adjacent to Frank Lloyd Wright way, a frontage buffer shall be constructed in accordance with Option 1 of Table 4.5-1 and Figure 4.5-3 of the Land Development Code.

d. Student Pick-Up & Drop-Off Area: The primary pick-up & drop-off area for students shall be the adjacent Roberts Academy, to the east across Jefferson Avenue. Use of the internal driveway shown on Attachment “C-5” for student pick-up & drop-off during the AM & PM peak period shall be prohibited. Shuttle activities to/from the adjacent Roberts Academy, and the incidental pick-up or drop-off of students outside the AM & PM peak period, shall not be subject to this restriction.

e. Signage

With the exception of traffic control signage, all other signage shall conform to the sign types provided in the Uniform Signage Plan.

f. An Americans with Disabilities Act (ADA)-compliant crosswalk shall be installed across Frank Lloyd Wright Way between Ingraham Avenue and Jefferson Avenue, with a design that is subject to final approval and permitting by the City Public Works Department.

4. Development Standards Specific to the Roberts Academy Middle School Expansion as shown in Attachment “C-6”

a. Minimum Building Setbacks

Adjacent to Frank Lloyd Wright Way: 30 feet

Adjacent to Hollingsworth Road: 30 feet

Adjacent to South Boundary: 25 feet.

b. Maximum Building Height: 34 feet

c. Buffering

i. Adjacent to the south property boundary, a 7.5-foot wide landscape buffer shall be constructed consisting of a minimum of four “B” Trees and 16 shrubs per 100 linear feet or fraction thereof. An 8-foot high view blockage fence or wall shall be constructed along the side interior (south) property line which steps down to four feet in height within 20 feet of the Hollingsworth Road right-of-way.
ii. Adjacent to Frank Lloyd Wright Way, a frontage buffer shall be constructed in accordance with Option 1 of Table 4.5-1 and Figure 4.5-3 of the Land Development Code.

iii. Adjacent to Hollingsworth Road, a frontage buffer shall be constructed in accordance with Option 1 of Table 4.5-1 and Figure 4.5-3 of the Land Development Code.

d. Signage

With the exception of traffic control signage, all other signage shall conform to the sign types provided in the Uniform Signage Plan.

f. Transportation:

i. Parent drop-off and pick-up traffic shall enter the site via a designated queuing/staging area from Harvard Road. Exiting traffic onto Frank Lloyd Wright Way shall be restricted to right turns only through the installation of a landscape median west of Hollingsworth Road. This landscape median shall also be designed and approved by the City Public Works Department as a pedestrian refuge island for the existing mid-block crosswalk between Hollingsworth Road and Duke Place/Jefferson Avenue.

ii. Americans with Disabilities Act (ADA)-compliant pedestrian routes shall be constructed between the principal building entrance and adjacent sidewalks along Hollingsworth Road and Frank Lloyd Wright Way. Bike parking shall be installed in compliance with the Land Development Code and Engineering Standards Manual.

iii. Binding Concurrency Determinations shall be made at the time of site plan submittal.
BEGINNING AT THE INTERSECTION OF THE SHORE LINE OF LAKE HOLLINGSWORTH AND THE INTERSECTION OF THE EXTENDED CENTERLINE OF JOHNSON AVE, RUN NORTH ALONG CENTERLINE OF JOHNSON AVE TO THE CENTERLINE OF LAKE HOLLINGSWORTH DR, THENCE RUN SWLY ALONG SAID CENTERLINE TO THE CENTERLINE OF MISSISSIPPI AVE. RUN NORTHWESTERLY ALONG SAID CENTERLINE TO INTERSECTION WITH THE CENTERLINE OF AN ALLEY LYING NORTH BLK B LOTS 8 AND 9 OF CLEVELAND PARK SUB AS REC IN PB 1 PG 110, THENCE RUNNING NORTHEASTERLY ALONG CENTERLINE OF SAID ALLEY TO A LINE RUNNING SOUTHEASTERLY OF SOUTHEAST CORNER OF LOT 4 OF SAID BLK B, THENCE RUN NORTHWESTERLY ALONG SAID LINE TO THE SOUTH LINE OF BLK 14 OF DIXIELAND SUB AS REC IN PB 1 PG 67 THENCE RUN NORTH TO THE CENTERLINE MCRORIE ST, THENCE RUN WEST ALONG SAID CENTERLINE TO A LINE EXTENDING SOUTH FROM THE SOUTHEAST CORNER OF BLK 14 LOT 9 OF SAID DIXIELAND SUB, THENCE RUN NORTH TO SAID SOUTHEAST CORNER OF SAID LOT 9, CONTINUE NORTH TO THE CENTERLINE OF AN ALLEY LYING SOUTH OF BLK 6 LOTS 1 THRU 7 OF SAID DIXIELAND SUB, THENCE RUN EAST ALONG SAID CENTER LINE TO AN INTERSECTION WITH A LINE EXTENDING SOUTH FROM THE SW CORNER OF LOT 1 OF SAID BLK 6, THENCE RUN NORTH ALONG SAID LINE TO THE CENTERLINE OF MCDONALD ST. RUN EAST ALONG CENTERLINE OF MCDONALD ST TO THE CENTERLINE OF JOHNSON AVE. THENCE RUN NORTH ALONG SAID CENTERLINE TO THE INTERSECTION OF A LINE EXTENDING WEST FROM THE NORTH LINE OF BLK A LOT 22 OF TH JOHNSON SUB AS REC IN PB 4 PG 55. THENCE RUN EAST ALONG NORTH LINE OF SAID LOT 22 AND 3 TO THE CENTERLINE OF COLLEGE AVE. THENCE RUN SOUTH ALONG SAID CENTERLINE TO THE CENTERLINE EXTENSION OF LEXINGTON ST, THENCE RUN EAST ALONG SAID CENTERLINE TO THE CENTERLINE OF PARK HILL AV, THENCE RUN SOUTH ALONG SAID CENTERLINE TO THE INTERSECTION OF THE WESTERLY EXTENDED NORTH LINE OF BLK C LOT 7 OF PARK HILL SUB AS REC IN PB 1 PG 103. THENCE RUN EAST ALONG SAID NORTH LINE TO THE EAST LINE OF SAID PARK HILL SUB. THENCE RUN NORTH 50 FEET, EAST 66 FEET, SOUTH TO THE SW CORNER OF BLK A LOT 25 OF OAKHURST ADD AS REC IN PB 4 PG 75. THENCE RUN EAST TO THE WEST LINE OF LOT 13 OF SAID BLK A. THENCE RUN SOUTH TO THE SW CORNER OF SAID LOT 13, THENCE RUN EAST TO THE CENTERLINE OF S INGRAHAM AV, THENCE RUN SOUTH ALONG SAID CENTERLINE TO THE WESTERLY EXTENDED NORTH LINE OF THE SOUTH 28 FEET OF BLK A LOT 4 OF COLLEGE PARK ADD AS REC IN PB 5 PG 29. THENCE RUN EAST ALONG SAID NORTH LINE TO THE EAST LINE OF SAID LOT 4; THENCE RUN NORTH TO THE NORTH LINE OF THE SOUTH 130 FEET OF LOT 6 OF SAID COLLEGE PARK. RUN EAST TO THE WEST LINE OF LOT 9 OF SAID BLK A, THENCE RUN NORTH TO THE NORTH LINE OF SAID LOT 9, THENCE RUN EAST 50 FEET, NORTH 30 FEET, EAST 50FT, SOUTH 30 FT, THENCE RUN EAST TO THE CENTERLINE OF JEFFERSON AVE. RUN SOUTH ALONG SAID CENTERLINE TO THE CENTERLINE OF MCDONALD ST, THENCE RUN SOUTHEASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION OF A POINT LYING 223 FT W OF THE CENTERLINE OF HOLLINGSWORTH RD. THENCE RUN SOUTH FROM SAID POINT TO THE NORTH LINE LOT 7 OF HOLLINGSWORTH CRESCENT ADD AS REC IN PB 4 PG 73, CONTINUE SOUTH TO THE NORTH LINE OF THE SOUTH 50 FT OF LOT 3 OF SAID HOLLINGSWORTH CRESCENT ADD, THENCE RUN WEST TO THE EAST LINE OF LOT 11 OF CALLAHAN COURT AS REC IN PB 5 PG 42. THENCE RUN SOUTH TO THE INTERSECTION WITH THE SHORE LINE OF LAKE HOLLINGSWORTH, THENCE RUN WESTERLY AND SOUTHERLY ALONG SAID SHORE LINE TO POB.

AND
BEGIN AT THE INTERSECTION OF THE CENTERLINE OF MCDONALD ST AND CENTERLINE OF JEFFERSON AVE, RUN NORTH ALONG SAID CENTERLINE OF JEFFERSON AVE TO THE CENTERLINE OF MCDONALD PL, THENCE RUN EAST ALONG SAID CENTERLINE OF MCDONALD PL TO THE CENTERLINE OF HOLLINGSWORTH RD, THENCE SOUTH ALONG SAID CENTERLINE OF HOLLINGSWORTH RD TO THE CENTERLINE OF MCDONALD ST, THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF MCDONALD ST TO POB

AND

BEGIN AT THE INTERSECTION OF THE EAST LINE OF CALLAHAN COURT SUBDIVISION AS RECORDED IN PLAT BOOK 5, PAGE 42, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND THE NORTH LINE OF THE SOUTH 50 FEET OF LOT 3, HOLLINGSWORTH CRESCENT ADDITION AS RECORDED IN PLAT BOOK 4, PAGE 73, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN EAST, ALONG SAID NORTH LINE OF THE SOUTH 50 FEET OF LOT 3, TO THE EAST LINE OF THE WEST 80 FEET OF SAID LOT 3; THENCE RUN NORTH ALONG SAID EAST LINE OF THE WEST 80 FEET OF LOT 3 AND LOT 4 OF SAID HOLLINGSWORTH CRESCENT ADDITION, TO THE NORTH LINE OF THE SOUTH 120 FEET OF SAID LOT 4; THENCE RUN EAST ALONG SAID NORTH LINE OF THE SOUTH 120 FEET, A DISTANCE OF 15 FEET TO THE EAST LINE OF THE WEST 95 FEET OF SAID LOT 4; THENCE RUN SOUTH ALONG SAID EAST LINE OF THE WEST 95 FEET OF LOTS 4 AND 3 OF SAID HOLLINGSWORTH CRESCENT ADDITION TO THE NORTH LINE OF THE SOUTH 50 FEET OF AFORESAID LOT 3; THENCE RUN EAST ALONG SAID NORTH LINE OF THE SOUTH 50 FEET OF LOT 3 TO THE EAST LINE OF SAID HOLLINGSWORTH CRESCENT ADDITION, SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF HOLLINGSWORTH ROAD; THENCE RUN SOUTH, ALONG SAID EAST LINE AND SAID WEST RIGHT-OF-WAY LINE, TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LAKE HOLLINGSWORTH DRIVE; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY AND THE EAST LINE OF SECTION 19, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA; THENCE SOUTH ALONG SAID EAST LINE OF SECTION 19 TO THE SHORELINE OF LAKE HOLLINGSWORTH; THENCE NORTHWESTERLY ALONG THE SHORELINE OF LAKE HOLLINGSWORTH TO ITS INTERSECTION WITH THE AFORESAID EAST LINE OF CALLAHAN COURT SUBDIVISION; THENCE NORTH, ALONG SAID EAST LINE OF CALLAHAN COURT SUBDIVISION TO THE POINT OF BEGINNING.

AND

COLLEGE PARK ADDITION, BLOCK A, LOTS 13, 14 AND 15, AS RECORDED IN PLAT BOOK 5, PAGE 29, PUBLIC RECORDS OF POLK COUNTY, FLORIDA

AND

HOLLINGSWORTH CRESCENT ADD PB 4 PG 73 LOT 7 & VACATED ALLEY LYING W OF SAME
Florida Southern College
Uniform Signage Plan

Intent
To establish a uniform design theme for signage that will help guide campus visitors to their destinations through proper points of entry and to appropriate parking areas and that will help create a welcoming sense of place and give the campus a unique identity.

The following types of signs are permitted within the Florida Southern College SPI in accordance with the criteria described below and as depicted in the accompanying map and illustrations:

Type A  Monument Signs: Signs on ground-mounted masonry bases intended to announce arrival at the Florida Southern College campus. Located at five major gateways to the campus as illustrated in the accompanying map. Designs for new monuments signs not in existence as of the effective date of this ordinance shall be submitted to the Community Development Department for review.

Type B  Directional Signs: Post-mounted signs providing directions to specific buildings, facilities or offices. Located at designated entrance points as illustrated in the accompanying map. Maximum sign area: 16 square feet. Maximum height: 6 feet. When located within the street rights-of-way, such signs shall be located in accordance with City regulations for such appurtenances.

Type C  Building Identification Signs: Post-mounted signs identifying specific college buildings or facilities. Located as appropriate for the individual building or facility. Maximum sign area: 8 square feet. Maximum height: 5 feet.

Type D  Street Signs: Street name signs with Florida Southern College design in lieu of conventional street name signs as approved by the Public Works Department.

Type E  Light Pole Banners: Decorative banners with Florida Southern College design affixed to light poles in accordance with City regulations for such appurtenances within rights-of-way.
ATTACHMENT “D-2”

Type A
Monument Sign

Type B
Directional Sign

Type C
Building Identification

Type D
Street Sign

Type E
Light Pole Banner
Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, September 17, 2019

Meeting of August 19, 2019

Ordinances (Second Reading)

Proposed 19-016; Voluntary annexation of approximately 9.56 acres located north of State Road 33, south of Old Polk City Road and west of Epicenter Road (ANX19-001) (1st Rdg. 07-15-19) Approved 7-0 Ord. 5777

Proposed 19-022; Modifying zoning classification from I-2 (Medium Industrial) to PUD (Planned Unit Development) to allow for the secondary smelting of aluminum wheels within an existing structure on a portion of property located at 1220 George Jenkins Boulevard (Lakeland Industrial Park) (PUD19-011) (1st Rdg. 08-05-19) Approved 7-0 Ord. 5778

Proposed 19-023; Approving a conditional use to allow an electronic message center sign, as a replacement for an existing ground sign, for Highland Park Church of the Nazarene located at 4777 Lakeland Highlands Road (CUP19-004) (1st Rdg. 08-05-19) Approved 7-0 Ord. 5779