AGENDA

Planning & Zoning Board
City Commission Chambers
November 17, 2026, 8:30 a.m.

In accordance with the Americans with Disabilities Act 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: ADASpecialist@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.

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.

PUBLIC HEARING

ITEM 1: Conditional use to allow a comedy club entertainment venue on property located at 417 N. Massachusetts Avenue. Owner: FURC1 LLC. Applicant: Nathaniel Fleming, Comedy Cathedral, Inc. (CUP26-010)

ITEM 2:
a. Changes to Article 12 (Administration and Enforcement), Section 12.7 (Appeal Procedures) of the Land Development Code to revise procedures for submitting appeals for decisions made by the Planning & Zoning Board to the City Commission. Applicant: City of Lakeland. (LDC26-010)
b. Consideration of final decision.

GENERAL MEETING

ITEM 3: Review minutes of the October meeting.

ITEM 4: Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan to establish factors for assessing the compatibility of allowable residential uses in residential districts and land uses; and changes to Article 1, Section 1.6 (Definitions) of the Land Development Code to update the definition of compatibility; and changes to Article 5 (Standards for Specific Uses) of the Land Development Code to establish standards for assessing the compatibility of allowed residential uses in residential districts, and measures to mitigate or minimize potential incompatibility concerns. Applicant: City of Lakeland. (CPA26-001/LDC26-003)

ITEM 5: Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan and changes to Article 1, Section 1.4 (Regulations Governing Development in General) of the Land Development Code to provide a density bonus for residential uses allowed in the Mixed Commercial Corridor (MCC) future land use district located within a designated Transit-Oriented Corridor and the Dixieland or Midtown CRAs. Applicant: City of Lakeland. (CPA26-002/LDC26-007)

ITEM 6: Proposed text amendment to Chapter 4 of the Lakeland Comprehensive Plan to revise Map TRN-2 and Table TRN-1 Functional Classification. Changes to Article 3, Sub-Section 3.3.1.1 Classification of Street Types. Applicant: City of Lakeland. (CPA26-005/LDC26-008)

ITEM 7: Changes to Article 1 (Introduction and Use of this Code), Section 1.1 (Intent and Applicability) and Article 6 (Natural Resource Protection Standards), Section 6.2 (Floodplain Management) to amend development standards pertaining to Chickee Huts. Applicant: City of Lakeland. (LDC26-001)

ITEM 8: Changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses and Article 5 (Standards for Specific Uses) to establish standards for permitting manufactured buildings and homes in zoning districts where single-family dwellings are allowed. Applicant: City of Lakeland. (LDC26-002)

ITEM 9: Changes to Article 6 (Natural Resource Protection Standards), Section 6.4.3.4 (Lake Bottom Construction Permit Procedures) of the Land Development Code to revise the review requirements for water access structures. Applicant: City of Lakeland. (LDC26-004)

ITEM 10: Changes to Article 4 (General Site Development Standards), Section 4.11 (Vehicle Use Areas) to update the Parking Exempt Area map and adopt new standards for minimum off-street parking reductions. Applicant: City of Lakeland. (LDC26-005)

ITEM 11: Changes to Article 12 (Administration and Enforcement), Sub-Section 12.4.3 (Administrative Adjustments) to allow for the administrative approval of residential fences up to eight feet in height within interior side yards. Applicant: City of Lakeland. (LDC26-006)

ITEM 12: Changes to Article 2 (Use Standards), Section 2.6 (Master Use List) and Article 5 (Standards for Specific Uses) to provide procedures for the establishment of Certified Recovery Residences and the review and approval of requests for reasonable accommodation. Applicant: City of Lakeland. (LDC26-009)

ITEM 13: Changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses) and Section 2.6 (Master Use List), and Article 5 (Standards for Specific Uses) to adopt standards for schools within certain zoning districts. Applicant: City of Lakeland. (LDC26-011)

ITEM 14: Election of Secretary

ITEM 15: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager’s Report.

ITEM 16: Audience.

ITEM 17: Adjourn.

Planning & Zoning Board General Application

General Information:					
Project No:	CUP26-010	**Application Date:**	9/14/2026		
Associated Projects:	SIT25-024				
Project Name:	COMEDY CATHEDRAL				
Subject Property Address:	417 MASSACHUSETTS AVE N				
Parcel ID:	242818203000004010	**Total Acreage:**	0.97		
Applicant Name:	NATHANIEL FLEMING				
Applicant Address:	305 E PALM DRIVE	LAKELAND	FL	33803	
Owner Name:	FURC1 LLC				
Owner Address:	2000 E EDGEWOOD DR STE 102	LAKELAND	FL	33803	

Request:		
Application Type:	**Conditional Use Permit**	
Land Use		
Current	Regional Activity Center	(RAC)
Proposed	Not Applicable	
Zoning		
Current	Downtown Commercial	(C-6)
Proposed	Not Applicable	
Sub Context District		
Current	(UCT)	Urban Center
Proposed		
Explanation of Request:	A nonprofit organization that performs comedy improv shows on a weekly basis at 7:30pm and 9:30pm on Fridays and Saturdays. Our focus is to enrich the community through laughter. We also will be teaching improv classes to adults, teens and kids. Workshops for the community at large. As well as other opportunities for community involvement in live comedic improv theater!	
Justification:	By utilizing the commercial zoning for a low-impact indoor entertainment venue [cite: 1.1.2], the project fulfills the LDC's intent to promote orderly, wel-regulated commercial development.	

Concurrency:								
Proposed Dwelling Units:	0	**Project Floor Area:**				Square feet		
Type of Use:				Phase		Year		
Estimate of Public Service Demand								
Roadways	**Daily Trips:**	#Error		**PM Peak Hour Trips:**				
Potable Water		GPD	**Wastewater**		GPD	**Solid Waste**		PPD

Project Narrative: Comedy Cathedral
Site Address: 417 N Mass Ave, Lakeland, FL 33803

Purpose of the Request
The purpose of this request is to seek approval for the development and operation of "Comedy Cathedral," a new nonprofit improv comedy club and educational space located at 417 N Mass Ave. Comedy Cathedral is dedicated to building and enriching the community in Lakeland, Florida, by providing a welcoming environment for collaborative arts, laughter, and creative expression. The venue will host live improv performances on Fridays and Saturdays, featuring a family-friendly showcase at 7:30 PM followed by an 18+ performance at 9:30 PM.

Beyond weekend performances, the facility will serve as an educational hub, offering structured comedy and acting classes tailored for both adults and children. Additionally, the space will host limited film screenings to further promote local arts and culture. As a nonprofit entity, the primary mission of Comedy Cathedral is to foster meaningful community connections and provide accessible, high-quality arts programming to the Lakeland area.

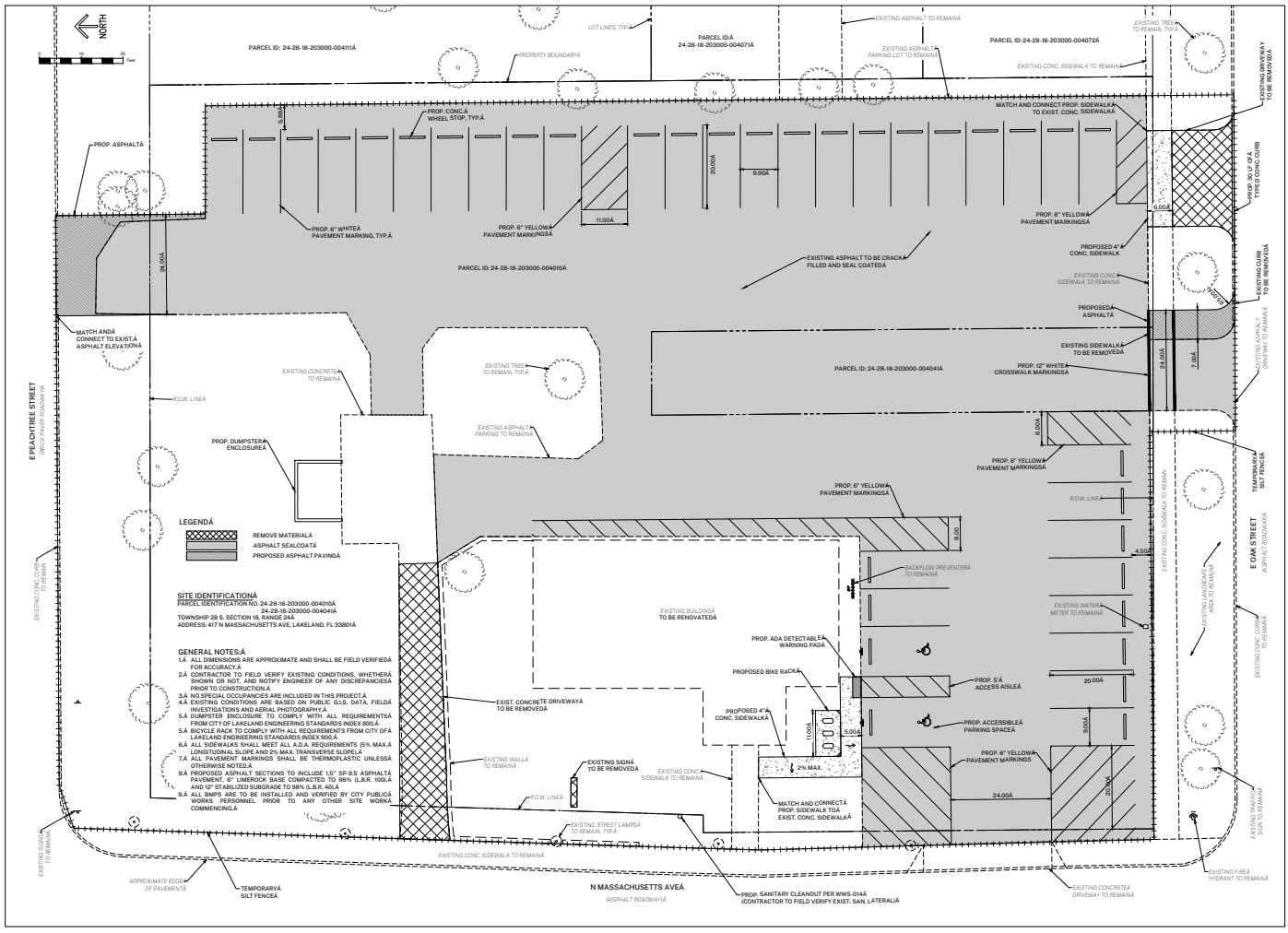
Consistency with the Comprehensive Plan
The proposed use is highly consistent with the City of Lakeland's Comprehensive Plan, *Our Community 2030* [cite: 1.2.1]. Specifically, Comedy Cathedral directly advances the Plan's core vision of fostering a "Vibrant and inclusive community" [cite: 1.2.1]. By offering both family-friendly programming and diverse education classes, the facility provides cultural and educational enrichment for a wide demographic of Lakeland residents [cite: 1.2.4]. Furthermore, the addition of an arts and entertainment venue supports local economic development goals by drawing patrons to the downtown-adjacent area, encouraging nighttime economic activity, and enhancing the overall quality of life and cultural identity of Lakeland.

Consistency with the Land Development Code (LDC)
The property at 417 N Mass Ave is situated within a commercial land use designation (C1 zoning) [cite: 1.1.2]. The proposed project aligns seamlessly with the permitted and intended uses outlined in the City of Lakeland's Land Development Code (LDC) for indoor recreation, entertainment, and educational instruction. The operations of Comedy Cathedral will be conducted entirely indoors, proactively mitigating potential impacts related to noise or outdoor gatherings. The project will adhere to all LDC requirements regarding off-street parking, ADA accessibility, landscaping, buffering, and building design. By utilizing the commercial zoning for a low-impact indoor entertainment venue [cite: 1.1.2], the project fulfills the LDC's intent to promote orderly, well-regulated commercial development.

Compatibility with Adjacent Land Uses
The proposed facility is highly compatible with the adjacent land uses along the N Mass Ave commercial corridor, which includes a mix of retail, office space, and multifamily properties [cite: 1.1.2]. The operating hours of Comedy Cathedral provide a synergistic balance with surrounding daytime businesses. Because peak operational hours for shows (Friday and

Saturday evenings) occur outside of standard business hours, the venue will minimize traffic and parking conflicts with neighboring daytime offices and shops while safely activating the streetscape at night.

The 7:30 PM family-friendly shows complement the surrounding community's evening activities, while the later 9:30 PM shows are standard for entertainment venues in commercial districts. Because the core activities—classes, film screenings, and acoustic improv performances—are fully enclosed within the building, the venue will not generate disruptive noise or light pollution, ensuring a harmonious and mutually beneficial coexistence with nearby residential and commercial neighbors.


NORTH
0 10 20 Feet
PARCEL ID: 24-28-18-203000-004111Á
LOT LINES, TYP.Á
PROPERTY BOUNDARYÁ
PARCEL ID:Á 24-28-18-203000-004071Á
EXISTING ASPHALT TO REMAINÁ
EXISTING ASPHALT PARKING LOT TO REMAINÁ
EXISTING CONC. SIDEWALK TO REMAINÁ
PARCEL ID: 24-28-18-203000-004072Á
EXISTING TREE TO REMAIN, TYP.Á
EXISTING DRIVEWAY TO BE REMOVEDÁ
MATCH AND CONNECT PROP. SIDEWALKÁ TO EXIST. CONC. SIDEWALKÁ
PROP. ASPHALTÁ
PROP. CONC.Á WHEEL STOP, TYP.Á
PROP. 6" WHITEÁ PAVEMENT MARKING, TYP.Á
PROP. 6" YELLOWÁ PAVEMENT MARKINGSÁ
PROP. 30'-0" OPEN TYPE CONC. CURBÁ
PROP. 6" YELLOWÁ PAVEMENT MARKINGSÁ
PROPOSED 4" CONC. SIDEWALK
EXISTING ASPHALT TO BE CRACK FILLED AND SEAL COATEDÁ
PARCEL ID: 24-28-18-203000-004010Á
EXISTING CONC. SIDEWALK TO REMAINÁ
EXISTING CURB TO BE REMOVEDÁ
PROPOSED ASPHALTÁ
MATCH ANDÁ CONNECT TO EXIST.Á ASPHALT ELEVATIONÁ
EXISTING SIDEWALKÁ TO BE REMOVEDÁ
EXISTING ASPHALT DRIVEWAY TO REMAINÁ
EXISTING CONCRETEÁ TO REMAINÁ
EXISTING TREEÁ TO REMAIN, TYP.Á
PROP. 12" WHITEÁ CROSSWALK MARKINGSÁ
PARCEL ID: 24-28-18-203000-004041Á
E PEACHTREE STREET (BRICK PAVER ROADWAY)Á
R.O.W. LINEÁ
EXISTING ASPHALT PARKING TO REMAINÁ
PROP. DUMPSTERÁ ENCLOSUREÁ
PROP. 6" YELLOWÁ PAVEMENT MARKINGSÁ
TEMPORARYÁ SILT FENCEÁ
PROP. 6" YELLOWÁ PAVEMENT MARKINGSÁ
R.O.W. LINEÁ
EXISTING CONC. CURB TO REMAINÁ
LEGENDÁ
REMOVE MATERIALÁ
ASPHALT SEALCOATÁ
PROPOSED ASPHALT PAVINGÁ
SITE IDENTIFICATIONÁ
PARCEL IDENTIFICATION NO. 24-28-18-203000-004010Á
24-28-18-203000-004041Á
TOWNSHIP 28 S, SECTION 18, RANGE 24Á
ADDRESS: 417 N MASSACHUSETTS AVE, LAKELAND, FL 33801Á
GENERAL NOTES:Á
1.Á ALL DIMENSIONS ARE APPROXIMATE AND SHALL BE FIELD VERIFIEDÁ FOR ACCURACY.Á
2.Á CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS, WHETHERÁ SHOWN OR NOT, AND NOTIFY ENGINEER OF ANY DISCREPANCIESÁ PRIOR TO CONSTRUCTION.Á
3.Á NO SPECIAL OCCUPANCIES ARE INCLUDED IN THIS PROJECT.Á
4.Á EXISTING CONDITIONS ARE BASED ON PUBLIC G.I.S. DATA, FIELDÁ INVESTIGATIONS AND AERIAL PHOTOGRAPHY.Á
5.Á DUMPSTER ENCLOSURE TO COMPLY WITH ALL REQUIREMENTSÁ FROM CITY OF LAKELAND ENGINEERING STANDARDS INDEX 900.Á
5.Á BICYCLE RACK TO COMPLY WITH ALL REQUIREMENTS FROM CITY OFÁ LAKELAND ENGINEERING STANDARDS INDEX 900.Á
6.Á ALL SIDEWALKS SHALL MEET ALL A.D.A. REQUIREMENTS (5% MAX.Á LONGITUDINAL SLOPE AND 2% MAX. TRANSVERSE SLOPE).Á
7.Á ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTIC UNLESSÁ OTHERWISE NOTED.Á
8.Á PROPOSED ASPHALT SECTIONS TO INCLUDE 1.5" SP-9.5 ASPHALTÁ PAVEMENT, 6" LIMEROCK BASE COMPACTED TO 98% (L.B.R. 100).Á AND 12" STABILIZED SUBGRADE TO 98% (L.B.R. 40).Á
9.Á ALL BMPS ARE TO BE INSTALLED AND VERIFIED BY CITY PUBLICÁ WORKS PERSONNEL PRIOR TO ANY OTHER SITE WORKÁ COMMENCING.Á
EXISTING BUILDINGÁ TO BE RENOVATEDÁ
BACKFLOW PREVENTERÁ TO REMAINÁ
EXISTING WATER METER TO REMAINÁ
PROP. ADA DETECTABLEÁ WARNING PADÁ
PROPOSED BIKE RACKÁ
PROP. 5'Á ACCESS AISLEÁ
EXIST. CONCRETE DRIVEWAYÁ TO BE REMOVEDÁ
PROPOSED 4"Á CONC. SIDEWALKÁ
PROP. ACCESSIBLEÁ PARKING SPACEÁ
EXISTING WALLÁ TO REMAINÁ
EXISTING SIGNÁ TO BE REMOVEDÁ
EXISTING CONC. SIDEWALK TO REMAINÁ
2% MAX.
PROP. 6" YELLOWÁ PAVEMENT MARKINGSÁ
MATCH AND CONNECTÁ PROP. SIDEWALK TOÁ EXIST. CONC. SIDEWALKÁ
R.O.W. LINEÁ
EXISTING STREET LAMPSÁ TO REMAIN, TYP.Á
EXISTING CONC. SIDEWALK TO REMAINÁ
EXISTING SIGNÁ TO REMAINÁ
APPROXIMATE EDGE OF PAVEMENTÁ
TEMPORARYÁ SILT FENCEÁ
N MASSACHUSETTS AVEÁ
(ASPHALT ROADWAY)Á
PROP. SANITARY CLEANOUT PER WWS-014Á (CONTRACTOR TO FIELD VERIFY EXIST. SAN. LATERAL)Á
EXISTING CONCRETEÁ DRIVEWAY TO REMAINÁ
EXISTING FIREÁ HYDRANT TO REMAINÁ
E OAK STREET (ASPHALT ROADWAY)Á
EXISTING CONC. CURB TO REMAINÁ
EXISTING LANDSCAPE AREA TO REMAINÁ
EXISTING TRAFFIC SIGN TO REMAINÁ
EXISTING CONC. SIDEWALK TO REMAINÁ
EXISTING TREEÁ TO REMAIN, TYP.Á
EXISTING ASPHALT DRIVEWAY TO REMAINÁ
EXISTING CONC. CURB TO REMAINÁ
EXISTING SIGNÁ TO REMAINÁ
EXISTING CONC. SIDEWALK TO REMAINÁ
EXISTING CONC. SIDEWALK TO REMAINÁ
EXISTING CONC. SIDEWALK



File Number: CUP26-010

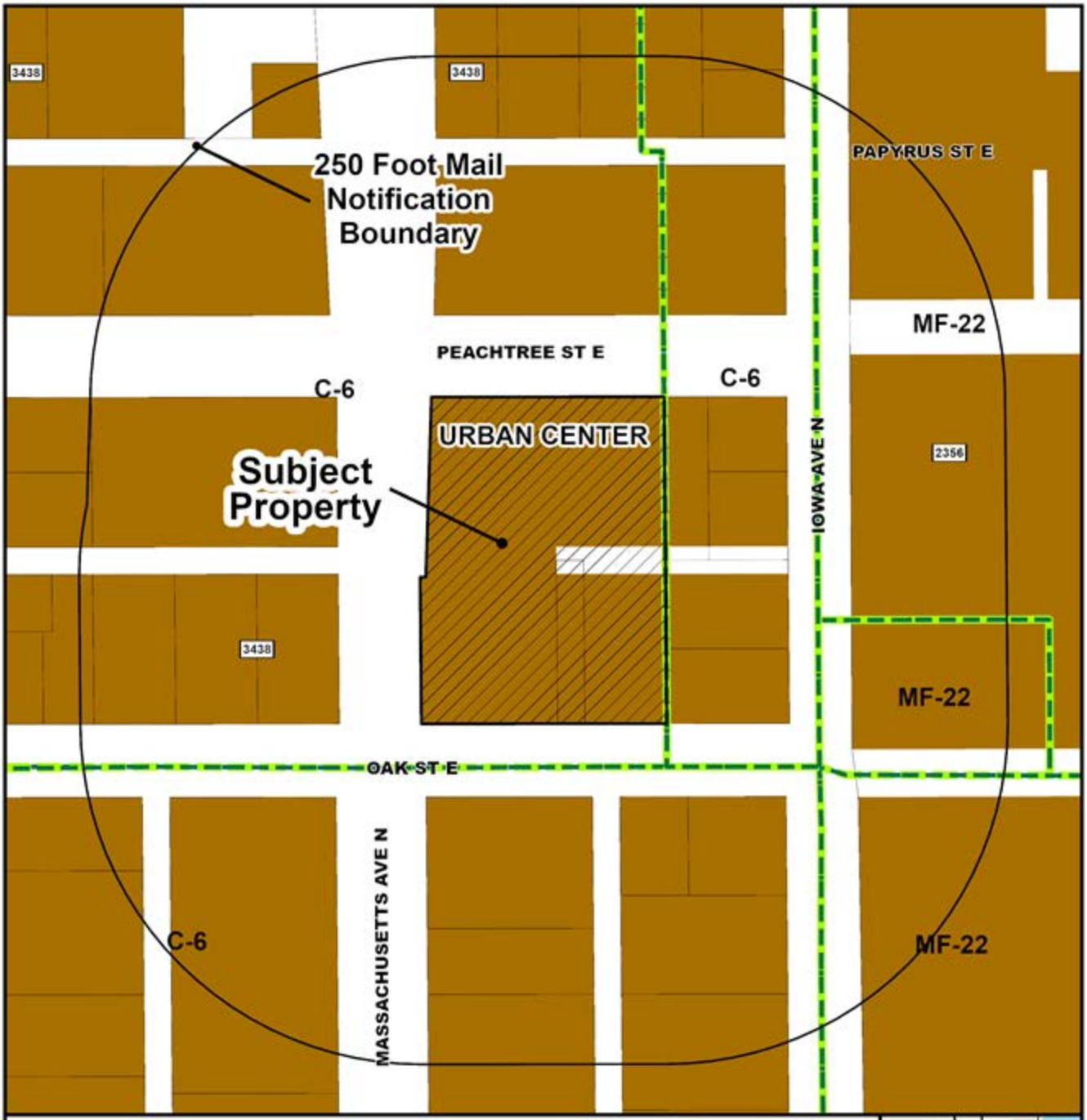
Present Zoning: C-6
Present Context: Urban Center
Proposed Zoning: Conditional Use to Allow a Comedy Club

November 2026

- Subject Property
- 250 Foot Mail Notification Boundary
- Zoning
- 4567 Conditional Use
- Parcels
- City Limits
- Water Body
- SPI
- Railroad

N





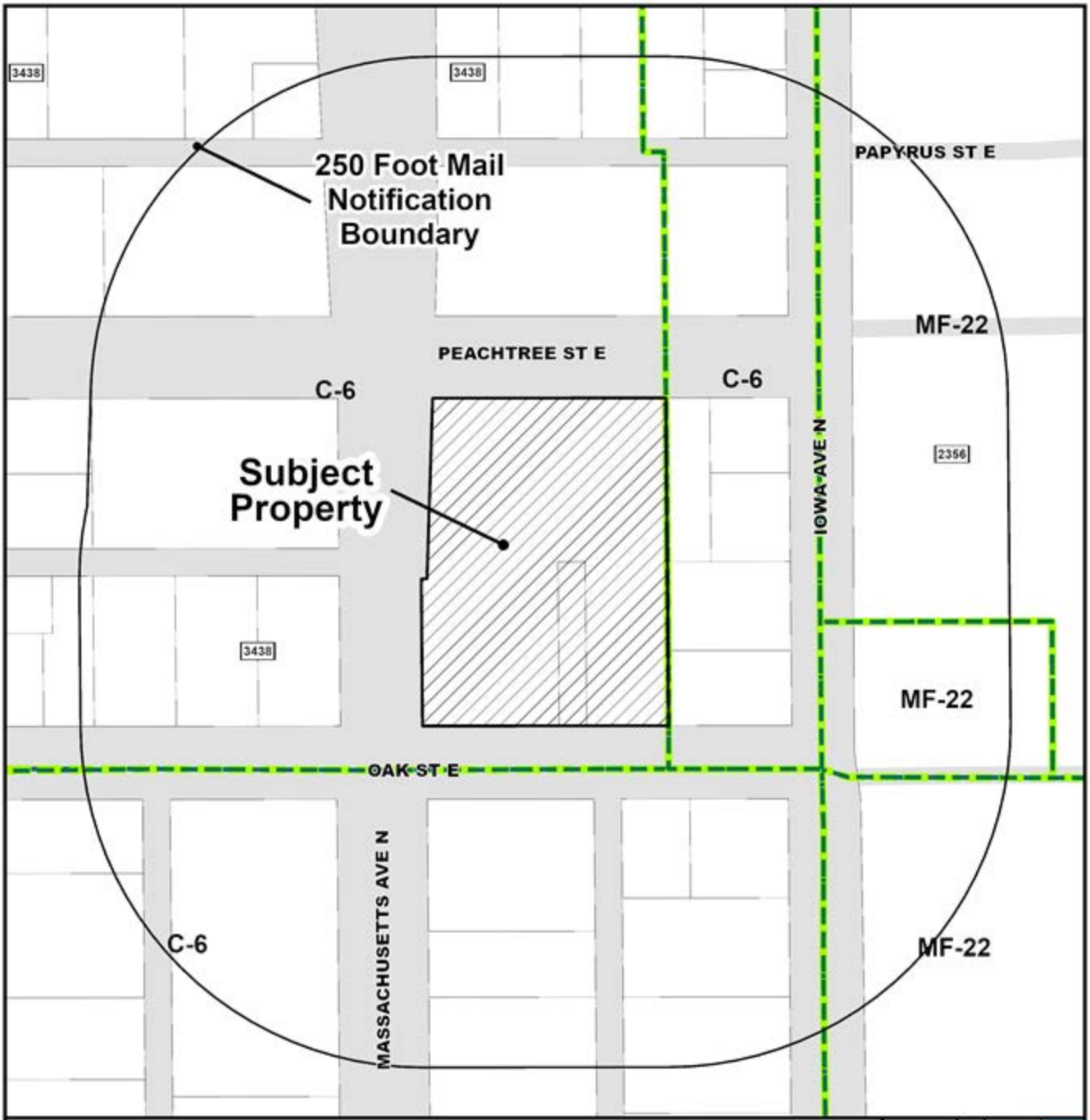
File Number: CUP26-010

Present Zoning: C-6
Present Context: Urban Center
Proposed Zoning: Conditional Use to Allow a Comedy Club

November 2026

Subject Property
250 Foot Mail Notification Boundary
Zoning
4567 Conditional Use
Parcels
City Limits
Water Body
SPI
Railroad

N



File Number: CUP26-010

Present Zoning: C-6
Present Context: Urban Center
Proposed Zoning: Conditional Use to Allow a Comedy Club

November 2026

- Subject Property
- 250 Foot Mail Notification Boundary
- Zoning
- 4567 Conditional Use
- Parcels
- City Limits
- Water Body
- SPI
- Railroad
- Roadway/Railway

N



CITY OF Lakeland
COMMUNITY & ECONOMIC DEVELOPMENT

228 S Massachusetts Avenue
Lakeland FL 33801
planning@lakelandgov.net

October 30, 2026

RE: 417 N. Massachusetts Avenue - Project No. CUP26-010

Dear Property Owner:

This is to advise you that Nathaniel Fleming, Comedy Cathedral Inc., requests a conditional use to allow a comedy club entertainment venue on property located at 417 N. Massachusetts Avenue. The subject property is legally described as:

> SCHIPMANS SURVEY DB G PG 360 361 BLK 4 LOTS 1 THRU 4 LESS E 20 FT LOT 4 & LOTS 5 & 6 & BEG NW COR LOT 1 RUN N 20 FT E 100 FT S 20 FT W 100 FT TO POB LESS THAT PART OF R/W FOR LAKELAND IN-TOWN BYPASS AS DESC IN OR 4562 PG 306 LYING WITHIN ABOVE DESC PARCEL & LOTS 13 THRU 18 LESS THAT PART OF R/W FOR LAKELAND IN-TOWN BYPASS AS DESC IN OR 4562 PG 306 LYING WITHIN LOT 18 & THAT PT OF VACATED ALLEY LYING N OF LOTS 5 & 6 & S OF LOTS 13 & 14 & N1/2 OF VACATED ALLEY LYING S OF LOT 15 PER OR 11586-48

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, November 17, 2026,** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 250 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 to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the November 17th meeting.

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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: ADASpecialist@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.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

Community & Economic Development Staff Recommendation

Date:	November 17, 2026	Reviewer:	Matthew Lyons
Project No:	LDC26-010	Applicant:	City of Lakeland
P&Z Hearing:	November 17, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 12 (Administration and Enforcement), Section 12.7 (Appeal Procedures) of the Land Development Code to revise procedures for submitting appeals for decisions made by the Planning & Zoning Board to the City Commission.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to Article 12 (Administration and Enforcement), Section 12.7 (Appeal Procedures), pertain to changes to the procedures for appealing decisions made by the Planning & Zoning Board. The proposed changes are included as Attachment "A."

1.1 Attachments

Attachment A: Proposed Changes to Article 12, Section 12.7 (Appeal Procedures)

2.0 Discussion

The proposed changes to Article 12, Section 12.7 clarify the application process for requesting an appeal before the City Commission, the procedures for hearing and scheduling appeals if granted by the City Commission, and the authority of the City Commission when deciding appeals for decisions made by the Planning & Zoning Board.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 12 of the Land Development Code, as described above and in Attachment "A" be approved.

ARTICLE 12 ADMINISTRATION AND ENFORCEMENT

…

12.7 APPEAL PROCEDURES

…

12.7.3 APPEAL TO THE CITY COMMISSION

~~Any aggrieved or adversely affected party, as defined in Section 163.3215, Florida Statutes, may appeal a decision of the Planning and Zoning Board to the City Commission based upon one or more of the following grounds:~~

~~a. The Planning and Zoning Board failed to properly follow adopted procedure or due process requirements;~~

~~b. The Planning and Zoning Board failed to properly apply adopted standards or regulations;~~

~~c. Administrative staff failed to follow professional practice in performing technical analysis;~~

~~d. No competent, substantial evidence was presented to the Planning and Zoning Board to support its decision; or~~

~~e. New evidence has been discovered that, through the exercise of proper diligence, could not have been discovered prior to the public hearing before the Planning and Zoning Board.~~

~~The applicant shall file the appeal in writing with the City Attorney within thirty (30) calendar days of the Board's action, stating the specific reasons for the appeal. Failure to timely file an appeal meeting the criteria set forth herein shall constitute a waiver of the right to appeal. The City Attorney shall place an appeal meeting the criteria set forth herein on a City Commission agenda occurring within sixty (60) calendar days of receipt of the applicant's written appeal and shall cause public notice of the hearing on the appeal to be given in accordance with Sub-Section 12.6.1.1. An appeal may be scheduled beyond sixty (60) calendar days for good cause.~~

~~Upon consideration of the appeal, the City Commission shall first determine whether one or more of the above grounds for appeal exist. If the Commission does not find that at least one of the above grounds exists, the Commission shall deny the appeal and affirm the decision of the Planning and Zoning Board. If the Commission finds that one or more of the above grounds exist, the Commission shall then, at the same meeting, conduct a full public hearing on the merits of the case. The hearing may be continued by the Commission to a later date for good cause. At the hearing, the City Commission may consider both new testimony and evidence, as well as the record created before the Planning and Zoning Board. Following the hearing, the City Commission may:~~

~~a. Affirm the decision of the Planning and Zoning Board;~~

~~b. Remand the case to the Board for reconsideration; or~~

~~c. Reverse, in whole or in part, or modify the decision of the Board and direct staff to prepare an ordinance or other appropriate instrument granting relief in accordance with the Commission's direction.~~

Any aggrieved or adversely affected party, as defined below, may appeal a decision of the Planning and Zoning Board to the City Commission in accordance with the provisions of this subsection 12.7.3.

12.7.3.1 Only the following decisions of the Planning & Zoning Board may be appealed to the City Commission:

a. Decisions denying a request for a change in zoning, including decisions related to planned unit developments and conditional uses;

b. Decisions denying an amendment to the City Comprehensive Plan;

c. Decisions approving or denying a request for a minor modification of a conditional use;

d. Decisions approving or denying a request for a minor modification of a planned unit development.

Decisions of the Planning & Zoning Board approving a request for a change in zoning, including decisions related to the initial approval of or a major modification to a planned unit development or conditional use, or an amendment to the Comprehensive Plan, will result in preparation of an ordinance and a public hearing before the City Commission prior to a final vote. As a result, a separate appeal is not necessary.

12.7.3.2 A request for an appeal shall be filed in writing with the City Attorney within ten (10) calendar days of the Board's action. Failure to timely file an appeal shall constitute a waiver of the right to appeal. The City Attorney shall place a timely filed appeal on a City Commission agenda occurring within sixty (60) calendar days of receipt of the written appeal and shall cause public notice of the hearing on the appeal to be given in accordance with subsection 12.6.1.1. An appeal may be scheduled beyond sixty (60) calendar days for good cause.

12.7.3.3 An appeal to the City Commission shall proceed as a de novo hearing. Any testimony or evidence presented to the Planning & Zoning Board must be presented to the City Commission at the de novo hearing in order to be considered. Following the hearing, the City Commission may:

a. Affirm the decision of the Planning and Zoning Board;

b. Remand the case to the Board for reconsideration; or

c. Reverse, in whole or in part, or modify the decision of the Board and direct staff to prepare an ordinance or other appropriate instrument granting relief in accordance with the Commission's direction.

12.7.3.4 A decision of the City Commission to remand a case to the Planning & Zoning Board for reconsideration, or to reverse in whole or part, or modify, a decision of the Planning & Zoning Board shall require an affirmative vote of at least five (5) members of the City Commission.

12.7.3.5 For purposes of this subsection 12.7.3, the term “aggrieved or adversely affected party” means any person or local government that will suffer an adverse effect to an interest protected or furthered by the City of Lakeland Comprehensive Plan,

including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons. The term includes owner, developer, or applicant for a development order.

MINUTES

Planning & Zoning Board

City Commission Chambers

Tuesday, October 20, 2026

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members, Terry Dennis, Bessie Reina, Jolián Rios, Veronica Rountree, Susan Seitz, Andrew Snyder and Jose Vazquez were present. Community & Economic Development staff Chuck Barmby, Urban Planning & Transportation Manager; Matthew Lyons, Executive Planner; Audrey McGuire, Executive Planner; Jonathan (JP) Sims, Senior Planner; Damaris Stull, Senior Planner; Todd Vargo, Senior Planner and Christelle Burrola, Board Secretary, were present. Assistant City Attorney Alex Landback and Community Redevelopment Agency (CRA) Manager Valerie Vaught were also present.

PUBLIC HEARING

ITEM 1: Conditional use to allow a Retail Laundry & Cleaning Establishment (Laundromat) on property located at 1050 Sharon Drive. Owner: Well Marbled Enterprises LLC. Applicant: Charles Brooker, Traditions Engineering, LLC. (CUP26-009)

Audrey McGuire stated the subject property is a 0.28-acre vacant lot comprised of Lot 16 within Block C of the former Woodland Acres residential subdivision. The subject property was annexed into the City in 2007 as part of a larger 26-acre tract which extends east of U.S Highway 98 North between the Shoppes of Lakeland and Lakeland Park Center Drive (formerly Crevasse Street). Following annexation, the subject property and adjoining properties were given a Future Land Use designation of Regional Activity Center (RAC) in part to facilitate land assemblage efforts of the developer of Lakeland Park Center (formerly Gateway Commons), a regional shopping center. The subject property was not acquired as part of the larger retail development and was assigned C-1 (Pedestrian Commercial) zoning in 2023 to facilitate future development. The applicant requests approval of a conditional use to allow for a 1,500 square foot Retail Laundry and Dry Cleaning Establishment (Laundromat). Ms. McGuire pointed to photos on the overhead screen of the subject property, surrounding areas and proposed site plan.

Chad Brooker, 900 Orchid Springs Drive, Winter Haven, was present in support of the request.

Ms. McGuire stated staff did not receive any public comment in response to the request.

Ms. McGuire presented the recommended conditions for approval.

In response to Terry Dennis, the applicant agreed to staff's recommended conditions.

Andrew Snyder made a motion for approval of staff's recommendation. Jolián Rios seconded the motion and it passed 7—0.

ITEM 2: Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan to establish factors for assessing the compatibility of allowable residential uses in residential districts and land uses; and changes to Article 1, Section 1.6 (Definitions) of the Land Development Code to update the definition of compatibility; and changes to Article 5 (Standards for Specific Uses) of the Land Development Code to establish standards for assessing the compatibility of allowed residential uses in residential districts, and measures to mitigate or minimize potential incompatibility concerns. Applicant: City of Lakeland. (CPA26-001/LDC26-003)

Audrey McGuire summarized the proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan and changes to Article 1, Section 1.6 (Definitions) and Article 5 (Standards for Specific Uses) of the Land Development Code.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 3: Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan and changes to Article 1, Section 1.4 (Regulations Governing Development in General) of the Land Development Code to provide a density bonus for residential uses allowed in the Mixed Commercial Corridor (MCC) future land use district located within a designated Transit-Oriented Corridor and the Dixieland or Midtown CRAs. Applicant: City of Lakeland. (CPA26-002/LDC26-007)

Audrey McGuire summarized the proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan and proposed changes to Article 1, Section 1.4 (Regulations Governing Development in General) of the Land Development Code.

Valerie Vaught, Lakeland Community Redevelopment Agency (CRA), was present in support of the request.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 4: Proposed text amendment to Chapter 4 of the Lakeland Comprehensive Plan to revise Map TRN-2 and Table TRN-1 Functional Classification. Changes to Article 3, Sub-Section 3.3.1.1 Classification of Street Types. Applicant: City of Lakeland. (CPA26-005/LDC26-008)

Chuck Barmby summarized the proposed text amendment to Chapter 4 of the Lakeland Comprehensive Plan and proposed changes to Article 3, Sub-Section 3.3.1.1 of the Land Development Code.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 5: Changes to Article 1 (Introduction and Use of this Code), Section 1.1 (Intent and Applicability) and Article 6 (Nature Resource Protection Standards), Section 6.2 (Floodplain Management) to amend development standards pertaining to Chickee Huts. Applicant: City of Lakeland. (LDC26-001)

JP Sims summarized the proposed changes to Article 1 (Introduction and Use of this Code), Section 1.1 (Intent and Applicability) and Article 6 (Nature Resource Protection Standards), Section 6.2 (Floodplain Management) to amend development standards pertaining to Chickee Huts.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 6: Changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses and Article 5 (Standards for Specific Uses) to establish standards for permitting manufactured buildings and homes in zoning districts where single-family dwellings are allowed. Applicant: City of Lakeland. (LDC26-002)

Todd Vargo summarized the proposed changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses and Article 5 (Standards for Specific Uses) of the Land Development Code.

In response to Susan Seitz, Mr. Vargo stated the legislation did not provide an exemption for properties located in historic districts but to be permitted in a historic district a manufactured home would have to meet the Historic District Design Guidelines.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 7: Changes to Article 6 (Natural Resource Protection Standards), Section 6.4.3.4 (Lake Bottom Construction Permit Procedures) of the Land Development Code to revise the review requirements for water access structures. Applicant: City of Lakeland. (LDC26-004)

Damaris Stull summarized the proposed changes to Article 6 (Natural Resource Protection Standards), Section 6.4.3.4 (Lake Bottom Construction Permit Procedures) of the Land Development Code.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 8: Changes to Article 4 (General Site Development Standards), Section 4.11 (Vehicle Use Areas) to update the Parking Exempt Area map and adopt new standards for minimum off-street parking reductions. Applicant: City of Lakeland. (LDC26-005)

James Phillips summarized the proposed changes to Article 4 (General Site Development Standards), Section 4.11 (Vehicle Use Areas) of the Land Development Code.

Valerie Vaught, Lakeland Community Redevelopment Agency (CRA), was present in support of the request.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 9: Changes to Article 12 (Administration and Enforcement), Sub-Section 12.4.3 (Administrative Adjustments) to allow for the administrative approval of residential fences up to eight feet in height within interior side yards. Applicant: City of Lakeland. (LDC26-006)

Audrey McGuire summarized the proposed changes to Article 12 (Administration and Enforcement), Sub-Section 12.4.3 (Administrative Adjustments) of the Land Development Code.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 10: Changes to Article 2 (Use Standards), Section 2.6 (Master Use List) and Article 5 (Standards for Specific Uses) to provide procedures for the establishment of Certified Recovery Residences and the review and approval of requests for reasonable accommodation. Applicant: City of Lakeland. (LDC26-009)

Audrey McGuire summarized the proposed changes to Article 2 (Use Standards), Section 2.6 (Master Use List) and Article 5 (Standards for Specific Uses) of the Land Development Code.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 11: Changes to Article 12 (Administration and Enforcement), Section 12.7 (Appeal Procedures). Applicant: City of Lakeland. (LDC26-010)

Alex Landback stated that the item has been withdrawn from the agenda but will be resubmitted for consideration at the next regular meeting of the Planning & Zoning Board.

ITEM 12: Changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses) and Section 2.6 (Master Use List), and Article 5 (Standards for Specific Uses) to adopt standards for schools within certain zoning districts. Applicant: City of Lakeland. (LDC26-011)

Damaris Stull summarized the proposed changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses) and Section 2.6 (Master Use List), and Article 5 (Standards for Specific Uses) of the Land Development Code.

Staff will present a written recommendation for the request at the next regular meeting of the Board.

GENERAL MEETING

ITEM 13: Review of September minutes.

Jolián Rios made a motion for approval of the minutes from the previous meeting. Veronica Rountree seconded the motion and it passed 6—0. Bessie Reina was not present at the time of the vote.

ITEM 14: Change in zoning on approximately 24.93 acres from LD (Limited Development) to PUD (Planned Unit Development), concurrent with a City-initiated application to change the context sub-district designation from Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP), and the application of new PUD zoning on approximately 20.05 acres, to allow for I-2 (Medium Industrial) and limited I-1 (Light Industrial – Limited Commercial) uses on property located at 3485 and 3515 Airport Road. Owner: Woods Family Management, LLC. Applicant: Ryan Behren, Peterson & Myers, P.A. (PUD26-011/ZON26-007) **Note: Continued from a previous meeting.**

Todd Vargo stated the subject property is comprised of approximately 45 acres and located approximately 650 feet north of the northwest corner of the intersection of Drane Field Road and Airport Road. The southern 20.05 acres of the subject property was assigned a Business Park (BP) future land use designation and PUD (Planned Unit Development) zoning in August of 2017 and contains a wide variety of industrial and commercial uses. The northern 24.93 acres is zoned LD (Limited Development) with a Business Park (BP) future land use designation. In 2017, the southern 20.05-acre acres of the subject property, presently undeveloped, was annexed into the city along with other parcels to the south and east along Drane Field Road as part of a 56.41-acre enclave. Due to the mix of existing land uses and development underway previously approved by Polk County, staff recommended the application of PUD zoning to recognize existing uses and ensure that future development was consistent with the City's Comprehensive Plan and Land Development Code. The northern 24.93-acre portion of the subject property, which is moderately wooded and contains a small area of jurisdictional wetlands, consists of the remainder of several larger tracts of land which were zoned RC (Rural Conservation) through zoning conformance in 1993. The RC zoning was approved at that time due to the lack of infrastructure necessary for development. The purpose of the request is to incorporate both portions of the property into a new consolidated PUD zoning district, concurrent with a City-initiated application to change the context sub-district designation on the northern 24.93-acre portion of the subject property from Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP). Through a separate City-initiated application concurrent with this application, the 20.05-acre portion of the subject property, Tracts B1 and B2, will be removed from the PUD zoning district to the south.

Mr. Vargo pointed to photos on the overhead screen of the subject property and surrounding areas.

Chuck Barmby summarized the information from the traffic studies provided by the applicant.

Mr. Vargo stated one letter in opposition was received from an anonymous individual.

Mr. Vargo presented the recommended conditions for approval.

Discussion ensued.

Bart Allen, 225 E. Lemon Street, representing the applicant, was present in support of the request.

In response to Terry Dennis, Mr. Allen stated he agrees to staff's recommended conditions.

Andrew Snyder made a motion for approval of staff's recommendation. Jolián Rios seconded the motion and it passed 6—0.

ITEM 15: Major modification of PUD (Planned Unit Development) zoning to remove Tracts B1 and B2 on approximately 20.05 acres located at 3515 Airport Road. Applicant: City of Lakeland. (PUD26-017) **Note: Continued from a previous meeting.**

Todd Vargo stated the proposed request is concurrent with the previous case. The purpose of the request is to amend the PUD zoning to remove Tracts B1 and B2. The subject property is located on the west side of Airport where it intersects with DMG drive. In 2017, the subject property, along with

adjacent properties to the south and to the east, across Airport Road, were annexed into the City and assigned a future land use designation of Business Park (BP) and PUD (Planned Unit Development) zoning. Mr. Vargo pointed to photos on the overhead screen of the subject property and surrounding areas.

Mr. Vargo presented the recommended conditions for approval.

Susan Seitz made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 6—0.

ITEM 16: Conditional use for Lone Palm Golf Club to recognize the existing golf course as a conforming use and allow for the development of new recreational facilities on property generally south of W. Memorial Boulevard, east and west of Lone Palm Drive, and west of Howard Avenue (845 Lone Palm Drive). Owner: Lone Palm Golf Club LLC. Applicant: Jason W. Rice, LP Engineering Services, LLC. (CUP26-008) **Note: Continued from a previous meeting.**

Todd Vargo stated the subject property, approximately 338.33 acres in area, has a future land use designation of Residential Medium (RM) and Residential Low (RL) with both RA-1 (Single-Family Residential) and O-1 (Low Impact Office) zoning classifications. Lone Palm Golf Club, established in 1964 by Publix Super Markets, Inc. founder George Jenkins, is a private, members-only country club which serves as the focal point for the surrounding Lone Palm residential community. At the time of development, outdoor recreation facilities such as golf courses were permitted by right in single-family zoning districts. It wasn't until the Land Development Code was amended in 2011 that outdoor recreation facilities required conditional use permits in residential zoning districts. The existing Lone Palm Golf Club complex, which consists of the clubhouse, pro shop, and restaurant/banquet space but not the golf course, was recognized as a conforming use through zoning conformance in 1994. The most recent improvements to the Lone Palm Golf Club, completed in 2023, consist of thirteen (13) pickleball courts which were created through the conversion of existing tennis courts, a viewing area for spectators and a pickleball pro shop. The purpose of this request is to recognize the existing 18-hole golf course as a conforming use and to allow for the development of new outdoor recreational facilities and accessory structures for use by club members only. The primary purpose of this request is to allow for the construction of new recreational facilities in the area located south of W. Memorial Boulevard and east of Lone Palm Drive. Proposed facilities include an expansion of the existing pickleball clubhouse complex which will include two golf simulators, a wellness center with treatment/therapy rooms, a banquet hall, offices, and classroom space, a new outdoor swimming pool with a 4,558 sq. ft. pool house, a covered play canopy located above six of the existing pickleball courts, three new croquet courts and a new pétanque court. Other additions include a pavilion with restrooms and a storage building. Secondary improvements include a new 1,300 sq. ft. driving range field house which will be located on the south side of the driving range.

Mr. Vargo pointed to photos on the overhead screen of the subject property, surrounding areas and site plan.

Prior to the public hearing on September 15, 2026, staff received two e-mails in support of the proposed additions to the Lone Palm Golf Club. Staff also received a request from a homeowner on Howard Avenue that the Lone Palm Golf Club commission a comprehensive, area-wide drainage and stormwater study as a condition for approval of the conditional use permit. The same property owner submitted a second request that no approval be given to the proposed changes until the project is approved by the Southwest Florida Management District (SWFWMD).

After the public hearing, staff received three additional e-mails in support of the request.

Mr. Vargo presented the recommended conditions for approval.

In response to Terry Dennis, the applicant agreed to staff's recommended conditions from the audience.

Jolián Rios made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 5—1. Susan Seitz voted against the motion.

ITEM 17: Annexation, a small-scale land use map amendment to apply a future land use designation of Business Park (BP), and the application of I-2 (Medium Industrial) zoning, concurrent with a City-initiated application to apply a Suburban Special Purpose (SSP) context sub-district designation, on approximately 9.66 acres located south of Old Tampa Highway, east of Browning Road, and west of Airport Road (3740 Old Tampa Highway). Owner: 3740 Old Tampa Highway LLC. Applicant: Timothy Baur, Progressive Development Group, Inc. (ANX26-003/LUS26-001/ZON26-009/ZON26-010)

JP Sims stated the subject property located south of Old Tampa Highway, east of Browning Road and west of Airport Road. The purpose of this request is to obtain annexation, land use and zoning approval to allow for future development of the property for I-2 uses. Adjacent uses to south and west consist of warehouse/distribution center uses which are located inside the City. To the north, across Old Tampa Highway, adjacent land uses consist of two mobile home parks located within unincorporated Polk County. To the east, also within unincorporated Polk County, adjacent land uses consist of two single-family homes and a mobile home park. The subject property is contiguous with Lakeland's corporate limits, is reasonably compact, and annexation will not result in the creation of an enclave.

Mr. Sims pointed to photos on the overhead screen of the subject property and surrounding areas.

Mr. Sims stated that the applicant intends to develop the property for use as a reconditioning facility for retired rental cars prior to remarketing for resale. No retail sale activities would occur on the site.

Lauren Rubenstein, 101 E. Kennedy Boulevard, Suite 3700, Tampa, representing the applicant, made a presentation that provided an overview of the proposed request.

Susan Seitz made a motion for approval of staff's recommendation. Andrew Snyder seconded the motion and it passed 6—0.

ITEM 18: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.

Chuck Barmby reviewed the recent actions of the City Commission. Mr. Barmby also reviewed the new cases for the November hearing.

ITEM 19: Audience.

There were no comments from the audience.

ITEM 20: Adjourn.

There being no further discussion, the meeting was adjourned at 10:58 a.m.

Respectfully Submitted,

Terry Dennis, Chair

Andrew Snyder, Vice-Chairperson

Community & Economic Development Staff Recommendation

Date:	November 17, 2026	Reviewer:	Audrey McGuire, AICP
Project No:	CPA26-001/LDC26-003	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan to establish factors for assessing the compatibility of allowable residential uses in residential districts and land uses; and changes to Article 1, Section 1.6 (Definitions) of the Land Development Code to update the definition of compatibility; and changes to Article 5 (Standards for Specific Uses) of the Land Development Code to establish standards for assessing the compatibility of allowed residential uses in residential districts, and measures to mitigate or minimize potential incompatibility concerns.		

1.0 Summary

1.1 Proposed Amendment

The proposed amendments to the City of Lakeland Comprehensive Plan: *Our Community 2030* and the Land Development Code (LDC) are in response to legislation passed by the Florida Legislature during the 2026 session.

House Bill 399 was signed into law and took effect on March 27, 2026. Among numerous other changes, section 163.3194, Florida Statutes was amended to require local governments to amend their comprehensive plans and land development regulations to include factors for assessing the compatibility of allowable residential uses within a residential zoning district and future land use category, and provide for measures to mitigate potential areas of incompatibility.

1.2 Discussion

Chapter 163, Florida Statutes requires local governments to include factors for evaluating the compatibility between residential uses when reviewing applications for rezoning, subdivision and site plan approval. The residential compatibility requirements do not apply to compatibility between residential uses and different land use categories (including rural, agricultural, non-residential and mixed-use categories); development within Planned Unit Developments (PUDs) or master-planned communities; or for applications within historic districts designated before January 1, 2026.

In response to the statutory requirements, staff is proposing a new Comprehensive Plan objective and associated policies under the Future Land Use (FLU) Goal 1 to include factors for assessing the compatibility of allowed residential uses within residential zoning districts and land use categories and sets the framework for changes to the Land Development Code related to residential compatibility and mitigation measures.

Both the Comprehensive Plan and Land Development Code define “compatibility.” Proposed changes to Article 1, Section 1.6 (Definitions) of the Land Development Code expand on the definition of compatibility to be consistent with the Comprehensive Plan.

To address residential compatibility and mitigation measures, a new section (Section 5.30) will be created under Article 5 (Standards for Specific Uses). This section is intended to establish residential compatibility standards which protect the character of established neighborhoods and

mitigate potential adverse impacts of more intense forms of residential development to be analyzed when assessing applications for rezoning, residential subdivisions and site plans.

1.3 Comments from Other Agencies

The proposed text amendment to the Comprehensive Plan and Land Development Code is mandated by Florida law. Therefore, this amendment requires a non-exempt, state-coordinated review by the State in accordance with Chapter 163, F.S and the City's Comprehensive Plan Certification Agreement. The State has 45 days to review the proposed amendment.

1.4 Attachments

Attachment A:Proposed Comprehensive Plan Objective FLU-1.15 and Related Policies

Attachment B: Proposed Changes to Article 1, Section 1.6 (Definitions) of the Land Development Code

Attachment C: Proposed Changes to Article 5 (Standards for Specific Uses) of the Land Development Code

2.0 Recommendation

2.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed the proposed text amendment (CPA26-001) and corresponding Land Development Code changes (LDC26-003) and it is our opinion that the amendments are consistent with the Lakeland Comprehensive Plan: Our Community 2030 and Section 163.3194, Florida Statutes.

It is recommended that the proposed text amendments, as described above and in Attachment "A," Attachment "B" and Attachment "C", be approved and transmitted to the State, followed by a final City Commission public hearing to adopt the amendment.

ATTACHMENT "A"

FUTURE LAND USE (FLU) GOAL 1: To provide for the best possible organization of land uses to meet the physical, cultural, and economic needs of the present and future population in a manner that will maintain or improve the quality of the natural and man-made environment.

...

Objective FLU-1.15: The City will assess the compatibility of allowed residential uses within residential zoning districts and future land use categories.

Policy FLU-1.15A: The City will consider the following residential compatibility factors when reviewing residential land use, zoning and development review applications.

a) The Future Land Use classification of the subject property and adjacent properties.

b) The maximum development potential of the property, including allowed density.

c) The proposed residential density in comparison to adjacent properties.

d) The development pattern of the existing surrounding neighborhood, including lot dimensions and block pattern.

e) Whether the design of the proposed development is compatible with adjacent residential development. Such a finding shall be based on consideration of setbacks, building mass, building height, parking location, buffering and landscaping.

f) Whether the operations of the proposed development is compatible with adjacent residential development. Such a finding shall be based on potential noise, light, traffic and parking impacts.

f) The provision of adequate civic open space to serve the proposed development and the adjacent development.

g) The availability of adequate infrastructure and public facilities and services, including but not limited to transportation facilities, utilities, drainage systems, and parks.

Policy FLU-1.15B: The Land Development Code shall include measures to mitigate or minimize incompatibility between residential uses. Such measures may include, but are not limited to enhanced landscape buffers, increased setbacks, building bulk standards, and preservation of natural areas or landscaping.

Policy FLU-1.15C: Measures to mitigate or minimize potential compatibility concerns shall be considered by the City when reviewing applications for residential land use, zoning, subdivision or site plan approval.

a) Prior to the denial of an application for subdivision or site plan approval, or a recommendation of denial for land use or zoning based on compatibility grounds, City staff shall identify each area of

incompatibility and may recommend mitigation measures to the applicant.

b) The City may not deny an application on compatibility grounds if the applicant proposes mitigation measures, unless the denial includes written findings that the proposed mitigation measures are inadequate and that feasible mitigation measures do not exist.

c) The denial of an application on compatibility grounds must specify, with particularity, the area(s) of incompatibility including applicable standards and an explanation of any mitigation measures considered and declined by the applicant, or the basis for determining that feasible mitigation measures do not exist.

d) The City may approve an application with conditions to mitigate or minimize compatibility concerns.

Policy FLU-1.15-D: The residential compatibility standards and mitigation measures shall not be applied to the compatibility between different future land use categories, including rural, agricultural, conservation, open space, mixed-use, commercial or industrial; applications for development within Planned Unit Developments or master-planned communities; or applications within historic districts designated before January 1, 2026.

ATTACHMENT “B”

ARTICLE 1: - INTRODUCTION AND USE OF THIS CODE

…

1.6 – DEFINITIONS

1.6.2 DEFINITIONS

Compatible: In harmony with the surrounding land uses, context, building forms and environment. Elements affecting compatibility include, but are not limited to, the following: density and intensity of use; the height, scale, mass and bulk of structures; architecture; pedestrian and vehicular traffic, circulation, access and parking impacts; lighting, noise and odor. Compatibility does not mean “the same as” but rather refers to the sensitivity of development proposals in maintaining the character of existing development.

ATTACHMENT “C”

ARTICLE 5: - STANDARDS FOR SPECIFIC USES

…

5.30 – RESIDENTIAL USE COMPATIBILITY

5.30.1 INTENT

It is the intent of this section to establish residential compatibility standards for allowable residential uses in residential districts which protect the character of established neighborhoods and mitigate potential adverse impacts of more intense forms of residential development.

5.30.2 APPLICABILITY

These standards shall apply to applications for residential zoning, subdivision plan and site plan approval of allowable residential uses in residential districts. These standards are not applicable to development within Planned Unit Developments or master-planned communities or to applications within historic districts designated before January 1, 2026, and should not be used to determine compatibility of residential development with mixed-use or non-residential uses or zoning.

a. Prior to the denial of an application for subdivision or site plan approval, or a recommendation of denial for an application to rezone based on compatibility grounds, Planning staff shall identify each area of incompatibility and recommend mitigation measures to the applicant.

b. An application for zoning, subdivision or site plan approval may not be denied on compatibility grounds if the applicant proposes mitigation measures, unless the denial includes written findings that the proposed mitigation measures are inadequate and that feasible mitigation measures do not exist.

c. The denial of an application for zoning, subdivision or site plan approval on compatibility grounds must specify, with particularity, the area(s) of incompatibility including applicable standards and an explanation of any mitigation measures considered and declined by the applicant, or the basis for determining that feasible mitigation measures do not exist.

5.30.3 RESIDENTIAL COMPATIBILITY STANDARDS

These standards shall apply when reviewing applications for residential zoning, subdivision plan and site plan approval of allowable residential uses in residential districts.

a. The proposed zoning or development is consistent with the future land use classification of the subject property.

b. The proposed development is consistent with the block and lot configuration requirements, setbacks and other development criteria of the applicable zoning context sub-district and the existing surrounding neighborhood.

c. Adequate open space is provided to serve the proposed development and the proposed development will not significantly reduce the amount of civic open space available for existing neighborhoods.

d. The design of proposed buildings is compatible with adjacent existing residential development. Such a finding shall be based on the consideration of the building mass, scale, height, setbacks, frontage buildout, orientation, entrance feature, and landscaping.

e. The proposed development will not result in excessive noise, light, traffic or parking congestion.

f. The proposed development will not significantly impact the privacy of adjacent residential properties.

g. Adequate infrastructure and public facilities or services, including transportation systems, utilities, stormwater systems, and parks, are available to serve the proposed development and existing surrounding neighborhood.

5.30.4 MITIGATION MEASURES

To mitigate or minimize potential compatibility concerns and adverse impacts, the following measures shall be applied to new residential subdivisions and multi-family residential development adjacent to existing single-family, two-family and mobile home uses or districts in addition to the applicable zoning context sub-district standards.

a. Building heights shall be in accordance with the applicable zoning context sub-district and the bulk plane limitations in subsection 3.4.8.b of this code. Where adjacent to the side or rear yard of a property zoned for single-family, two-family or mobile home uses, including those portions of existing planned unit developments, no portion of a multi-family building shall extend beyond a bulk plane beginning at 36 feet above grade at the minimum setback line and extending upward one foot for every additional one foot into the site from the minimum setback line.

b. Where practicable, developments with building types of varying densities should locate the less dense building type(s) nearest the property boundary line of adjacent single-family, two-family or mobile home uses or districts.

c. Civic open space shall be provided in accordance with Subsection 3.4.6 of this Code. Where required open space areas include active recreation elements such as playgrounds, tennis courts, and basketball courts, such elements shall be set back at least fifty (50) feet from the property boundary line of a single-family, two-family or mobile home use or district.

d. To reduce noise impacts, solid waste and recycling collection bins, including dumpsters, trash compactors, bailers, etc., shall be set back at least twenty-five (25) feet from the property boundary line of an adjacent single-family, two-family or mobile home use or district. This does not apply to residential trash carts.

e. Off-street surface parking lots shall be set back at least fifteen (15) feet from the property boundary line of an adjacent single-family, two-family, or mobile home use or district.

f. Where the minimum lot area within a proposed residential subdivision is less than fifty (50) percent of the lot area of an existing adjacent single-family, two-family or mobile home development, a minimum Type A landscape buffer shall be provided along the property line abutting single-family, two-family or mobile home lots within the adjacent development.

g. Other measures deemed appropriate to mitigate or minimize impacts related to noise, light, privacy, infrastructure, transportation services, utilities, or stormwater systems, or other impacts not otherwise contemplated by this code.

Community & Economic Development
Staff Recommendation

Date:	November 17, 2026	Reviewer:	Audrey McGuire
Project No:	CPA26-002/LDC26-007	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan and changes to Article 1, Section 1.4 (Regulations Governing Development in General) of the Land Development Code to provide a density bonus for residential uses allowed in the Mixed Commercial Corridor (MCC) future land use district located within a designated Transit-Oriented Corridor and the Dixieland or Midtown CRAs.		

1.0 Summary

1.1 Proposed Amendment

Periodically, various changes to the Comprehensive Plan and Land Development Code (LDC) are proposed in response to changing circumstances. The proposed changes to the Future Land Use Element of the Lakeland Comprehensive Plan: Our Community 2030 are intended to allow for greater density for properties with a Mixed Commercial Corridor (MCC) land use designation when located along key transit corridors within the Dixieland and Midtown CRAs. The proposed changes to the Land Development Code correspond to Comprehensive Plan amendment.

1.2 Discussion

The Lakeland Comprehensive Plan: Our Community 2030 includes policies which encourage compact, walkable and mixed-use development. However, the current maximum density of 22 units per acre is limiting and smaller parcel sizes make achieving this type of development difficult. The proposed changes are intended to provide a density bonus of up to 60 units per acre for properties within the MCC land use when located within 1/4 mile of a transit oriented corridor in both the Dixieland and Midtown CRAs. These changes are reflected in Table FLU-4 within the Future Land Use Element of the Comprehensive Plan (Attachment “A”) and Table 1.4-1 of the Land Development Code (Attachment “D”).

1.3 Comments from Other Agencies

The proposed text amendment to the Comprehensive Plan requires a non-exempt, state expedited review by the State in accordance with Chapter 163, Florida Statutes and the City’s Comprehensive Plan Certification Agreement. The State has 30 days to review the proposed amendment.

1.4 Attachments

Attachment A: Proposed Changes to Comprehensive Plan Table FLU-4: Future Land Use Summary Table

Attachment B: Proposed Changes to Comprehensive Plan Table FLU-5: Future Land Use Intensity Areas and Land Use Categories

Attachment C: Proposed Changes to Comprehensive Plan Policy FLU-1.1E

Attachment D: Proposed Changes to Article 1, Table 1.4-1 (Residential Density Limits) of the Land Development Code

2.0 Recommendation

The Community and Economic Development Department reviewed the proposed text amendment (CPA26-002) and corresponding Land Development Code changes (LDC26-007) and it is our opinion that the amendments are consistent with the Lakeland Comprehensive Plan: Our Community 2030.

It is recommended that the proposed text amendments, as described above and in Attachments "A," "B," "C," and "D" be approved and transmitted to the State, followed by a final City Commission public hearing to adopt the amendments.

ATTACHMENT "A"

TABLE FLU-4: FUTURE LAND USE SUMMARY TABLE

<table>
<tr><td colspan="2">Mixed Commercial Corridor (MCC) Used to describe locations of older strip commercial uses.</td></tr>
<tr><td>Uses</td><td>Non-anchor retail and service areas that lack controlled centers are sometimes too small or otherwise inappropriate for shopping centers. These commercial corridor areas are typically characterized by businesses that need high visibility and driveway access.
Future opportunity to expand an MCC is not guaranteed and will be limited by the predominant surrounding land use types and patterns near a given center and requiring a mix of non-commercial land uses.</td></tr>
<tr><td colspan="2">Density (Dwelling Units per Acre (du/ac)</td></tr>
<tr><td colspan="2">Transit Oriented Corridors (TOC)</td></tr>
<tr><td colspan="2"><table>
<tr><th>Maximum Outside of TOC</th><th>Maximum within TOC[1]</th><th>Minimum within 1/8 Mile of TOC[1,2]</th><th>Minimum within ¼ Mile of TOC[1,2]</th></tr>
<tr><td>12 du/ac</td><td>22 du/ac[3].</td><td>7 du/ac</td><td>5 du/ac</td></tr>
</table></td></tr>
<tr><td colspan="2">[1] Subject to zoning district or Special Public Interest (SPI) District Requirements
[2] Measured perpendicular to centerline of designated TOC
[3] Up to 60 du/ac within the Midtown and Dixieland CRAs</td></tr>
<tr><td colspan="2">Intensity (Maximum Floor Area Ratio (FAR))</td></tr>
<tr><td colspan="2">Development Area</td></tr>
<tr><td colspan="2"><table>
<tr><th>Central City</th><th>Urban Development Area</th><th>Suburban Development Area</th><th>Downtown CRA</th></tr>
<tr><td>0.50 FAR</td><td>0.50 FAR</td><td>0.30 FAR</td><td>Not Applicable</td></tr>
</table></td></tr>
<tr><td colspan="2">Development Criteria</td></tr>
<tr><td colspan="2">Permitted only as an infilling of existing commercial corridors within the Central City TSA and Urban Development Area, with expansion allowed under strict provisions provided for in the Policies within this Element.</td></tr>
</table>

ATTACHMENT "B"

TABLE FLU-5: FUTURE LAND USE INTENSITY AREAS AND FUTURE LAND USE CATEGORIES

LAND USE CATEGORY	INTENSITY AREA		
	Central City	Urban Development	Suburban Area
Regional Activity Center (RAC)	X	X	
Community Activity Center (CAC)	X	X	
Neighborhood Activity Center (NAC)	X	X	X
Convenience Center (CC)	X	X	X
Interchange Activity Center (IAC)	X	X	X
Mixed Commercial Corridor (MCC)	X[1]	X	
Business Park Center (BP)	X	X	X
Office Center (OC)	X	X	X
Industrial (I)	X	X	X
Residential High (RH)	X[1]	X[1]	
Residential Medium (RM)	X[1]	X[1]	X
Residential Low (RL)	X	X	X[2]
Residential Very Low (RVL)			X
Agricultural Residential Low			X[3]
Recreation (R)	X	X	X
Conservation (C)	X	X	X
Preservation (P)	X	X	X
Public Buildings / Grounds / Institutional (PI)	X	X	X

[1] Density may be increased in Transit Oriented Corridor Overlay areas.

[2] Density may be limited due to lack of public facilities and services, environmental resources and/or issues of compatibility with surrounding land uses and patterns.

[3] This land use is primarily intended for the Green Swamp ACSC.

ATTACHMENT "C"

FUTURE LAND USE (FLU) GOAL 1: To provide for the best possible organization of land uses to meet the physical, cultural, and economic needs of the present and future population in a manner that will maintain or improve the quality of the natural and man-made environment.

Objective FLU-1.1: A future land use classification system is used for grouping compatible types of land uses while providing sufficient land to meet projected growth for a ten-year planning horizon.

...

Policy FLU-1.1E: The City of Lakeland has identified and mapped existing Mixed Commercial Corridors (MCC) exhibiting intense strip commercial development and will allow infilling and limited expansion of existing corridors only, with no creation of new corridors. Above ground floor residential uses and first floor residential that does not front directly on the main commercial corridor (roadway) shall be allowed in all MCCs except where industrially zoned. Maximum densities shall be equal to those allowed in the City's RM land use category, subject to compatibility with surrounding uses, development patterns, and densities; except that within the City's defined Midtown and Dixieland Community Redevelopment Areas along transit-oriented corridors where higher densities support mixed-use development and redevelopment.

Requests to ***expand*** the depth or area of (not infill) an MCC along the corridor shall require:

a) Compatibility with surrounding land uses and patterns – including adequate transitional site design techniques and/or buffering;

b) Adequate infrastructure required to serve the proposed use;

c) Pedestrian/bike and transit friendly site design with cross access.

ARTICLE 1: - INTRODUCTION AND USE OF THIS CODE

…

1.4 – REGULATIONS GOVERNING DEVELOPMENT IN GENERAL

Table 1.4-1: Residential Density Limits (dwelling units per gross acre)

Future Land Use Designation	Max. Outside of TOC	Max. Within TOC[1]	Min. Within 1/8 Mile of TOC[1,2]	Min. Within 1/4 Mile of TOC[1,2]
Residential Low	5	N/A	N/A	N/A
Residential Medium	12	22[2,3] 16[2,4]	7	5
Residential High	75[5]	75[5]	7	5
Mixed Commercial Corridor	12	22[8.]	7	5
Activity Centers	22[5,6] or per PUD	22[5,6] or per PUD	7	5
Business Park	N/A	75[7]	7	5

[1] Subject to zoning district or SPI District requirements
[2] Measured perpendicular to centerline of designated TOC
[3] Within 1/8 mile of TOC centerline
[4] Within 1/4 mile of TOC Centerline
[5] Up to 175 du/ac within the Downtown CRA
[6] Up to 75 du/ac in RAC or IAC outside the Downtown CRA
[7] Up to 75 du/ac within Williams DRI west of FPU
[8] Up to 60 du/ac within the Midtown and Dixieland CRAs

Community & Economic Development
Staff Recommendation

Date:	November 17, 2026	Reviewer:	Chuck Barmby
Project No:	CPA26-005/LDC26-008	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Proposed text amendment to Chapter 4 of the Lakeland Comprehensive Plan to revise Map TRN-2 and Table TRN-1 Functional Classification. Changes to Article 3, Sub-Section 3.3.1.1 Classification of Street Types.		

1.0 Summary

1.1 Proposed Amendment

Periodically, amendments to the Comprehensive Plan are proposed in response to changing circumstances or to clarify existing provisions. The proposed changes to map TRN-2 and table TRN-1 in Chapter 4 (Safe and Convenient Mobility Options) of the Lakeland Comprehensive Plan: Our Community 2030 reflect recent decennial amendments to the functional classification maps adopted by the Federal Highway Administration (FHWA), Florida Department of Transportation (FDOT) and Polk Transportation Planning Organization (TPO) following the establishment of revised urbanized area boundaries resulting from the 2020 Census.

1.2 Discussion

Functional classification is the process of grouping streets based on their purpose, ranging from serving the through movement of vehicles (arterials) to providing enhanced access to adjacent properties (local) with collector roadways serving traffic between arterial and local roadways. The FHWA, FDOT and TPO have recently approved updated designations for corridors such as State Road 37 (Florida Avenue) north of the Polk Parkway, which is now classified as an Urban Major Collector, rather than a Minor Arterial, and Polk County facilities such as West Pipkin Road and County Line Road, which are now classified as Minor Arterials, rather than as Urban Major Collector roadways.

The new maps as well as proposed revisions to Table TRN-1 and Map TRN-2 of the Comprehensive Plan also include new roadways such as the North Wabash Avenue Extension (10th Street to Bella Vista Street), Winston Park Boulevard within Lakes at Laurel Highlands and the Medulla Road Extension within the Riverstone and Hawthorne developments. Planned facilities like the South Wabash Avenue Extension and remaining sections of Peachleaf Street and Winston Park Boulevard are also proposed to be added through this amendment package. Subsequent to the October 20th Planning & Zoning Board Public Hearing, staff also added the future Tradeport Boulevard Extension between State Road 33 and Walt Williams Road and the Mt. Olive Road Extension to Pace Road as “Future Roads”. Arterial and Urban Major Collector roadways also qualify for Federal transportation funding and are designated components of the “Federal Aid Eligible” network. Changes to the Comprehensive Plan functional classifications create the need to also amend the adopted Street Types in the Land Development Code, impacting required building setbacks and other urban form standards for new development activity. Attachment “C” includes revisions to Figure 3.3-1 as found in the LDC.

1.3 Comments from Other Agencies

The proposed text amendment to the Comprehensive Plan requires a non-exempt, state expedited review by the Florida Department of Commerce in accordance with Chapter 163, Florida Statutes and the City's Comprehensive Plan Certification Agreement. The State has 30 days to review the proposed amendment.

1.4 Attachments

Attachment A: Comprehensive Plan Table TRN-1: Functional Classification

Attachment B: Comprehensive Plan Map TRN-2: Functional Classification

Attachment C: Land Development Code Figure 3.3-1: Street Types

2.0 Recommendation

2.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed the proposed text amendment (CPA26-005) and corresponding Land Development Code changes (LDC26-008) and it is our opinion that the amendments are consistent with the Lakeland Comprehensive Plan: Our Community 2030.

It is recommended that the proposed text amendments, as described above and in Attachments "A," "B," and "C" be approved and transmitted to the State, followed by a final City Commission public hearing to adopt the amendments.

ATTACHMENT "A"

TABLE TRN-1: FUNCTIONAL CLASSIFICATION

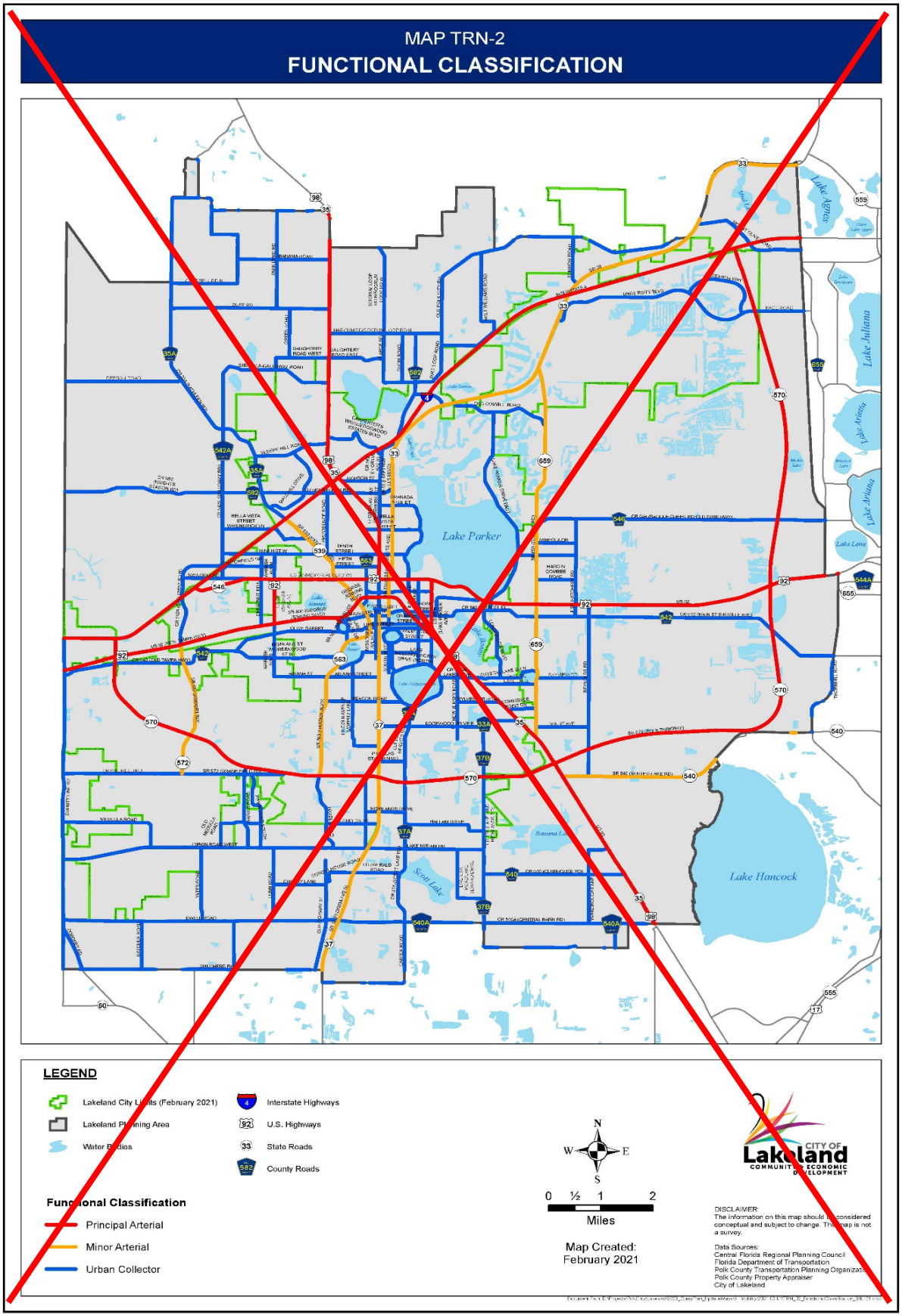
Road Classification	Within Geographic Area	Approximate Miles
Urban Collector	Lakeland Planning Area	244
	City of Lakeland	97
	Central City Transit Supportive Area	56
	Urban Development Area	104
	Suburban & Rural Development Areas	83
Minor Arterial	Lakeland Planning Area	41
	City of Lakeland	22
	Central City Transit Supportive Area	13
	Urban Development Area	18
	Suburban & Rural Development Areas	8
Principal Arterial	Lakeland Planning Area	78
	City of Lakeland	42
	Central City Transit Supportive Area	14
	Urban Development Area	43
	Suburban & Rural Development Areas	11

TABLE TRN-1: FUNCTIONAL CLASSIFICATION

Road Classification	Within Geographic Area	Approximate Miles
Urban Collector	Lakeland Planning Area	237
	City of Lakeland	118
	Central City Transit Supportive Area	73
	Urban Development Area	115
	Suburban & Rural Development Areas	98
Minor Arterial	Lakeland Planning Area	55
	City of Lakeland	25
	Central City Transit Supportive Area	12
	Urban Development Area	32
	Suburban & Rural Development Areas	9
Principal Arterial	Lakeland Planning Area	78
	City of Lakeland	42
	Central City Transit Supportive Area	15
	Urban Development Area	44
	Suburban & Rural Development Areas	11

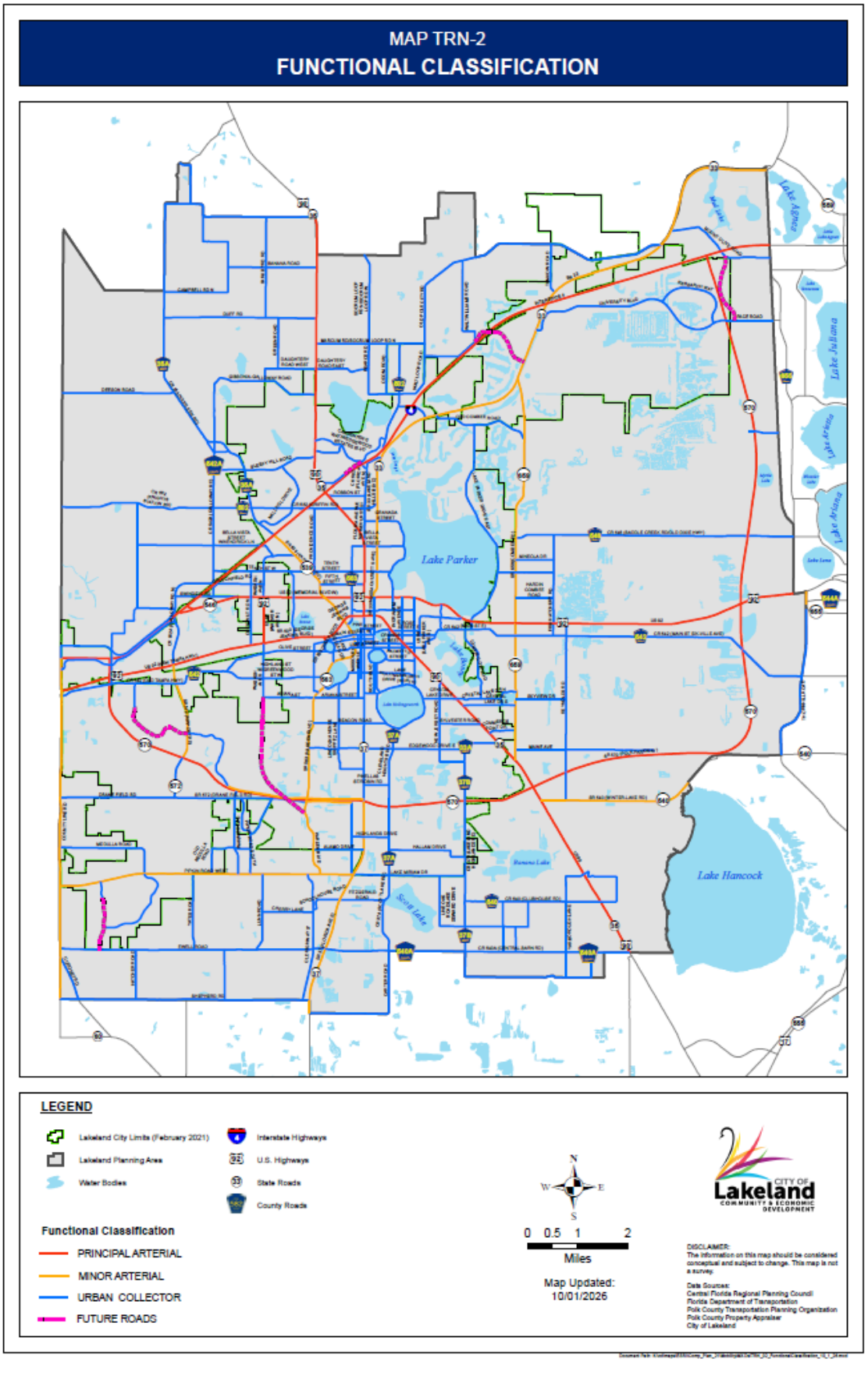
~~ATTACHMENT "B"~~

MAP TRN-2: FUNCTIONAL CLASSIFICATION



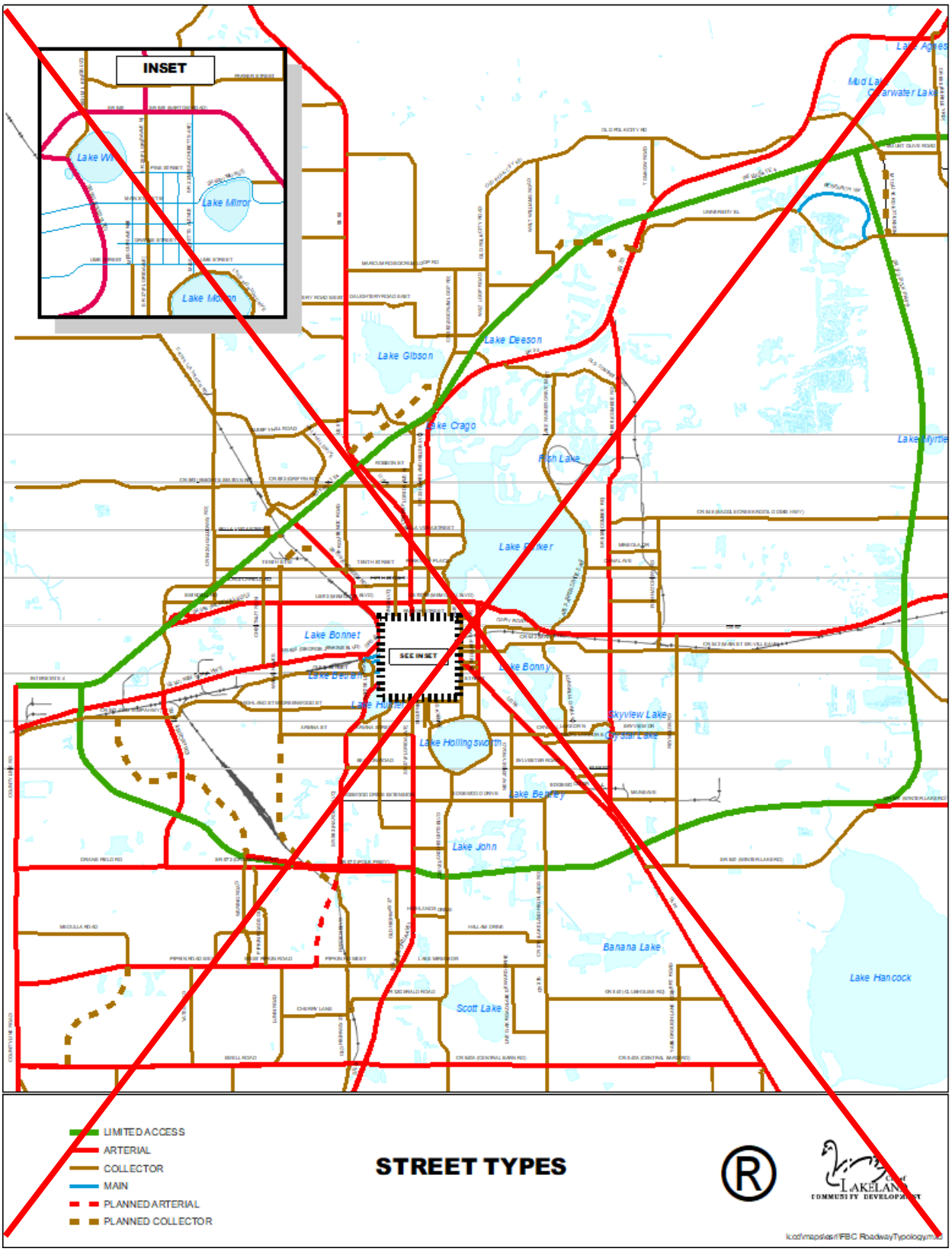
ATTACHMENT “B”

TABLE TRN-2: FUNCTIONAL CLASSIFICATION



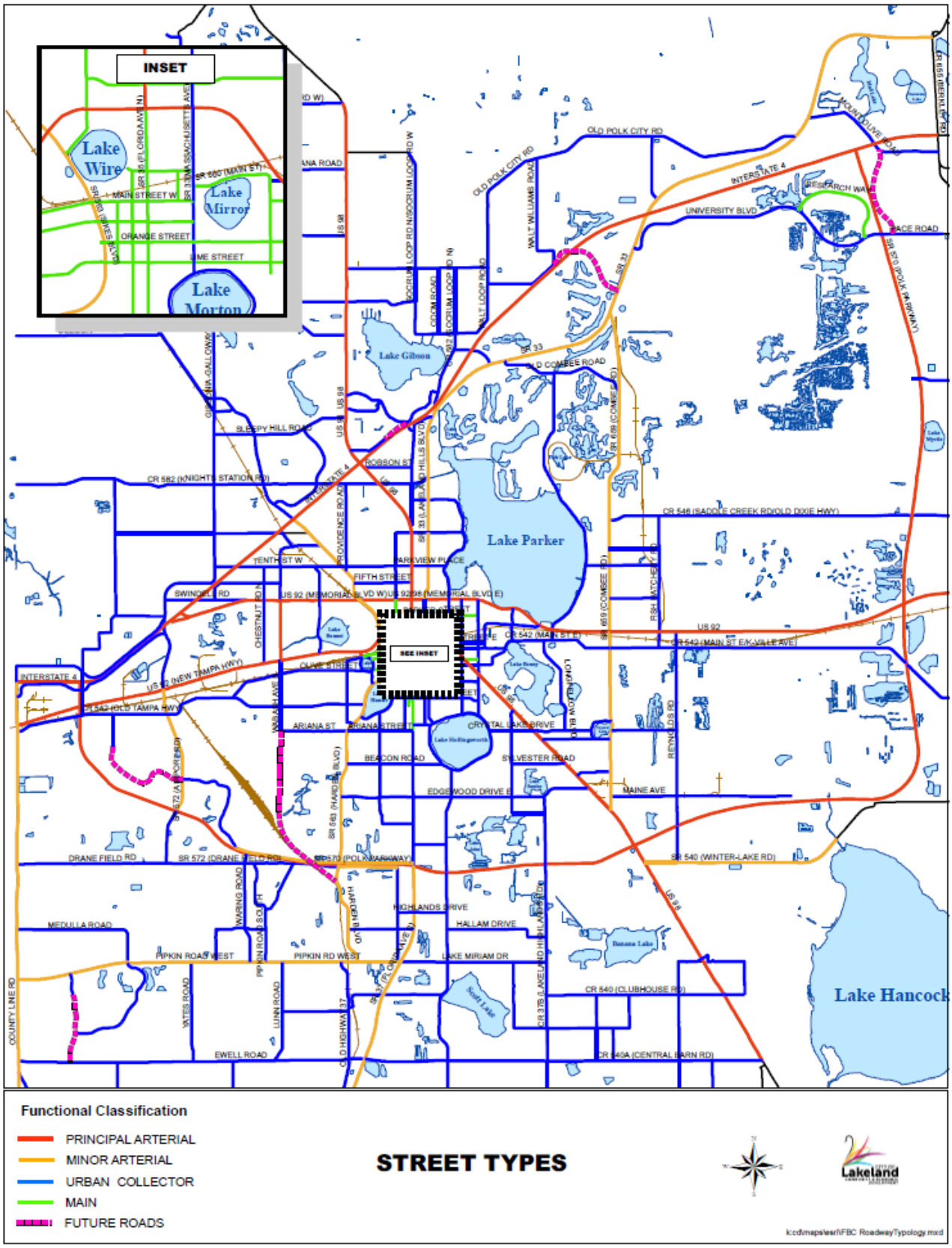
~~ATTACHMENT "C"~~

FIGURE 3.3-1: STREET TYPES



ATTACHMENT "C"

FIGURE 3.3-1: STREET TYPES



Community & Economic Development Staff Recommendation

Date:	November 17, 2026	Reviewer:	Johnathan (JP) Sims
Project No:	LDC26-001	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 1 (Introduction and Use of this Code), Section 1.1 (Intent and Applicability) and Article 6 (Natural Resource Protection Standards), Section 6.2 (Floodplain Management) to amend development standards pertaining to Chickee Huts.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances or to clarify existing provisions. Pursuant to Section 166.04845 Florida Statutes, the proposed changes to Article 1 (Intent and Applicability) and Article 6 (Natural Resource Protection Standards) amend development standards pertaining to chickee huts in response to recent legislative changes.

1.1 Attachments

Attachment A: Article 1, Section 1.1.4.2 Conflicting Regulations and Ordinances

Attachment B: Article 6, Section 6.2.4.3 Buildings, Structures, and Facilities Exempt from the Florida Building Code

2.0 Discussion

In 2026, the Florida Legislature amended Chapter 166, Florida Statutes to further limit how local governments regulate chickee huts. A chickee hut is a traditional, open-sided wooden structure with a thatched roof made of palm or palmetto fronds. Under Section 166.04845 Florida Statutes, local governments may not enact any ordinance, regulation, or policy that prevents or has the effect of preventing a person who is a member of the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida from constructing a Chickee Hut.

The first part of the proposed changes, included as Attachment “A,” amends Article 1, Section 1.1.4.2, to clarify that if a State law pre-empts the ability of local governments from applying a higher standard, the more restrictive standard specified by the Land Development Code will not be applicable.

The second part of the proposed changes, included as Attachment “B,” amends Article 6, Section 6.2.4.3, which addresses the construction of structures within floodplains that are otherwise exempt from the Florida Building Code. The proposed changes clarify that while floodplain review is still required for qualifying chickee huts and that local government standards cannot be more stringent than federal requirements.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 1 and Article 6 of the Land Development Code, as described above and in Attachments “A” and “B” be approved.

ATTACHMENT “A”

ARTICLE 1: - INTRODUCTION AND USE OF THIS CODE

…

1.1 - INTENT AND APPLICABILITY

…

1.1.4.2 Conflicting Regulations and Ordinances

Whenever any provision of this Code imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Code shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Code, then the provisions of such law or ordinance shall govern. Where state law expressly preempts the ability of local governments to apply a higher standard, the more stringent standard required by this Code shall not apply.

ATTACHMENT “B”

ARTICLE 6: - NATURAL RESOURCE PROTECTION STANDARDS

…

6.2 - FLOODPLAIN MANAGEMENT

…

6.2.4.3 Buildings, Structures and Facilities Exempt from the Florida Building Code

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this section:

a. Railroads and ancillary facilities associated with the railroad.

b. Non-residential farm buildings on farms, as provided in section 604.50, F.S.

c. Temporary buildings or sheds used exclusively for construction purposes.

d. Mobile or modular structures used as temporary offices.

e. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.

f. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features. <u>While floodplain review is required for qualifying chickee huts, any floodplain management standards required by this Code which are more stringent than federal floodplain management regulations shall not be applicable per Section 166.04845 Florida Statutes.</u>

g. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

h. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

i. Structures identified in section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

Community & Economic Development
Staff Recommendation

Date:	November 17, 2026	Reviewer:	Todd Vargo
Project No:	LDC26-002	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses and Article 5 (Standards for Specific Uses) to establish standards for permitting manufactured buildings and homes in zoning districts where single-family dwellings are allowed.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to evolving development needs and changing circumstances. The proposed changes to Article 5 (Standards for Specific Uses) allow manufactured buildings and manufactured homes in zoning districts where single-family homes are allowed in accordance with recent changes to Florida Statutes.

1.1 Attachments

Attachment A: Proposed changes to Article 5 (Standards for Specific Uses) creating Section 5.27 (Manufactured Buildings and Manufactured Homes in Zoning Districts Where Single-Family Dwellings are Allowed)

2.0 Discussion

In 2026, to allow for the development of affordable housing, the Florida legislature passed legislation which preempts local government land use and zoning controls and provides for manufactured buildings and manufactured homes to be installed as real property in any zoning district in which single-family dwellings are allowed. As part of that legislation, local jurisdictions are allowed to adopt reasonable compatibility or design standards (including architectural, aesthetic, design, setback, height, or bulk standards) if they do not exclude off-site constructed residential dwellings and apply equally to conventional single-family site-built dwellings. The local regulations must also be reasonable and uniformly enforced without distinction as to housing type.

In response to this legislation, changes are proposed to Table 2-3-1 (Permitted Principal Uses), and to Article 5 Standards for Specific Uses, creating a new Section 5.27 - Manufactured Buildings and Manufactured Homes in Zoning Districts Where Single-Family Dwellings Are Allowed.

The development standards proposed for Section 5.27 largely mirror the requirements for single-family site-built dwellings. Such standards include building bulk requirements such as minimum/maximum setbacks, lot coverage, and frontage buildout, building orientation and entrance feature requirements, off-street parking and driveway design standards, and sidewalks. Some of the standards, however, pertain to the requirement that the manufactured buildings and homes must be installed such that they are considered real property. To be considered real property, both manufactured buildings and homes must be installed on a permanent foundation, typically a monolithic slab or a stem wall-type foundation, which is designed and engineered in accordance with the Florda Building Code. Prior to the issuance of a Certificate of Occupancy, any appurtenances

that were used to transport the manufactured building or manufactured home to the building site such as hitches, tongues, axles and wheels must be removed.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 2 and Article 5 of the Land Development Code, as described above and in Attachment “A” be approved.

ARTICLE 5: - STANDARDS FOR SPECIFIC USES

…

5.27 – MANUFACTURED BUILDINGS AND MANUFACTURED HOMES IN ZONING DISTRICTS WHERE SINGLE-FAMILY DWELLINGS ARE ALLOWED

5.27.1 INTENT

Pursuant to Section 553.385, Florida Statutes, manufactured buildings and manufactured homes shall be permitted in any district in which single-family detached dwellings are allowed in accordance with this section.

5.27.2 DEFINITIONS

Manufactured Building: A manufactured building, as defined in Section 553.36 Florida Statutes, which is intended for human habitation as a single-family residential use and conforming to the requirements of the Florida Building Code.

Manufactured Home: As defined in Section 320.01(2)(b) Florida Statutes, a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, in which each section bears a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act.

5.27.3 PROCEDURES FOR ESTABLISHMENT

Manufactured buildings and homes shall be permitted subject to the following development standards:

a. Manufactured buildings and homes shall comply with all setbacks, lot coverage, and frontage buildout requirements for single-family detached dwellings in the zoning district and context district in which they are located.
b. Manufactured buildings and homes shall be required to provide a minimum of two (2) off-street parking spaces. Required off-street parking shall be included on the site plan submitted at the time of permitting. Any off-street parking or driveways shall be designed in accordance with Sub-Section 4.11.4.6, Vehicle Use Area Design & Construction Standards for Single-Family and Two-Family Residential Uses.
c. As specified in Sub-Section 4.7.2.1, where sidewalks do not presently exist, sidewalks shall be constructed within the right-of-way of any roadways adjacent to all front and street side lot lines.
d. Manufactured buildings and homes shall comply with the entrance feature and building orientation requirements for single-family detached dwellings as specified in Sub-Section 3.4.5 g. and the zoning district and context district in which they are located.
e. Manufactured buildings and homes shall be subject to a minimum living area of 660 sq. ft.

f. Manufactured buildings and homes shall be installed on a permanent foundation which is designed and engineered in accordance with the Florida Building Code, Residential. Plans for the foundation shall be signed and sealed by a Professional Architect or Engineer licensed in the State of Florida and included as part of the permitting package for a manufactured building or home at the time of submittal for a building permit.
g. If installed on a raised stem wall-type foundation with a crawlspace, any ventilation openings shall be screened with corrosion-resistant wire mesh, louvers, or grilles to keep out rodents and pests.
h. Prior to final inspection, any appurtenances (i.e. hitches, tongues, axles and wheels, etc.) which were used to transport a manufactured building or home to a building site shall be removed.

Table 2.3-1: Permitted Principal Uses																					
USES	RESIDENTIAL DISTRICTS									OFFICE DISTRICTS			COMMERCIAL DISTRICTS							INDUSTRIAL DISTRICTS		
	RA-1	RA-2	RA-3	RA-4	RB	MF-12	MF-16	MF-22	MH	O-1	O-2	O-3	C-1	C-2	C-3	C-4	C-5	C-6	C-7	I-1	I-2	I-3
Residential																						
…																						
Mobile Home	P[16]	P[16]	P[16]	P[16]	P[16]	P[2, 16]	P[2, 16]	P[2, 16]	P	P[16]												
…																						

[16] In accordance with Subsection 5.27

Community & Economic Development Staff Recommendation

Date:	November 17, 2026	Reviewer:	Damaris Stull
Project No:	LDC26-004	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 6 (Natural Resource Protection Standards), Section 6.4.3.4 (Lake Bottom Construction Permit Procedures) of the Land Development Code to revise the review requirements for water access structures.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to evolving development needs and changing circumstances. The proposed changes to Article 6 (Natural Resources Protection Standards) streamline the permitting procedures for extraordinary water access structures on non-parkway lakeshores.

1.1 Attachments

Attachment A: Proposed changes to Section 6.4.3.4 (Lake Bottom Construction Permit Procedures)

2.0 Discussion

Since 2006, the Building Inspection Division has been required to send notice letters to nearby property owners whenever a permit is submitted to construct an extraordinary dock along non-parkway lakes such as Lake Gibson, Lake Bonnet, Lake Crago and Lake Holloway. The permit was then placed on hold for a period of 30 days to allow adjacent property owners an opportunity to review the proposed dock and submit an objection or request for a public hearing. This process was established to provide neighboring property owners with the opportunity to participate in the review of proposed dock improvements.

After recent extreme weather events such as Hurricane Ian in 2022 and Hurricane Milton in 2024, Building Inspection saw an increase in building permit applications to rebuild existing docks, many of which are classified as extraordinary water access structures because they do not conform with the dimensional requirements of standard water access structures as specified in Sub-Section 6.4.3.3 d. of the Land Development Code.

Under the current regulations, for docks which are classified as extraordinary water access structures, applications must be placed on hold for 30 days until notifications are mailed out to adjacent property owners and they are provided with an opportunity to comment on the new/replacement dock. If any of the nearby property owners challenge the building permit application, it would then trigger a requirement for a public hearing before the Zoning Board of Adjustment and Appeals similar to a variance application. The 30-day waiting period has resulted in delays in the permitting process and has created additional hardship for property owners seeking to restore their docks.

The proposed changes eliminate the notification requirement for extraordinary water access structures on non-parkway lakeshores and replace it with a new process which allows for an

extraordinary water access structure to be approved administratively if adjacent property owners which abut the lakeshore provide consent in writing.

Lastly, the current digital permitting review process allows the Lakes and Stormwater Division to be included in the review process without having to write a separate letter for approval of the permit. Removing the public hearing notification requirement, 30-day waiting period and adding Lakes and Stormwater to the review process will provide homeowners with a more streamlined process for dock permits.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 6 of the Land Development Code, as described in Attachment “A” be approved.

ATTACHMENT “A”

ARTICLE 6: - NATURAL RESOURCE PROTECTION STANDARDS

…

6.4 – LAKE AND NATURAL HABITAT PROTECTION

…

6.4.3 STANDARDS FOR PROTECTED HABITAT AREAS

…

6.4.3.4 Lake Bottom Construction Permit Procedures

It shall be unlawful for any person to erect or deposit any object upon, or fix, fill or otherwise use the bottom of any lake or to construct or alter any water access structure or shoreline stabilization structure within the corporate limits of the city, or cause the same to be done by or through any person, without first obtaining a permit from the City in accordance with the following procedures:

a. All Permit Applications Shall be Accompanied by the Following Information:

   1. A location map of the proposed improvement.
   2. A detailed statement describing the proposed improvement, including a list of plants to be used for shoreline stabilization, where applicable.
   3. Copies of permits from applicable state and federal regulatory agencies. Water access structures over 1,000 square feet must obtain the proper permissions from the Southwest Florida Water Management District and the Florida Department of Environmental Protection before submitting an application to the City of Lakeland. A city permit for lake bottom construction shall be issued only after all required state and federal permits have been obtained.
   4. Detailed drawings of the proposed improvement, including construction materials and planting schemes where applicable.
   5. Satisfactory evidence of title or other riparian rights of the applicant to the riparian upland ownership or submerged ownership, with a copy of the applicant’s deed in the chain of title.

b. All permit applications shall be submitted to the Building Inspection Division along with the applciable fee. If the submission is determined to be sufficient, the permit application will be reviewed by the Building ~~Official~~ Inspection Division, Planning Division and the ~~Manager of the~~ Lakes and Stormwater Division. Before any permit is issued, the Building ~~Official~~ Inspection Division, Planning Division and Stormwater Division will review the plans to ensure compliance with applicable building codes and land development regulations; ~~the Manager of Lakes and Stormwater shall make a written~~ and make a determination that all applicable conditions are met. If a negative determination is made as to any applicable condition, the permit shall be denied.

c. Permitting Procedures for Standard Water Access Structures and Shoreline Stabilization Structures on Parkway and Non-Parkway Lakeshores

   Standard water access structures and shoreline stabilization structures on parkway and non-parkway lakeshores shall require review and approval of the Planning Division, ~~Manager of the~~ Lakes and Stormwater Division, and Building ~~Official~~ Inspection Division before a permit is issued. Upon a determination that the permit application is sufficient and all applicable conditions are met, the

Building Inspection Division shall provide the required building permits. No further reviews shall be required.

d. Permitting Procedures for Extraordinary Water Access Structures on Non-Parkway Lakeshores

Extraordinary water access structures on non-parkway lakeshores shall require review of the Planning Division, Lakes and Stormwater Division, and Building Inspection Division and may be approved through an administrative adjustment in accordance with the procedures in subsection 12.4.3.5 of this Code, subject to the written consent of adjacent property owner(s) whose property abuts the lakeshore, prior to issuance of a permit. Written consent from adjacent property owner(s) shall be sufficient for compliance with Subsection 12.4.3.5.a. Upon approval of an administrative variance and a determination that the permit application is sufficient and all applicable conditions have been met, the Building Inspection Division shall provide the required building permits. ~~send a notice letter by regular mail to all neighbors within 250 feet of the applicant's property advising them of the proposed structure and the city's intention to issue a permit for the structure unless a written request for a public hearing and decision by the Zoning Board of Adjustment and Appeals is received by the Building Inspection Division within 30 days of the date of the letter. If a written request for public hearing is not received within said 30-day period, the Building Inspection Division shall issue a permit for the structure. If a written request is timely received, the Building Inspection Division shall schedule a hearing before the Zoning Board of Adjustment and Appeals and mail a notice of said heraing to the permit applicant and all neighbors within 250 feet of the applicant's property. The Zoning Board of Adjustment and Appeals shall conduct a hearing in accordance with its normal procedures. The Board shall consider the testimony and evidence and determine whether or not all conditions have been met. If the Board finds that all conditions have been satisfied, it shall approve the application and direct the Building Inspection Division to issue a permit for the structure. If the Board finds that one or more applicable conditions have not been satisfied, the Board shall disapprove the application and direct the Building Inspection Division to deny the permit. The decision of the Zoning Board of Adjustment and Appeals shall constitute final action by the city and may be appealed in the same manner as any other decision of the Zoning Board of Adjustment and Appeals.~~

Community & Economic Development
Staff Recommendation

Date:	November 17, 2026	Reviewer:	James Phillips
Project No:	LDC26-005	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 4 (General Site Development Standards), Section 4.11 (Vehicle Use Areas) to update the Parking Exempt Area map and adopt new standards for minimum off-street parking reductions.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances or to clarify existing provisions. The proposed changes to Article 4 are intended to support greater densities/intensities and alternative transportation modes along our Transit Oriented Corridors (TOC) within the Central City Transit Supportive Area (CCTSA) by allowing increased parking offsets (reductions) for new development activity.

1.1 Attachments

Attachment A: Proposed Changes to Figure 4.11-1 (Parking Exempt Area)

Attachment B: Proposed Changes to Article 4, Section 11.5.2 (Parking Options)

2.0 Discussion

The Lakeland Comprehensive Plan: Our Community 2030 includes policies intended to encourage a more efficient mix of land uses, support multi-modal travel choices and to reduce stormwater impacts within the Central City Transit Supportive Area (CCTSA) and along Transit Oriented Corridors (TOCs) with fixed-route transit services operated by the Lakeland Area Mass Transit District (Citrus Connection). For example, Policy FLU-1.14B states that, “The City will continue to employ access management and safe circulation standards, efficient parking standards and multi-modal connectivity through its LDC which address and support the linkage to bus, bike and pedestrian systems and amenities.”

The Land Development Code (LDC) contains maximum parking requirements that do not exceed ten percent of the LDC’s minimum parking requirements as well as reductions to required on-site parking counts for development within the C-6 and C-7 zoning districts within Downtown, in close proximity to fixed-route transit service, through provisions for tree preservation and with installation of bicycle parking designed in compliance with the City Engineering Standards Manual. Section 10.4.2 of the LDC also allows for the application of various Transportation Demand Management (TDM) mitigation measures such as sidewalk, transit facility, carpool/vanpool incentives, etc. for development activity on TOCs within the CCTSA to reduce vehicle demand in these areas.

The proposed LDC amendment package consists of two components. Attachment “A” replaces Figure 4.11-1 (Parking Exempt Area) to provide a more easily discernable map for end-users of the Code. Additionally, it highlights those areas which are zoned as C-6 or C-7, but located outside of the parking exempt area, that have lower parking minimum requirements for residential and commercial uses to support a more dense, walkable form of development in the Downtown core.

The second part of the proposed changes (Attachment “B”) adds a new twenty percent parking offset (reduction) to Section 4.11.5.2 for development activity within one-eighth of a mile of a TOC within the CCSTA and increases the maximum Cumulative Parking Offset from twenty percent to thirty percent in recognition of the additional flexibility being provided through this proposed LDC amendment. To support this change, a map which shows the boundaries of the TOC is being added as Figure 4.11-5.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 4 of the Land Development Code, as described above and in Attachments “A” and “B”, be approved.

ATTACHMENT “A”

Figure 4.11-1 Parking Exempt Area

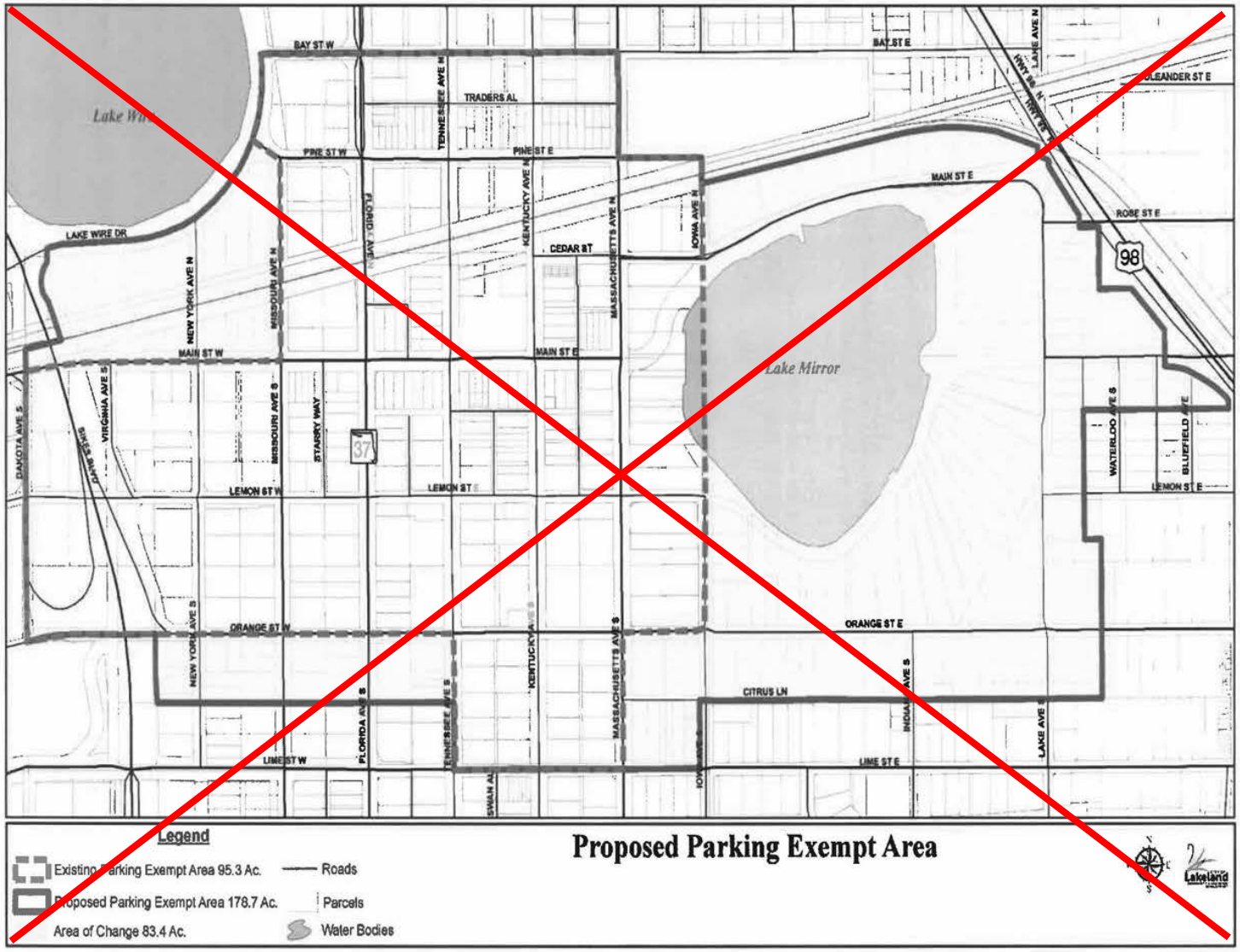
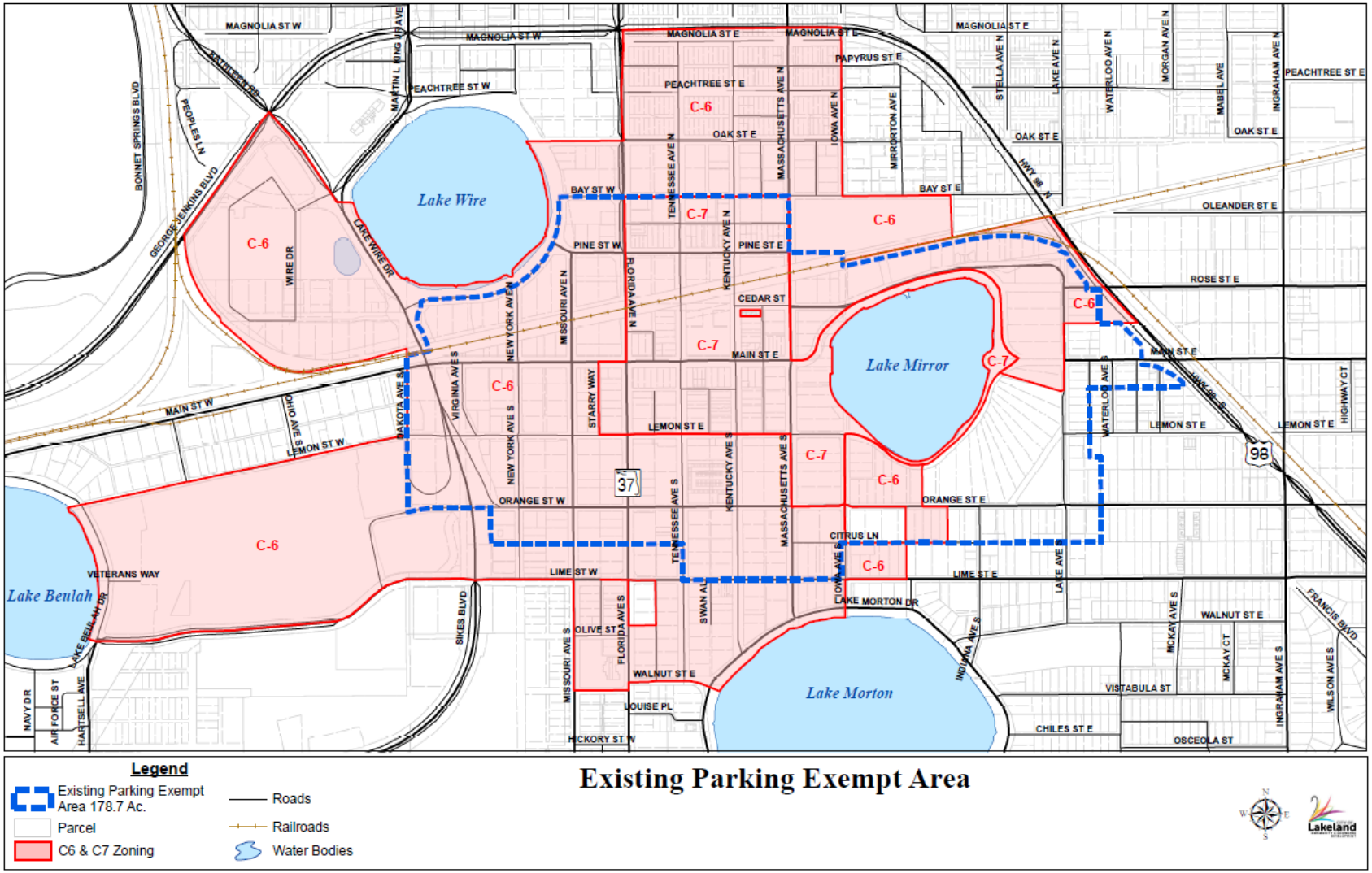


Figure 4.11-1 Parking Exempt Area



ATTACHMENT "B"

ARTICLE 4: - GENERAL SITE DEVELOPMENT STANDARDS

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4.11 - VEHICLE USE AREAS

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4.11.5.2 Parking Options

a. Alternative Design

Parking quantities above the maximum allowed under Sub-Section 4.11.4.1 may be considered for projects which document a demonstrated need and incorporate alternative design techniques to minimize impervious surface areas within the project. Such techniques may include, but are not limited to, the use of pervious pavers for perimeter and/or overflow parking, the use of bioswales and the creation of site amenities such as additional green space areas.

b. Parking Offsets (Reductions)

1. Tree Protection Offset

The required number of off-street parking spaces may be reduced by up to 20 percent if that area which would normally be required for parking is used for the protection of existing trees or for landscaping in addition to the minimum required by Section 4.5 (Landscaping, Trees and Buffering).

2. Transit Offset

a. The required number of off-street parking spaces may be reduced up to a maximum of 10 percent for non-residential or multi-family projects that are located along a fixed transit route operated by either the Lakeland Area Mass Transit District (LAMTD) or the Polk County Transit Authority. The route on which the project is located must provide service at headways, or frequency, of sixty minutes or less and must have a designated transit stop located within 1,320 travel feet (¼ mile) of a project's boundaries. A minimum of one accessible pedestrian route shall be available between the project and nearest adjacent transit stop.

b. For non-residential and multi-family projects located within 660 travel feet (1/8 mile) of a Transit Oriented Corridor (TOC) within the Central City Transit Supportive Area as depicted by Figure 4.11-5, the required number of off-street parking spaces may be reduced by up to 20 percent. A minimum of one accessible pedestrian route shall be available between the project and nearest transit stop.

3. Cumulative Parking Offsets

In no case shall the reduction of required off-street parking spaces by offsets be greater than ~~20~~ 30 percent. This includes any credit against minimum off-street

parking requirements that may be granted through the provision of bicycle parking facilities in accordance with Sub-Section 4.11.6.

c. Tandem Parking

Tandem parking may be allowed for existing commercial buildings or existing buildings which undergo a change in use (e.g., residential to commercial). Tandem parking shall be defined as the arrangement of not more than two parking spaces in depth, wherein one space is located directly in front of another space, so that one vehicle must be moved before the other can be accessed. The use of tandem spaces shall be subject to the following:

1. Tandem spaces shall be reserved for employee parking and shall be identified and designated as such through the use of signage and/or pavement markings.

2. No more than 25 percent of the required parking spaces may be tandem spaces.

d. Joint Use Facilities and Shared Parking

The total parking space requirement for individual uses or structures may be reduced by the Director of Community Development through joint/shared parking facilities which serve two or more uses or structures, subject to the following conditions:

1. The minimum number of off-street parking spaces shall be calculated using a professionally accepted methodology that is based upon parking demands for individual uses occurring at different times. Such methodologies may include those published by the professional organizations cited in Sub-Section 4.11.5.1.c.2.

2. Not more than 50 percent of the off-street parking spaces required for theaters, churches, bowling alleys, dance halls, and establishments for the sale and consumption of alcoholic beverages, food or refreshments shall be supplied by off-street parking spaces required by other uses or structures.

3. A copy of the agreement between joint users shall be filed with the required parking plan and recorded with the Clerk of the Circuit Court for Polk County. The agreement shall include a guarantee for continued use of the parking facility by each party. Any violation of such an agreement shall be a violation of this code.

4. The required off-street parking for a particular use may be reduced by its proportionate share of any publicly-owned parking area for which it has been specially allocated.

e. On-Street Parking within Adjacent Rights-of-Way

To encourage urban density and a more compact, pedestrian oriented development pattern, on-street parking located along a development site's frontage, directly abutting lot or parcel boundaries, may be utilized and count towards the minimum parking required when the following conditions are met:

1. The development site is zoned for multi-family residential, office or commercial uses and located within an urban context sub-district.

2. Ample room is available within the right-of-way to accommodate on-street parking without having a negative impact on traffic circulation and pedestrian facilities.

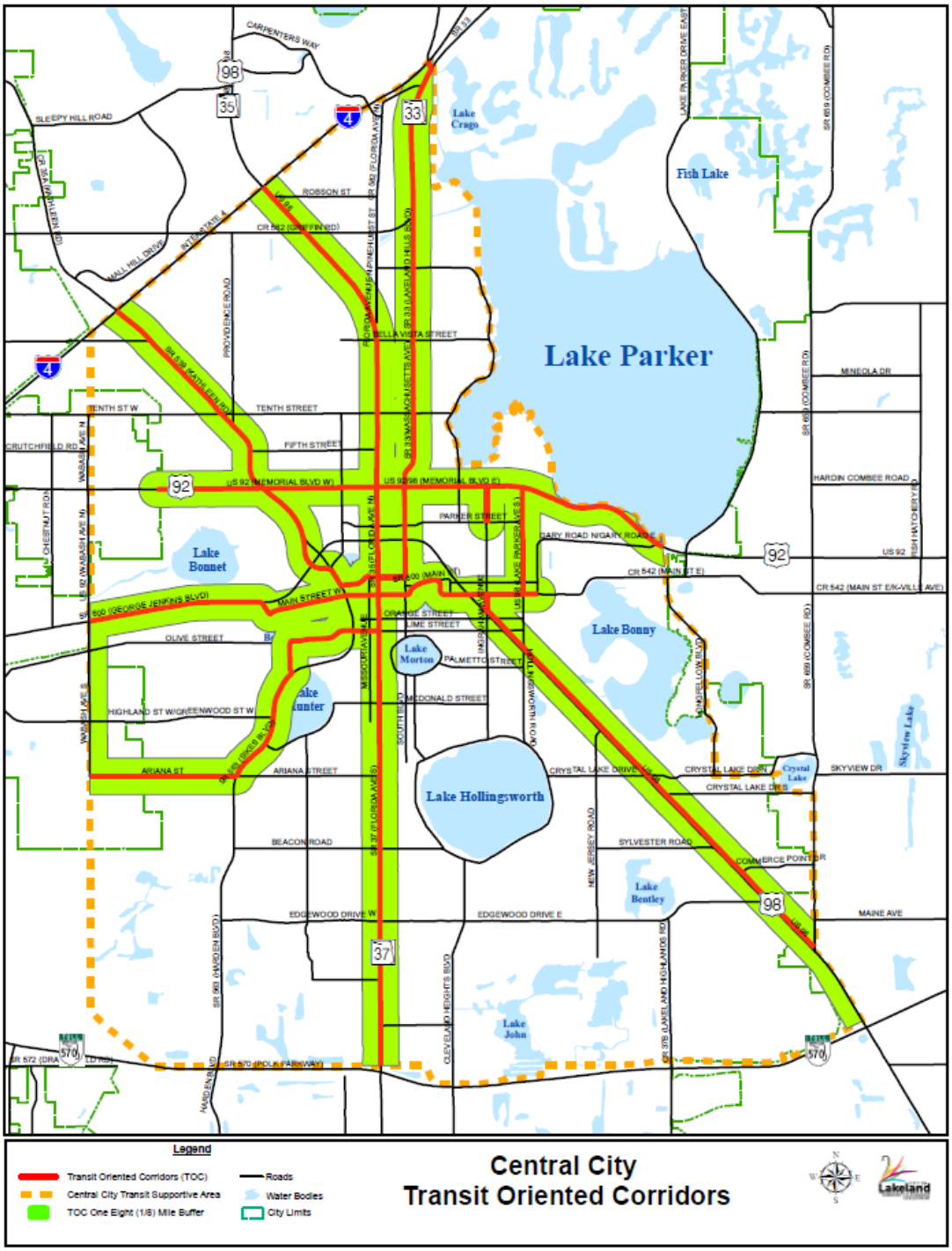
3. All costs associated with the construction of new parking spaces within rights-of-way shall be borne by the applicant, including the relocation of any existing sidewalks or utilities, as deemed necessary at the time of site plan review.

4. On-street parking located on the opposite of the street from a development site may not be used towards fulfilling the minimum parking requirement, except when a determination is made by the Director of Community Development that the adjacent lot or parcel is open space or otherwise undevelopable land that does not generate parking demand.

5. Parallel parking shall be the preferred configuration for the design of on-street spaces. Alternative designs may be considered if determined to be more appropriate by the Director of Community Development given traffic circulation patterns or the mix of adjacent land uses.

6. All parking spaces created within rights-of-way shall be freely available for public use, subject only to regulation by the Public Works Department's Parking Division. The restriction of on-street parking spaces for the benefit of individual property owners, tenants or customers shall be prohibited.

Figure 4.11-5 Central City Transit Oriented Corridors



Community & Economic Development Staff Recommendation

Date:	November 17, 2026	Reviewer:	Audrey McGuire
Project No:	LDC26-006	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 12 (Administration and Enforcement), Sub-Section 12.4.3 (Administrative Adjustments) to allow for the administrative approval of residential fences up to eight feet in height within interior side yards.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing conditions and to address unintended consequences of existing regulations. The proposed changes to Article 12, Subsection 12.4.3 (Administrative Adjustments) are intended to allow for the administrative approval of residential privacy fences up to eight feet in height subject to written consent of adjacent property owners, when located in interior side yards and not visible from adjacent streets.

1.1 Attachments

Attachment A: Proposed Changes to Article 12, Sub-Section 12.4.3 (Administrative Adjustments)

2.0 Discussion

Residential fences and walls are generally limited to a maximum height of six feet within interior side and rear yards. Where a residential lot abuts a use or district which allows a higher fence height (such as a commercial zoning district), an eight-foot high fence may be erected on the common property boundary line without the need for a variance. In 2024, the City adopted an amendment to Article 12, Subsection 12.4.3 (LDC24-004) which allowed for the issuance of an administrative adjustment to allow fences up to eight feet in height in rear yards where not visible from a street or alley, subject to written consent of abutting property owners. The LDC defines the rear yard as “a yard extending the full width of the lot between any building and the rear lot line, measured perpendicular to the rear lot line.”

Since the 2024 amendment, staff has received interest from residential property owners seeking to install eight-foot-high fences within both the rear and interior side yards (beside the house) due to privacy concerns. The interior side yard is defined as “a yard extending from the front yard to the rear yard between any building and the side lot line measured perpendicular to the side lot line.” The proposed changes to Article 12 would extend the existing administrative adjustment provisions for eight-foot-high residential fences to the interior side yard, subject to a five-foot setback from the front façade wall of the home. Fences greater than six feet in height will not be permitted in street-side or front yards, or where otherwise visible form a street or alley.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 12 of the Land Development Code, as described in Attachment “A” be approved.

ARTICLE 12: - ADMINISTRATION AND ENFORCEMENT

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12.4 – ADMINISTRATIVE STAFF

…

12.4.3 ADMINISTRATIVE ADJUSTMENTS

…

12.4.3.3 Dimensional and Quantitative Standards

The Director of Community and Economic Development may make minor adjustments to dimensional and quantiative standards including but not limite to area standards, linear standards, separation standards and quantity standards except for the maximum number of living units or dwelling units. With the exception of the maximum height of privacy fences located in interior side and rear yards, ~~The~~ the administrative adjustments shall generally not exceed ten percent of the standard or requirement and shall not be additive such that, for example, a ten percent adjusment on opposite sides yields and effective twenty percent deviation. For residential privacy fences located in rear yards which are not visible from adjacent streets or alleys, an administrative adjusment to allow a maximum fence height of up to eight feet may be approved subject to the written consent of adjacent property owner(s) which the fencing will abut. For residential privacy fences located along the interior side property line in interior side yards which are not visible from adjacent streets or alleys, an administrative adjusment to allow a maximum fence height of up to eight feet may be approved subject to a five-foot setback from the front façade wall of the principal structure (excluding entrance features) and written consent of any adjacent property owner(s) which the fencing will abut.

…

12.4.3.5 Procedures

a. When in the opinion of the Director of Community and Economic Development, a proposed administrative adjustment materially affects abutting property owners, written notification shall be mailed to the affected property owner(s) of record at least 30 days prior to the granting of administrative adjustment and shall take any comments or concerns into account. For administrative adjustments pertaining to the height of residential privacy fences located in interior side and rear yards, written consent from any adjacent property owner(s) which the fencing will abut shall be sufficient for compliance with this requirement.

Community & Economic Development Staff Recommendation

Date:	November 17, 2026	Reviewer:	Audrey McGuire
Project No:	LDC26-009	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 2 (Use Standards), Section 2.6 (Master Use List) and Article 5 (Standards for Specific Uses) to provide procedures for the establishment of Certified Recovery Residences and the review and approval of requests for reasonable accommodation.		

1.0 Background

This amendment to the Land Development Code (LDC) is in response to legislation passed during the 2025 session of the Florida Legislature.

Senate Bill 954 was adopted by the Florida Legislature on June 26, 2025, and amended Chapter 397, Florida Statutes pertaining to Certified Recovery Residences. Among other changes, section 397.487(15), F.S. requires local governments to establish procedures for the review and approval of certified recovery residences, which must include a process for requesting reasonable accommodation from local land use regulations that serve to prohibit the establishment of such use.

1.1 Attachments

Attachment A: Proposed Changes to Article 2, Section 2.6 (Master Use List)

Attachment B: Proposed Changes to Article 5 (Standards for Specific Uses)

2.0 Discussion

Recovery residences are defined in section 397.311, F.S. as “a residential dwelling unit, the community housing component of a licensed day or night treatment facility with community housing, or other form of group housing, which is offered or advertised through any means, including oral, written, electronic, or printed means, by any person or entity as a residence that provides peer-supported, alcohol-free, and drug-free living environment.” A certified recovery residence is further defined under this statute as a “recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator” and has four levels of certification.

The Land Development Code (LDC) does not specifically address certified recovery residences. Certified recovery residences are protected under the Fair Housing Act (FHA) since individuals recovering from substance use disorders qualifies as a disability if an individual is either in recovery or not currently using illegal drugs and enrollment in a treatment program. These types of uses would generally be considered healthcare or social services uses and categorized under the definition of a group home. Proposed changes to Article 2, Section 2.6 (Master Use List) add certified recovery residences within the definition of group homes and changes to Table 2.3-1 (Permitted Principal Uses) add Group Homes and a footnote to address Community Residential Homes and Certified Recovery Residences with six or fewer in single-family zoning districts.

To address the requirements of section 397.487(15), Florida Statutes, a new section (Section 5.28) will be created under Article 5 (Standards for Specific Uses). This section is intended to address the establishment of certified recovery residences, provides separate standards for certified recovery

residences with six or fewer residents in single-family districts, and establishes procedures for the review and approval of requests for reasonable accommodations.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 2 and Article 5 of the Land Development Code, as described in Attachments “A” and “B,” be approved.

ATTACHMENT “A”

ARTICLE 2:- USE STANDARDS

…

2.6 – MASTER USE LIST

2.6.3 PRINCIPAL USES LISTED AND DEFINED

…

2.6.3.7 Healthcare & Social Services Uses

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, and certified recovery residences as defined in Section 397.311, Florida Statutes 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.

ARTICLE 5: - STANDARDS FOR SPECIFIC USES

…

5.28 – CERTIFIED RECOVERY RESIDENCES

5.28.1 PURPOSE AND INTENT

This section is intended to address the establishment of certified recovery residences, as defined in section 397.311(5), Florida Statutes, and provide procedures for the review and approval of requests for reasonable accommodation from land development regulations or policies which would prevent the establishment of certified recovery residences when the requested relief is necessary, consistent with the federal Fair Housing Act and Title II of the Americans with Disabilities Act.

5.28.2 STANDARDS FOR ESTABLISHMENT

Certified recovery residences may be established in accordance with the location standards for Group Homes, as specified in Table 2.3-1 (Permitted Principal Uses) of this Code, except that certified recovery residences with six or fewer residents may be deemed a single-family unit and located in single-family zoning districts (RA-1, RA-2, RA-3, RA-4) in accordance with Subsection 5.28.2.1 below. Certified recovery residences shall comply with all applicable zoning and context sub-district standards and other applicable land development regulations, except that reasonable accommodation(s) may be requested pursuant to this section.

5.28.2.1 Certified Recovery Residences with Six or Fewer Residents in Single-Family Districts

Certified recovery residences with six or fewer residents are deemed a single-family unit for the purposes of this section and may occupy a single-family dwelling unit in a single-family zoning district pursuant to the following:

a. A certified recovery residence with six or fewer residents may not be located with a 1,000-foot radius of another certified recovery residence or group home of six or fewer residents, or within a 1,200-foot radius of another certified recovery residence or group home with more than six residents.

b. Adequate parking shall be provided on the property for residents and the certified recovery residence administrator. All off-street parking shall take place within a residential driveway, underneath a carport, and/or within an enclosed garage in accordance with the vehicle use area design and construction standards for single-family residences in subsection 4.11.4.6 of this Code.

c. Single-family dwelling units occupied by a certified recovery residence with six or fewer residents may not be divided into separate dwelling units to create a two-family or multi-family dwelling.

5.28.3 REQUESTS FOR REASONABLE ACCOMMODATION

5.28.3.1 Applicability

An applicant may request a case-specific exemption, modification, or adjustment to a land use regulation, zoning requirement, development standard, or related administrative policy. An accommodation is not a variance or an administrative adjustment and does not exempt any unrelated building, fire, life safety, health, utility, licensing or other requirement unless

the written documentation expressly modified it and the City has the authority to make such modification.

5.28.3.2 Filing a Request for Reasonable Accommodation

a. A request for reasonable accommodation from land development regulations or policies which may hinder the establishment of a certified recovery residence shall be made in writing to the Community and Economic Development Department form provided by the City or in another written form otherwise determined to be acceptable by the Department. Requests for reasonable accommodation must include, at minimum, the following information:

   1. The name and contact information of the applicant or the applicant's authorized representative. If the applicant is not the property owner, the name and contact information of the property owner and written documentation reasonably necessary to establish the applicant's authority or legal right to use the property may be required.

   2. The name and contact information of the certified recovery residence administrator who will be actively managing the recovery residence (if not the applicant.)

   3. The physical address and parcel identification number of the property at which the accommodation is requested.

   4. A description of the requested accommodation, the reason for the request, and the specific regulation or policy for which relief is sought.

b. The Community and Economic Development Department will date stamp the application upon receipt and notify the applicant in writing within 30 days if additional information is required. The applicant must provide the requested information within 30 days. The City will confirm in writing when the application is considered complete.

5.28.3.3 Review and Determination

a. The Community and Economic Development Department will review the request for reasonable accommodation and may consult other City departments and the City Attorney, as appropriate. Community and Economic Development Department staff may conduct a site visit, upon reasonable notice, limited to matters relevant to the request.

b. In making a determination, the City will consider the following:

   1. Whether the request is necessary to afford an equal housing opportunity;

   2. Whether the request is reasonable and effective;

   3. Whether the request would impose an undue financial or administrative burden;

   4. Whether the request would fundamentally alter or deviate from the City's land use or zoning regulations;

   5. Relevant site or operational factors.

c. The City may consider whether a reasonable alternative accommodation or condition exists which would meet the applicant's need.

d. Within 60 days of receipt of a completed application, the City will issue a written determination approving the request, in whole or in part, with or without conditions, or denying the request. If no determination is issued within 60 days of receipt of a

completed application, the request is deemed approved unless a reasonable extension has been agreed to in writing by the City and the applicant.

1. A final determination approving a request for reasonable accommodation, in whole or in part, with or without conditions, must identify the accommodation granted, material conditions, the approval location, and any additional applications, permits or review requirements for the establishment of a certified recovery residence.

2. A final determination denying a request for reasonable accommodation shall be based on specific, objective and evidence-based reasons and shall include information concerning requests for reconsideration.

5.28.3.4 Effect; Enforcement

Approval of a request for reasonable accommodation is limited to the property, applicant or operator, operations and accommodation described in the written determination. The applicant must notify the Community and Economic Development Department of any material change for review. Depending on the degree of change, the Director may require supplemental review or submittal of a new application.

The City may revoke a reasonable accommodation approval for a material violation of the approval conditions, misrepresentation or operation outside its scope, or for a lapse, revocation or failure to maintain certification or licensure under § 387.487, Florida Statutes, if not reinstated within 180 days. The City will provide written notice and reasonable opportunity to respond to or cure a violation, except where immediate action is authorized by law to address a threat to health or safety, before revoking an approved accommodation.

Community & Economic Development
Staff Recommendation

Date:	November 17, 2026	Reviewer:	Matthew Lyons
Project No:	LDC26-011	Applicant:	City of Lakeland
P&Z Hearing:	October 20, 2026	P&Z Final Decision:	November 17, 2026
Request:	Changes to Article 2 (Use Standards), Table 2.3-1 (Permitted Principal Uses) and Section 2.6 (Master Use List), and Article 5 (Standards for Specific Uses) to adopt standards for schools within certain zoning districts.		

1.0 Background

Periodically, various changes to the Land Development Code (LDC) are proposed in response to changing circumstances or to clarify existing provisions. Pursuant to section 1002.42, Florida Statutes, the proposed changes to Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) will allow for the development standards of schools within certain zoning districts subject to location criteria, development standards and an approval process.

1.1 Attachments

Attachment A: Article 2, Table 2.3-1 (Permitted Principal Uses)

Attachment B: Article 2, Section 2.6.3.6 (Community Facilities Uses)

Attachment B: Article 5, Section 5.29 (Schools)

2.0 Discussion

In 2024 and 2026, the Florida Legislature amended Chapter 1002.42 of the Florida Statutes to limit how local governments regulate private schools. The 2024 legislation allows for private schools to be established in any building which has been actively used as a library, community service organization, museum, performing arts venue, theater, cinema, or church, within five years of the date of an executed agreement with a private school to lease or purchase the facilities. The legislation allows new private schools to be established and operated under any such facility's preexisting land use and zoning designation and prohibits local governments from requiring a rezoning, special exception permit or land use change, or compliance with any mitigation requirements or conditions.

In 2026, Chapter 1002.42 was further amended to allow private schools with 150 or fewer students in any commercial or mixed-use zoning district. Under this legislation, local government agencies may not require a rezoning, special exception permit, land use change, or compliance with local mitigation requirements, performance standards, ordinances, rules, codes or policies, except as specifically authorized by the statute.

The first part of the proposed changes, included as Attachment "A," amends Table 2.3-1 (Permitted Principal Uses). Schools, including elementary, intermediate and secondary schools and those offering vocational training for activities permitted in the district are currently allowed under the general use category Public & Quasi Public Non-Commercial Principal Uses, Level II. The proposed changes remove this use and create new use category in Table 2.3-1, Schools, including Elementary, Intermediate and Secondary Schools. Vocational training for activities permitted in the same zoning district, however, will remain as a separate category under Public & Quasi Public Non-

Commercial Uses, Level II. Under Section 2.6 (Master Use List), “Schools, including, Elementary, Intermediate and Secondary Schools” are defined as schools, public or private, which offer courses in general education at the elementary school, middle school or high school level.

The second part of the proposed changes, included as Attachment “C,” adds a new Section 5.29 which outlines the procedures and standards for establishing a school, and specifies under what circumstances schools are exempt from the City’s land use and zoning controls and mitigation requirements or other conditions for approval.

2.1 Comprehensive Plan Compliance

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

3.0 Recommendation

3.1 Community and Economic Development Staff

The Community and Economic Development recommends the proposed changes to the Land Development Code.

Recommendation

It is recommended that the proposed changes to Article 2 and Article 5 of the Land Development Code, as described in Attachments “A,” “B,” and “C,” be approved.

ATTACHMENT “A”

ARTICLE 2 – USE STANDARDS

Table 2.3-1: Permitted Principal Uses

USES	RESIDENTIAL DISTRICTS									OFFICE DISTRICTS			COMMERCIAL DISTRICTS							INDUSTRIAL DISTRICTS		
	RA-1	RA-2	RA-3	RA-4	RB	MF-12	MF-16	MF-22	MH	O-1	O-2	O-3	C-1	C-2	C-3	C-4	C-5	C-6	C-7 [2,4]	I-1	I-2	I-3
Schools, including Elementary, Intermediate and Secondary Schools	P[17]/C	P[17]/C	P[17]/C	P[17]/C	P[17]/C	P[17]/C	P[17]/C	P[17]/C	P[17]C	P[17, 18]/C	P[17, 18]/C	P	P	P	P	P	P	P	P	P		

Footnotes:

[17] Private schools permitted by right in any building which has actively been used as a library, community service organization, museum, performing arts venue, theater, cinema or religious institutions within five years of the date of an executed agreement with the school, subject to development standards specified in Article 5, Section 5.29

[18] Private schools with 150 or less students permitted by right subject to the development standards specified in Article 5 Section 5.29

ATTACHMENT “B”

ARTICLE 2 – USE STANDARDS

…

2.6.3 PRINCIPAL USES LISTED AND DEFINED

2.6.3.6 Community Facilities Uses

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:

…

~~Schools, including elementary, intermediate and secondary schools offering courses in general education and vocational training for activities permitted in these districts~~

…

Vocational training for activities permitted in these districts

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:

…

~~Schools, including elementary, intermediate and secondary schools offering courses in general education and vocational training for activities permitted in these districts~~

…

Vocational training for activities permitted in these districts

Schools, including Elementary, Intermediate, and Secondary Schools: Schools, public or private, which offer courses in general education at the elementary school, middle school or high school level.

Vocational Training for Activities Permitted the District Where Located

ATTACHMENT “C”

ARTICLE 5: - STANDARDS FOR SPECIFIC USES

…

5.29 SCHOOLS, INCLUDING ELEMENTARY, INTERMEDIATE AND SECONDARY SCHOOLS

5.29.1 INTENT

It is the intent of this section to provide an overview of the procedures and standards of establishment for schools, both public and private, and to provide clarity as to when private schools are exempt under Florida law from local land use and zoning controls, mitigation measures, and building occupancy requirements.

5.29.2 PROCEDURES AND STANDARDS FOR ESTABLISHEMNT

a. Except as provided below, all schools shall by subject to the development standards generally applicable to the district where they are proposed to be located.
b. Whether permitted by right or through a conditional use, concept plan and commercial site plan review shall be required prior to the construction of a new school, expansion of an existing school or conversion of an existing building to a new school use.
c. Site plan approval shall be contingent upon mitigation of any impacts associated with the school use including but not limited to landscaping, buffering, off-street parking, pedestrian and bicycle facilities, traffic circulation and transportation concurrency / access management.
d. For those zoning districts in which schools are only allowed as a conditional use, an application for a Conditional Use Permit (CUP) shall be required subject to the standards for approval specified in Section 2.4 of the Land Development Code.

5.29.3 PRIVATE SCHOOLS WITH 150 OR FEWER STUDENTS IN COMMERCIAL AND MIXED-USE ZONING DISTRICTS

a. Private schools with 150 or fewer students are permitted by right in all commercial and mixed-use zoning districts.
b. Any mitigation measures required shall be limited to addressing vehicular traffic and pedestrian safety, must be reasonably and directly attributable to the operation of the private school, and may not exceed what would be required of any other permitted use—educational or otherwise—within the same zoning district.
c. In lieu of completing the required mitigation measures, a traffic study may be submitted which demonstrates that the proposed school will not have a disproportionate impact on vehicular traffic or pedestrian safety compared to other allowable uses within the same zoning district.
d. Private schools with 150 or fewer students may also operate in existing assembly, day care, mercantile, or business occupancies, as defined in the Florida Fire Prevention Code, provided the facility complies with the standards for existing educational occupancies adopted by the State Fire Marshal.

5.29.4 PRIVATE SCHOOLS IN BUILDINGS USED BY LIBRARIES, COMMUNITY SERVICE ORGANIZATIONS, MUSEUMS, PERFORMING ARTS VENUES, THEATERS, CINEMAS OR RELIGIOUS INSTITUTIONS

a. Private schools may use facilities on property, which is leased or purchased from libraries, community service organizations, museums, performing arts venues, theaters, cinemas or religious institutions, which is actively or was actively used as such within 5 years of any executed agreement with a private school to lease or purchase the facilities.

b. Such schools may operate under any such facility's preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change, and without complying with any mitigation requirements or conditions.

c. Facilities used as private schools must meet applicable state and local health, safety, and welfare laws, codes, and rules, including fire safety and building safety.

Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, November 17, 2026

Meeting of November 2, 2026

Ordinances (First Reading)

Proposed 26-033; Voluntary Annexation of Approximately 9.66 Acres Located South of Old Tampa Highway, East of Browning Road and West of Airport Road. (ANX26-003)

Proposed 26-035; Amending Ordinance 5653, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Remove Tracts B1 and B2 on Approximately 20.05 Acres Located at 3515 Airport Road. (PUD26-017)

Proposed 26-036; Change in Zoning on Approximately 24.93 Acres from LD (Limited Development) to PUD (Planned Unit Development), Change from Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP) Context District and the Application of PUD Zoning on Approximately 20.05 Acres Previously Zoned PUD to Allow for I-2 (Medium Industrial) and Limited I-1 (Light Industrial – Limited Commercial) Uses, on Property Located at 3485 and 3515 Airport Road. (PUD26-011/ZON26-007)

Proposed 26-037; Small Scale Amendment #LUS26-001 to the Future Land Use Map to Apply Business Park (BP) Land Use on Approximately 9.66 Acres Located South of Old Tampa Highway, East of Browning Road and West of Airport Road. (LUS26-001)

Proposed 26-038; Application of I-2 (Medium Industrial) Zoning and Suburban Special Purpose (SSP) Context District Designation on Approximately 9.66 Acres Located South of Old Tampa Highway, East of Browning Road and West of Airport Road. (ZON26-009/ZON26-010)

Proposed 26-039; Approving a Conditional Use to Allow a Retail Laundry & Cleaning Establishment (Laundromat) on Property Located at 1050 Sharon Drive. (CUP26-009)

Proposed 26-040; Approving a Conditional for Lone Palm Golf Club to Recognize the Existing Golf Course as a Conforming Use and Allow for the Development of New Recreational Facilities on Property Generally Located South of W. Memorial Boulevard, East and West of Lone Palm Drive and West of Howard Avenue. (CUP26-008)

Meeting of October 19, 2026

NO NEW ITEMS