

**ORDINANCE NO. \_\_\_\_\_**

**PROPOSED ORDINANCE 17-009**

**AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4634, AS AMENDED BY ORDINANCE 4949, WHICH ESTABLISHES THE GARDEN DISTRICT SPECIAL PUBLIC INTEREST ZONING DESIGNATION, MODIFYING DEVELOPMENT STANDARDS AND ALLOWABLE USES WITHIN THE GARDEN DISTRICT; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lakeland has created a redevelopment area that is commonly referred to as the Garden District located generally south of Main Street, west of East Orange Street, east of Ingraham Avenue and north of Lake Morton; and

**WHEREAS**, the development standards and allowable uses for the existing Special Public Interest zoning district overlay for the Garden District must be streamlined, clarified, and implemented accordingly; and

**WHEREAS**, the City Commission of the City of Lakeland, Florida, after publication of a notice of its consideration of this ordinance, has determined it is in the best interest of the citizens of the City of Lakeland that modifications to the Special Public Interest zoning district classification be made to clarify certain uses and add and delete others; and

**WHEREAS**, the City Commission of the City of Lakeland, Florida, having held a public hearing pursuant to said notice, where interested parties were given opportunity to be heard, finds that modifications to the Special Public Interest zoning

district classification, which is more particularly described Exhibit "A" and graphically depicted on Attachment "A" included therein, should be adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:**

**SECTION 1.** Exhibit "A" is hereby replaced by revised Exhibit "A" attached hereto.

**SECTION 2.** The City Commission does hereby expressly find that the provisions of this ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5188.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected hereby.

**SECTION 5.** This ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 20th day of February, A.D. 2017.

\_\_\_\_\_  
R. HOWARD W IGGS, MAYOR

ATTEST: \_\_\_\_\_  
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: \_\_\_\_\_  
TIMOTHY J. McCAUSLAND  
CITY ATTORNEY

## EXHIBIT "A"

### GARDEN DISTRICT SPI

#### I. LEGAL DESCRIPTION

Garden District Boundary Description:

A parcel of land lying within Sections 18 & 19, Township 28 S, Range 24 E, Polk County, Florida being described as follows:

Beginning at the intersection of the centerline of Lake Morton Dr and S Iowa Ave, run N along centerline of S Iowa Ave to an intersection with centerline of E Orange St; thence run E along said centerline of E Orange St to an intersection with centerline of S Lake Ave; thence run N along said centerline of S Lake Ave to an intersection with centerline of E Main St; thence run E along said centerline of E Main St to an intersection with westerly right-of-way line of US 98 N; thence run SELY along said westerly right-of-way line of US 98 N to an intersection with centerline of E Lime St; thence run W along said centerline of E Lime St to an intersection with centerline of N Ingraham Ave; thence run S along said centerline of N Ingraham Ave to an intersection with centerline of E Walnut St; thence run W along said centerline of E Walnut St to an intersection with centerline of Lake Morton Dr; thence run NWLY and WLY along said centerline of Lake Morton Dr to POB.

And

Mortons Add as rec in DB Q PG 79 Blk K Lots 16,17 and 18 less RD R.W and Sloan D H SUB as rec in PB 3 PG 55 Lots 5 thru 8 less Rd R/W.

#### II. INTENT

The intent of the Garden District SPI is:

- To provide an incentive and mechanism for quality infill development and redevelopment.
- To ~~remove~~ reduce regulatory impediments.
- ~~To adopt development standards that assure a quality urban form.~~
- To encourage mixed use.
- ~~To provide for modular land assembly based on the historic pattern.~~
- ~~To allow a variety of building forms that are sympathetic to the character of the area and that incorporate good urban design.~~
- To preserve the historic fabric and ~~assure~~ ensure architectural compatibility of new construction.

#### III. EFFECT OF SPI

To the extent indicated herein, this SPI shall have the effect of modifying the requirements and regulations of the underlying zoning district classifications within the Garden District.

#### **IV. SUB-DISTRICTS**

The Garden District shall be divided into six geographic sub-districts as illustrated in Attachment "A."

#### **V. USE RESTRICTIONS**

The land uses permitted in each respective sub-district shall be as listed in Attachment "B," except that in the case of PUDs, the permitted uses shall be those specified in the respective PUD. Accessory uses shall be those permitted by right and as conditional uses in the underlying zoning district classification of the property. All other land uses are prohibited. Unless otherwise defined herein, the listed land uses shall be defined in accordance with Article 35 of the Land Development Regulations, Master Use List With Definitions Article 2 of the Land Development Code.

#### **VI. DEVELOPMENT REGULATIONS**

##### **1. ~~Minimum Lot Size Regulations~~**

~~Minimum Lot Width: Detached structures: 50 feet interior, 55 feet corner.  
Attached structures: 25 feet~~

~~Minimum Lot Depth: 100 feet~~

##### **2. ~~Establishment of Building Types~~**

~~New principal buildings constructed in the Garden District shall conform to one of six basic types as illustrated and defined in Attachment "C." Each particular building type shall be permitted only in those sub-districts indicated in Attachment "D."~~

~~Other building types, including hybrid types, and different building orientations shall be permitted as part of PUDs. The intent of this is to allow flexibility and to encourage substantial redevelopment and reinvestment within the district in keeping with the overall intent of the SPI.~~

##### **3. ~~Building Bulk Regulations~~**

~~Building bulk regulations for each respective building type shall be in accordance with Attachment "D."~~

Development standards and building types for new principal buildings shall be in accordance with the underlying zoning district and context sub-district standards, as specified by Tables 3.41, 3.42 and 3.43 of the Land Development Code, except that the minimum side yard setback for detached principal buildings in all zoning districts shall be five (5) feet.

## VII. OFF-STREET PARKING REQUIREMENTS

1. Off-street parking shall be located ~~at the rear of the principal structure~~ in accordance with the parking locations specified by Figure 3.4-4 and Tables 3.41, 3.42, and 3.43 of the Land Development Code.
2. Parking requirements shall be in accordance with the ~~Land Development Regulations~~ Land Development Code. However, the developer may submit an alternative parking plan to the Zoning Administrator who shall be authorized to reduce the total number of required off-street parking spaces up to 20 percent. In making this determination, the Zoning Administrator shall consider: (1) Shared uses that have different peak demand periods (weekday versus weekend, daytime versus evening, periodic or special event etc.); (2) Non-residential uses that are likely to generate a higher proportion of walk-up traffic; (3) The adequacy of nearby public parking; (4) Studies of similar uses that demonstrate a lower parking demand.

## VIII. ~~ACCESSORY RESIDENTIAL STRUCTURES AND GARAGE APARTMENTS~~ ACCESSORY DWELLING UNITS AND ACCESSORY BUILDINGS

1. ~~Where the principal use of a parcel is a single family detached dwelling or a two-three family attached dwelling, one detached accessory (secondary) residential structure or garage apartment is also permitted, provided that the accessory residential structure is located in the rear yard of the principal structure and that it meets the following minimum development standards:~~
  - a. ~~Minimum lot area: 6,700 sq. ft.~~
  - b. ~~Minimum lot width: 50 feet~~
  - c. ~~Maximum size of living unit: 530 square feet~~
  - d. ~~Maximum building height: One story. Two stories if the accessory residential unit is located above a detached garage.~~
  - e. ~~Minimum building setbacks:~~
    - Rear: 10 feet
    - Interior side: 7 feet
    - Street side: 10 feet
  - f. ~~Minimum separation between principal and detached accessory residential structures: 10 feet~~
  - g. ~~Two off-street parking spaces shall be provided for the accessory residential structure in addition to the off-street parking spaces required for the principal structure. Access to the off-street parking spaces for the accessory~~

~~residential structure shall be from a platted alley or from the side street of a corner lot, except that on lots that are 9,500 square feet or larger, access may be via a driveway from the front street.~~

- ~~1. Where the principal use of a parcel is a single-family detached dwelling, one detached accessory dwelling unit (ADU) shall be permitted in accordance with the standards specified by Section 4.3.2 of the Land Development Code. Such uses shall be permitted by-right subject only to design review by the Historic Preservation Board~~
- ~~2. Accessory structures other than accessory residential structures or garage apartments are permitted in accordance with the regulations governing such structures for the zoning district classification of the property.~~
2. Accessory buildings other than accessory dwelling units shall be permitted in accordance with the development standards specified by Section 4.3 of the Land Development Code.

## **IX. HOME OCCUPATIONS**

### **1. Types of Home Occupations**

~~a. Home Businesses. Home Businesses are characterized by the following:~~

- ~~(1) They may involve the provision of a personal consultation or service to one or two patrons or clients at a time, generally by appointment. Examples: Barber, beautician, massage therapist, nutrition counselor, custom home builder, architect, financial planner, software consultant.~~
- ~~(2) They may involve the limited production and sale of art objects, craft items or other small specialty items produced on the premises. Examples: Painter, potter, sculptor, portrait photographer, maker of craft items.~~
- ~~(3) They may involve the employment of no more than one outside employee, such as a secretary or assistant, who does not live on the premises.~~

~~b. Home Offices. Home Offices are characterized by the following:~~

- ~~(1) They involve only those who reside on the premises.~~
- ~~(2) They do not involve visits to the premises by clients or patrons.~~
- ~~(3) They do not involve the production or sale of artifacts.~~
- ~~(4) They may involve the production of intellectual property. Examples: Freelance writer, scriptwriter, freelance software developer, commercial artist.~~

- ~~(5) — They may involve office operations and may involve office operations such as bookkeeping, payroll, purchasing etc. related to a business that is conducted off the premises. In such cases, the home office may be the legal address and legal telephone number of the business.~~

**2. — General Standards for All Home Occupations:**

- a. — ~~A home occupation shall only be conducted by a person on premises that is used as his or her private residence.~~
- b. — ~~A home occupation may take place in the residence or in a detached accessory structure but shall not occupy more than 1/3 of the floor area of the structure or 530 square feet, whichever is less.~~
- c. — ~~There shall be no external advertising, external display of goods, or any other external evidence of any home occupation, except that signs meeting the criteria specified below are permitted in the case of Home Businesses.~~
- d. — ~~No substances or materials shall be stored or used except as they would, in such quantity, be permissible for domestic or household purposes.~~
- e. — ~~Such occupation shall not result in any continuous, intermittent, pulsating or other noise or vibration that can be detected by a normal person off the premises.~~
- f. — ~~There shall be no outdoor storage of goods or materials and no outdoor operation or activity related to the occupation.~~

**3. — Specific Standards for Home Businesses:**

- a. — ~~Home businesses are permitted by right in all sub-districts, except Sub-District 5 and Sub-District 4 north of E. Lemon Street.~~
- b. — ~~Not more than two clients, customers or business associates shall visit the premises at any one time.~~
- c. — ~~Not more than one outside employee who does not live on the premises shall be present for business purposes on the premises at any one time.~~
- d. — ~~A minimum of two off street parking spaces shall be provided in addition to other off-street parking required for the residential uses.~~
- e. — ~~One on premises, non illuminated sign not exceeding one square foot in area shall be permitted per street frontage. Such sign shall be mounted flat against the building and shall display only the name of the permitted home occupation.~~
- f. — ~~Over the counter sale of merchandise shall be limited to the following:~~

~~Limited sale of items related but incidental to a permitted service. Example:  
Sale of hair care product by barber shop or beauty shop.~~

~~Limited sale of art objects, craft items, small specialty items etc. made on  
the premises using only hand held tools and/or table mounted electrical  
tools.~~

~~g. Hours of operation shall be not earlier than 6 am and not later than 12  
midnight.~~

#### ~~4. Specific Standards for Home Offices:~~

~~a. Home offices are permitted by right in all Sub-Districts.~~

~~b. There shall be no customer or business traffic to and from the premises  
other than occasional deliveries as would be normal and acceptable in a  
residential setting.~~

~~c. There shall be no outside employees.~~

~~d. There shall be no additional off street parking requirements beyond what is  
required for the residential uses.~~

~~e. No over the counter sale of merchandise shall be permitted.~~

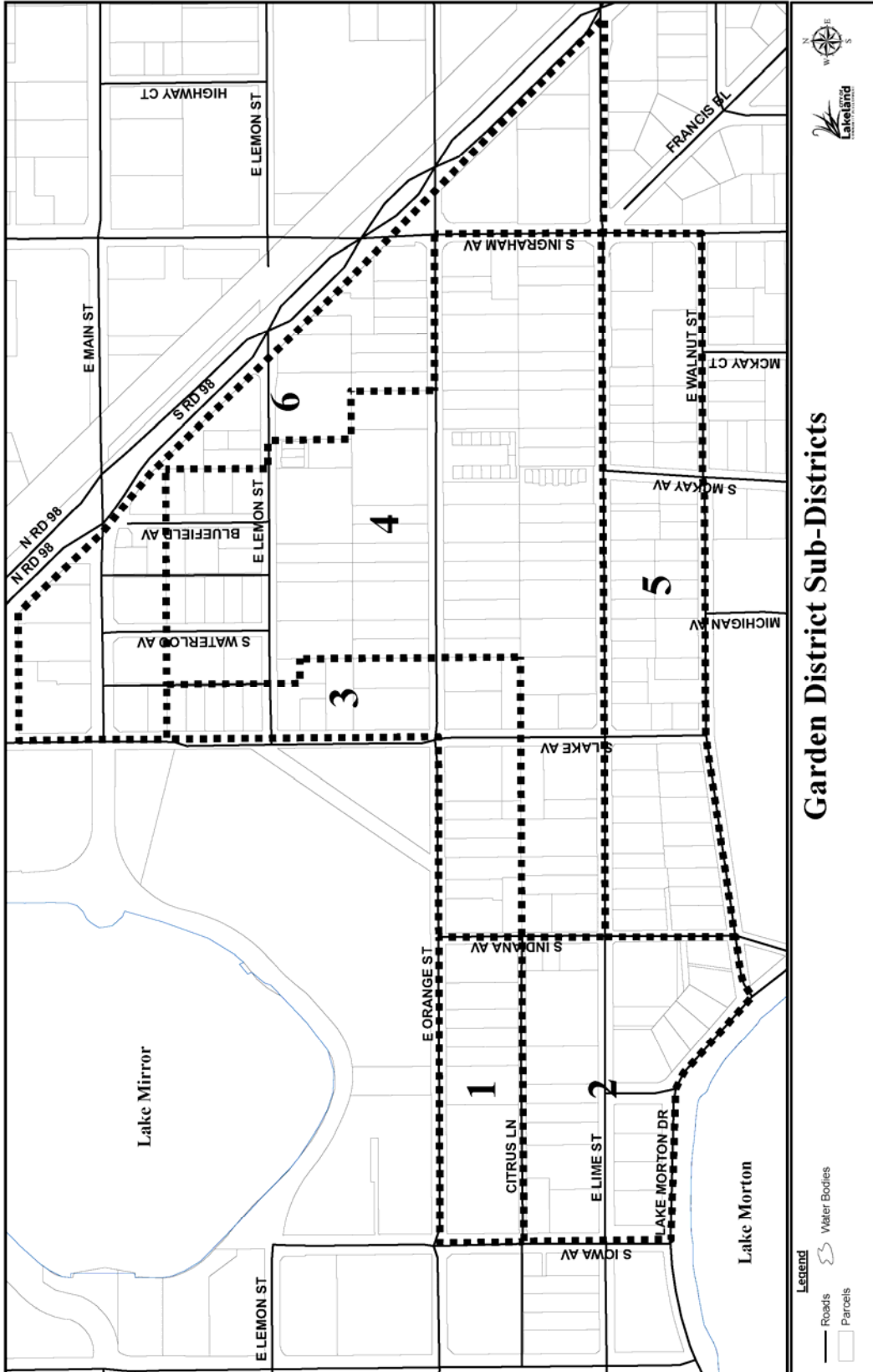
In accordance with Table 2.3-2 and Section 5.10 of the Land Development Code, home  
occupations may be conducted as an accessory use to residential dwelling units. Those home  
occupation types classified as home businesses shall be limited to parcels where the  
principal use of a property is a single-family detached dwelling unit.

## **X. DESIGN REVIEW**

All new construction and requests for demolition shall be reviewed by the Design Review Committee (DRC) of the Historic Preservation Board. DRC approval must be received prior to the issuance of any building permits or demolition permits. In making its determination, the DRC shall, in addition to its other criteria, consider the location of the site within the historic district, its proximity to identified redevelopment parcels, the historic significance of structures on or adjacent to the site, and the concentration of these structures.



ATTACHMENT "A"



Garden District Sub-Districts

ATTACHMENT "B"

**PERMITTED USES**

## **SUB-DISTRICT 1**

### **Principal Uses Permitted By Right:**

#### Residential

Bed and breakfast

Multiple-family residential buildings

Residential, one or more dwelling units located above the first floor of a structure which contains another permitted principal use on the first floor (~~In Live/Work only~~)

Residential, horizontal mixed use, in which no more than 50% of the floor area of a one-story structure is used for another permitted principal use, with one or more dwelling units located to the rear.

#### Non-Residential

Barber shops, beauty shops and day spas

Family day care homes

~~Home occupations~~

Home offices

Office uses, government and non-government (~~First floor in Live/Work only~~)

Office-type research and development facilities (~~First floor in Live/Work only~~)

Public non-commercial principal uses

Travel agencies (~~First floor in Live/Work only~~)

Utility and essential service facilities, Level I

### **Principal Uses Permitted As Conditional Uses:**

Communication studios

Day care centers

Group homes, Levels I and II

Nursing homes

Parking lots as principal uses on the parcel where located, when operated as accessory to a use or uses located on another parcel

Utility and essential service facilities, Level II

## **SUB-DISTRICT 2**

### **Principal Uses Permitted By Right:**

#### Residential

Bed and breakfast

Multiple-family residential buildings

Residential, one or more dwelling units located above the first floor of a structure which contains another permitted principal use on the first floor

Residential, horizontal mixed use, in which no more than 50% of the floor area of a one-story structure is used for another permitted principal use, with one or more dwelling units located to the rear.

#### Non-Residential

Barber shops, beauty shops and day spas

Family day care homes

~~Home occupations~~

Home offices

Office uses, government and non-government

Office-type research and development facilities

Public non-commercial principal uses

Travel agencies

Utility and essential service facilities, Level I

Vocational training for activities permitted in this district

### **Principal Uses Permitted As Conditional Uses:**

Banks, credit unions and savings and loan associations with no drive-through facilities

Churches, synagogues and other houses of worship

Colleges, junior colleges, universities and seminaries

Communication studios

Day care centers

Group homes, Levels I and II

Nursing homes

Parking lots as principal uses on the parcel where located, when operated as accessory to a use or uses located on another parcel

Utility and essential service facilities, Level II

## **SUB-DISTRICT 3**

### **Principal Uses Permitted By Right:**

#### Residential

Bed and breakfast

Multiple-family residential buildings

Residential, one or more dwelling units located above the first floor of a structure which contains another permitted principal use on the first floor

Residential, horizontal mixed use, in which no more than 50% of the floor area of a one-story structure is used for another permitted principal use, with one or more dwelling units located to the rear.

#### Non-Residential

Apparel and accessory stores

Art and drafting supply stores

Art merchandising studios

Barber shops

Beauty shops

Bicycle shops

Book and stationary stores

Camera and photographic supply stores

Candle shops

Candy, nut and confectionary stores

Card shops

Cosmetic stores

Craft shops

Day spas

Dry cleaning pick-up stations serving the public

Exercise studios

Fabric stores

Family day care homes

Flower shops

Gift shops

~~Hearing aid stores~~

~~Home occupations~~

Home offices

Household goods and accessory stores

Interior decorator showrooms

Jewelry sales and repair stores

Leather and luggage stores

~~Locksmith establishments~~

~~Medical supply stores~~

Makerspace; up to 30% of the floor area of a structure may be used for light manufacturing and fabrication purposes incidental to a principal retail use

Music and dance studios

Music and records stores  
Musical instrument stores  
Office uses, government and non-government  
Office-type research and development facilities  
Optician retail stores  
~~Orthopedic and artificial limb stores~~  
Pet grooming establishments, but not kennels  
Photographic studios serving primarily the public  
Picture framing establishments  
Public non-commercial principal uses  
Restaurants, carry out, sandwich shops and snack bars, serving the general public  
Restaurants, low turn-over, serving the general public  
Retail bakeries  
Shoe and leather good repairs  
Small electronic equipment, TV, radio, computer repair  
Souvenir shops  
Specialty food stores  
Tailor and dressmaking shops  
Tax return preparation services  
Travel agencies  
~~Trophy shops~~  
Utility and essential service facilities, Level I  
Vocational training for activities permitted in this district  
Watch, clock and jewelry repair

**Principal Uses Permitted As Conditional Uses:**

Churches, synagogues and other houses of worship  
Colleges, junior colleges, universities and seminaries  
Communication studios  
Day care centers  
Group homes, Levels I and II  
Makerspace; light manufacturing and fabrication incidental to a principal retail use greater than 30% of the floor area of a structure  
Nursing homes  
Parking lots as principal uses on the parcel where located, when operated as accessory to a use or uses located on another parcel  
Utility and essential service facilities, Level II

## **SUB-DISTRICT 4**

### **Principal Uses Permitted By Right:**

#### Residential

Bed and breakfast

Single-family detached residential buildings

Two-family buildings

Single-family attached residential buildings

Multiple-family residential buildings

Residential, horizontal mixed use, in which no more than 50% of the floor area of a one-story structure is used for another permitted principal use, with one or more dwelling units located to the rear.

#### Non-Residential

Family day care homes

~~Home occupations (South of Lemon Street only)~~

Home businesses accessory to single-family detached dwelling units

Home offices

Public non-commercial principal uses

Utility and essential service facilities, Level I

Office uses, government and non-government, as a conversion of an existing single-family detached structure (North of E. Lemon Street only)

### **Principal Uses Permitted As Conditional Uses:**

Churches, synagogues and other houses of worship

Colleges, junior colleges, universities and seminaries

Communication studios

Day care centers

Group homes, Levels I and II

Nursing homes

Parking lots as principal uses on the parcel where located, when operated as accessory to a use or uses located on another parcel

Utility and essential service facilities, Level II

## **SUB-DISTRICT 5**

### **Principal Uses Permitted By Right:**

#### Residential

Bed and breakfast  
Single-family detached residential buildings  
Two-family buildings  
Single-family attached residential buildings  
Multiple-family residential buildings

#### Non-Residential

Family day care homes  
Home businesses accessory to single-family detached dwelling units  
Home offices  
Public non-commercial principal uses  
Utility and essential service facilities, Level I

### **Principal Uses Permitted As Conditional Uses:**

Churches, synagogues and other houses of worship  
Colleges, junior colleges, universities and seminaries  
Communication studios  
Day care centers  
Group homes, Levels I and II  
Nursing homes  
Parking lots as principal uses on the parcel where located, when operated as accessory to a use or uses located on another parcel  
Utility and essential service facilities, Level II



## SUB-DISTRICT 6

### Principal Uses Permitted By Right:

#### Residential

Bed and breakfast

Multiple-family residential buildings

Residential, one or more dwelling units located above the first floor of a structure which contains another permitted principal use on the first floor

#### Non-Residential

Banks, credit unions and savings and loan associations

Catering establishments

Communication studios

Convenience sales and personal service

Convenience stores including those with motor vehicle fuel sales (on Bartow Road/U.S. 98 South only)

Day care centers

Department stores

Family day care homes

Food stores

Funeral homes and crematoriums

~~Home occupations~~

Home offices

Hotels and motels

Indoor commercial recreation

Laundry and cleaning establishments, Levels I and II

Motor vehicle and boat sale and rental (on Bartow Road/U.S. 98 South Only)

Office support retail

Office-type research and development facilities

Office uses, government and non-government

Office uses, non-government

~~Parking lots and garages~~

Public non-commercial principal uses

Restaurants, carry out, sandwich shops and snack bars, serving the general public

~~Restaurants, low, high and turn-over serving the general public~~

Restaurants, low and high turnover, serving the general public

Single-destination commercial uses except pawn shops, payday loan and check cashing establishments and retail building materials sales

Specialty comparison commercial uses

Travel agencies

Utility and essential service facilities, Level I

Veterinary clinics and hospitals, with all facilities in a completely enclosed building

Vocational training for activities permitted in this district

**Principal Uses Permitted As Conditional Uses:**

Churches, synagogues and other houses of worship

Colleges, junior colleges, universities and seminaries

Group homes, Levels I and II

Nursing homes

Parking lots as principal uses on the parcel where located, when operated as accessory to a use or uses located on another parcel

Utility and essential service facilities, Level II

## ATTACHMENT "C"

### BUILDING TYPES Single Family Detached Dwelling

The Single Family Detached Dwelling building type is a conventional single family detached house. The front face of the building must be on the "build-to" line. A porch is required which must span at least 40 percent of the width of the façade and must be at least 6 feet deep. A porte cochere (carport) that provides access to parking in the rear is optional. Single Family Detached Dwellings are permitted in Sub-districts 4 and 5. The example illustrates a single-story bungalow-style model with a porte cochere.



Example

### Two-Three Family Attached Dwelling

The Two-Three Family Attached Dwelling building type contains two or three attached dwelling units side by side. Each living unit must have at least one floor at the ground-floor level and each unit must face the street. The front face of the building must be on the "build-to" line. Porches are required in front of each living unit. The porches must span at least 40 percent of the width of the façade of the unit with a minimum 5-foot separation between and must be at least 6 feet deep. A porte cochere (carport) that provides access to parking in the rear is optional. Each living unit may be on its own lot or all may be on the same lot. Two-Three Family Attached Dwellings are permitted in Sub-districts 4 and 5. The example illustrates a single-story, two-unit model with a porte cochere.



Example

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### Multi-Unit Building

The Multi-Unit Building type functions as an apartment building or condominium when used for residential purposes. The building must be at least two stories and may be higher ~~three or four stories~~ 70 feet back from the front property line. The front face of the building must be on the "build-to" line. Porches are required which must span at least 40 percent of the width of the façade and must be at least 6 feet deep. In Sub-district 2, the Multi-Unit building type may be an office building. In Sub-district 6, the Multi-Use building type may be used as an office building or commercial building. However, a mix of residential and non-residential uses is not permitted in the same Multi-Unit building. It must be either all residential or all non-residential. Multi-Unit Buildings are permitted in all sub-districts. The example illustrates a two-story model with porches and balconies.



Example

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## Courtyard Building

The Courtyard Building type is a building or buildings arranged around a central courtyard that is open to the street. When used for residential purposes, this building type functions as an apartment building or condominium. The building must be at least two stories and may be three stories at the street front. It may be ~~higher~~ four stories 70 50 feet back from the front property line. A central court is required and must be at least 40 feet deep and 20 feet wide. The front face of the building must be on the "build-to" line. Porches are permitted but not required. If used, porches must span at least 40 percent of the width of each façade and must be at least 6 feet deep. Courtyard Buildings are permitted in Sub-districts 1, 2, 3 and 4. In Sub-district 2 only, the Courtyard Building may be used as an office building. However, a mix of residential and non-residential uses is not permitted in the same Courtyard Building. It must be either all residential or all non-residential. The example illustrates a model with porches that rises to four stories on the back part of the lot. Parking may be located on the first story.

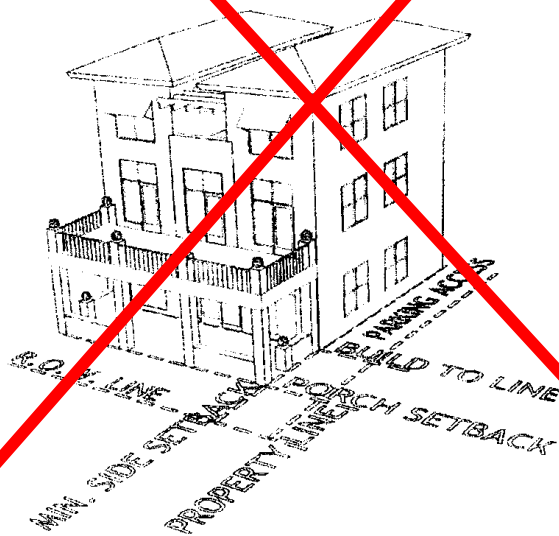


Example

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### Live/Work Building

The Live-Work Building type is a ~~two-to-four-story~~ minimum two story mixed-use building intended to house an office or commercial business on the ground floor and one or more dwelling units on the floor or floors above. The front face of the building must be on the "build-to" line. A porch or terrace is required which must span at least 75 percent of the width of the façade and must be at least 7 feet deep. Live-Work Buildings are permitted in Sub-districts 1, 3, and 6. The example illustrates a three-story model with a porch/balcony.



Example

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### **Commercial Building**

The Commercial Building type is a conventional commercial building except that the front face of the building must be on the "build-to" line and a porch or terrace is required which must span at least 75 percent of the width of the façade and must be at least 7 feet deep. Commercial Buildings are permitted in Sub-district 6. No example is provided.



## ATTACHMENT "D"

### DEVELOPMENT REGULATIONS BY TYPE OF BUILDING

Building Type	Sub-Districts Where Allowed	Build-To Line*	Interior Side Setback**	Rear Setback	Transition Space Required
Single Family Detached	4, 5	20'	Min. 5' Max. 20' Carport min. 2'	Min. 20'	Porch required (Min. 40% width of façade, Min. setback 10', Min. depth 6')  Porch floor elevated min. 18" above grade
Two-Three Family Attached	4, 5	20'	Min. 5' Max. 20' Carport min. 2'  0' between attached units	Min. 20'	Porches required (Min. 40% width of each unit façade, Min. separation between porches 5', Min. setback 10', Min. depth 6')  Porch floor elevated min. 18" above grade
Multi-Unit	1,2,3,4,5,6	20'	Min. 5' Max. 20'  Add'l side setback for each add'l story above 2 stories- 2.5'	Min. 20'	Porch required (Min. 40% width of façade, Min. setback 10', Min. depth 6')
Courtyard	1,2,3,4	20'	Min. 5' Max. 20'  Add'l side setback for each add'l story above 2 stories- 2.5'	Min. 20'	Courts required (Min. 40' deep behind build-to line, Min. 20' wide)  Porches permitted (Min. 40% width of façade, Min. setback 10', Min. depth 6')
Live/Work	1,3,6	15'	Min. 5' Max. 10'	Min. 20'	Porch or terrace required (Min. 75% width of façade, Min. depth 7')
Commercial	6	15'	Min. 5' Max. 20'	Min. 20'	Porch or terrace required (Min. 75% width of façade, Min. depth 7')

\* Build-To Line: A line parallel to the front lot line where the front wall or façade of the building must be placed. Porches and terraces extend toward the street from the build-to line.

\*\* Minimum Street Side Setback for all building types: 15 feet

Other:

Maximum Lot Coverage: 45 percent

Minimum Rear and Side Setbacks for Accessory Structures: 10 Feet Rear, 7 feet Side

**DEVELOPMENT REGULATIONS BY TYPE OF BUILDING**

Building Type	Maximum Building Width	Building Height	
Single Family Detached	50' 55' w. carport	Max. height 35' regardless of location	* Wider buildings may be permitted only as part of a PUD. To avoid monotonous façades and to continue the rhythm and spacing of the SPI, the PUD shall require at a minimum that no plane of the front façade shall extend for more than 60 feet without a step-back of at least 20 feet.
Two-Three Family Attached	50' 55' w. carport	Max. height 35' regardless of location	** Higher buildings may be permitted only as part of a PUD.
Multi-Unit	60'*	Min. 2 stories Max. height within 70' of front lot line- 35'. Max. height greater than 70' from front lot line- 50' (35' if south of Lime and east of Indiana)**	*** For Commercial Buildings, no plane of the front façade shall extend for more than 60 feet without articulation. Articulation may be achieved through a combination of step-back, change in roof elevation, change in color, change in texture, decorative ornamentation or other techniques that provide visual relief.
Courtyard	90' including court ± 35' per building face	Min. 2 stories Max. height within 70' of front lot line- 35'. Max. height greater than 70' from front lot line- 50' (35' if south of Lime and east of Indiana)**	
Live/Work	90'***	Min. 2 stories Max. height 35' regardless of location**	
Commercial	None***	Max. height 35' regardless of location**	

## MEMORANDUM

DATE: FEBRUARY 6, 2017

TO: MAYOR & CITY COMMISSION

FROM: L. BURL WILSON, JR., CHAIRMAN  
PLANNING & ZONING BOARD

SUBJECT: PROPOSED CHANGES TO THE GARDEN DISTRICT  
SPECIAL PUBLIC INTEREST ZONING OVERLAY -  
ORDINANCE 4634

CASE NUMBER: SPI16-001

APPLICANT: CITY OF LAKELAND

P&Z HEARING: DECEMBER 20, 2016

P&Z FINAL DECISION: JANUARY 18, 2017

Adopted by the City Commission in 2004, the Garden District Special Public Interest (SPI) zoning overlay serves as the primary regulatory tool for guiding the revitalization and redevelopment of neighborhoods located south and east of downtown and Lake Mirror. The existing development standards specified by the SPI are overly prescriptive and lack flexibility to account for existing conditions and changing market demand. Many of the provisions were made redundant by a major update to the Land Development Code (LDC) in 2013. In its current form, the SPI is an unwieldy regulatory tool that adds additional complexity and uncertainty to the development process with minimal public benefit.

The proposed changes streamline the SPI by eliminating provisions for specific building types and development standards and instead refer to the development standards that were adopted as part of the 2013 LDC update. Additional changes proposed include the realignment of regulations pertaining to home occupations and accessory dwelling units with those in the Land Development Code, revisions to the range of allowable uses in commercial and office zoning sub-districts, and an allowance for the conversion of single-family residential dwelling units located north of Lemon Street to office uses.

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

The Community Development Department reviewed this request and recommended the proposed changes to the Garden District Special Public Interest zoning overlay district. Letters of notification were mailed to 240 property owners within 500 feet of the subject property and no objections were received.

This recommendation was approved by a 6 – 0 vote of the Board.

Recommendation

It is recommended that the proposed changes to the Garden District Special Public Interest zoning overlay district (Ordinance No. 4634, as amended by Ordinance No. 4949), as described above and in Exhibit "A," be approved.

**DEVELOPMENT REGULATIONS BY TYPE OF BUILDING**

Building Type	Maximum Building Width	Building Height	
Single Family Detached	50' 55' w. carport	Max. height 35' regardless of location	<p>* Wider buildings may be permitted only as part of a PUD. To avoid monotonous façades and to continue the rhythm and spacing of the SPI, the PUD shall require at a minimum that no plane of the front façade shall extend for more than 60 feet without a step-back of at least 20 feet.</p> <p>** Higher buildings may be permitted only as part of a PUD.</p> <p>*** For Commercial Buildings, no plane of the front façade shall extend for more than 60 feet without articulation. Articulation may be achieved through a combination of step-back, change in roof elevation, change in color, change in texture, decorative ornamentation or other techniques that provide visual relief.</p>
Two-Three Family Attached	50' 55' w. carport	Max. height 35' regardless of location	
Multi-Unit	60'*	Min. 2 stories Max. height within 70' of front lot line- 35'. Max. height greater than 70' from front lot line- 50' (35' if south of Lime and east of Indiana)**	
Courtyard	90' including court * 35' per building face	Min. 2 stories Max. height within 70' of front lot line- 35'. Max. height greater than 70' from front lot line- 50' (35' if south of Lime and east of Indiana)**	
Live/Work	90'*	Min. 2 stories Max. height 35' regardless of location**	
Commercial	None***	Max. height 35' regardless of location**	