

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

**PROPOSED ORDINANCE NO. 19-043**

**AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 3 OF THE LAND DEVELOPMENT CODE TO REDEFINE HOW TRANSPARENCY IS MEASURED FOR NEW DEVELOPMENT WITHIN OFFICE, COMMERCIAL AND LIGHT INDUSTRIAL ZONING DISTRICTS, AND ALLOW FOR REDUCED TRANSPARENCY FOR DEVELOPMENT LOCATED OUTSIDE OF DOWNTOWN; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, by Ordinance 5425, adopted on December 16, 2013, the City Commission of the City of Lakeland, Florida adopted the Land Development Code for the City of Lakeland; and

**WHEREAS**, it has been determined that amendments are necessary to update the regulations contained within the Land Development Code; and

**WHEREAS**, the City Commission, upon recommendation by the Planning and Zoning Board, wishes to adopt the amendments to the Land Development Code set forth herein;

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

**SECTION 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2.** The amendments to the Land Development Code set forth in Attachment "A," attached hereto and made a part hereof, are hereby adopted.

**SECTION 3.** 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, and that all procedures for the enactment of this ordinance have been complied with.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5.** 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 thereby.

**SECTION 6.** This ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 18th day of November, A.D. 2019.

\_\_\_\_\_  
H. WILLIAM MUTZ, MAYOR

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

APPROVED AS TO FORM AND CORRECTNESS: \_\_\_\_\_  
PALMER C. DAVIS  
INTERIM CITY ATTORNEY

ATTACHMENT "A"

3.4.7.4 Ground Floor Building Transparency of Buildings in Commercial, Office and I-1 Industrial Zoning Districts

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

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

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

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

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



# Planning & Zoning Board Recommendation

Date:	November 4, 2019	Reviewer:	Joshua Cheney
Project No:	LDC19-010	Applicant:	City of Lakeland
P&Z Hearing:	August 20, 2019	P&Z Final Decision:	September 17, 2019
Request:	Changes to Article 3 (Urban Form Standards) to redefine how transparency is measured for new development within office, commercial, and light industrial zoning districts, and allow for reduced transparency for development located outside of downtown.		

## 1.0 Background

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

### 1.2 Attachments

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

## 2.0 Discussion

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

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

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

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

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

### **3.0 Recommendation**

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#### **3.1 Community and Economic Development Staff**

The Community and Economic 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.

#### **3.2 The Planning & Zoning Board**

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

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

#### Recommendation

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

## ATTACHMENT "A"

### 3.4.7.4 Ground Floor Building Transparency of Buildings in Commercial, Office and I-1 Industrial Zoning Districts

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

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

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

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

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