



Date: January 11, 2012
To: City of Lake Alfred City Commission
From: Jennifer Codo-Salisbury, Planning Director, Central Florida Regional Planning Council
Subject: **City of Lake Alfred Amendments to the Land Development Code
January 17, 2012 Hearing Materials**

Background

- The City of Lake Alfred Comprehensive Plan was updated in October 2010 and was found to be “In Compliance” by the Florida Department of Community Affairs.
- Amendments to the City of Lake Alfred Land Development Code are needed for implementation of the updated Comprehensive Plan.
- The City Commission and the Planning Board held workshops on April 20, June 15, and August 17, 2011 to discuss proposed amendments to the Land Development Code.
- The Planning Board voted on October 19, 2011 and December 7, 2011 to forward the changes to Articles 2, 3, and 7 to the City Commission. The recommendations from these two meetings were combined to make this agenda package.

Hearing Information

The City of Lake Alfred City Commission will hold a public hearing regarding the City of Lake Alfred Amendments to the Land Development Code on Tuesday, January 3, 2012 at 6:00 PM at the Lake Alfred City Commission Chambers. The Commission will consider the amendments listed below. The purpose of the amendments is to provide consistency with the adopted 2010 Comprehensive Plan Update.

ARTICLE 2 – ZONING DISTRICTS

ARTICLE 3 – DEVELOPMENT STANDARDS – Section 3.08.00

ARTICLE 7 – DEVELOPMENT APPROVAL PROCESS – Section 7.04.00

ARTICLE 9 - DEFINITIONS

Enclosed please find the items listed below.

- **Ordinance 1302-12**

- **Overview Sheet**
- **Proposed Amendments by Article**

Representatives from the CFRPC will be at the January 12, 2012 Commission Hearing to provide a presentation and to answer any questions.

ORDINANCE NO. 1302-12

AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA; AMENDING THE UNIFIED LAND DEVELOPMENT CODE; SPECIFICALLY ARTICLE 2 “ZONING DISTRICTS”, ARTICLE 3 “DEVELOPMENT STANDARDS”, ARTICLE 7 “DEVELOPMENT APPROVAL PROCESS”, AND ARTICLE 9 “DEFINITIONS”, BASED ON THE CITY’S EVALUATION AND APPRAISAL REPORT (EAR) PROVIDING FOR CONSISTENCY WITH THE 2010 COMPREHENSIVE PLAN UPDATE; PROVIDING FOR CORRECTION OF SCRIVNERS ERRORS, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, Constitution of the State of Florida, as revised in 1968, provides for and establishes municipalities and grants to those municipalities governmental, corporate, and propriety powers to enable them to conduct municipal government, perform municipal functions, render municipal services, and authorizes said municipalities to exercise any power for municipal purposes, except as otherwise provided by law; and,

WHEREAS, Section 163.3167 (1), Florida Statutes, empowers local governments to adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth; and,

WHEREAS, Chapter 163.3191, Florida Statutes, requires local governments to periodically adopt an Evaluation and Appraisal Report (EAR) which was approved by the City of Lake Alfred City Commission on July 6, 2009 by Ordinance 11-09. The Department of Community Affairs issued a finding of sufficiency on September 11, 2009; and

WHEREAS, the EAR contains recommendations for the amendment of the Comprehensive Plan addressing the issues identified therein, and making the Comprehensive Plan a better regulatory and planning tool; and

WHEREAS, Chapter 163.3191 (2), Florida Statutes, requires local governments to prepare and transmit within one year amendments to the Comprehensive Plan based on the EAR for review by the State; and

WHEREAS, pursuant to Section 166.041c2, Florida Statutes, the City Commission and the Planning Board have in the preparation of the EAR Based Amendments to the City's Comprehensive plan performed or caused to be performed, the necessary studies and surveys, the collection of appropriate data, the holding of such public hearings, workshops and meetings, as necessary, and have effectively provided public participation, notice to real property owners, broad disseminations of proposals and alternatives, opportunity for written comments, open

discussions, communication programs, information services, consideration of and response to public and official comments; and

WHEREAS, the City Commission adopted the EAR Based Amendments to the Comprehensive Plan on October 18, 2010 by Ordinance 1276-10. The Department of Community Affairs issued a finding of in compliance on March 10, 2011; and,

WHEREAS, Chapter 163.3202, Florida Statutes, requires that within 1 year after submission of its revised comprehensive plan for review pursuant to s. 163.3167(2), each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.

NOW, THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF LAKE ALFRED, FLORIDA, as follows:

Section 1. Amendment of Unified Land Development Code (ULDC): The Unified Land Development Code is hereby amended based on the City's Evaluation And Appraisal Report (EAR) providing for consistency with the 2010 Comprehensive Plan Update as set forth in Exhibit "A", by:

- Article 2 – Zoning Districts
- Article 3 – Development Standards
- Article 7 – Development Approval Process
- Article 9 – Definitions

Section 2. Scriveners Errors: It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Unified Land Development Code of the City; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his/her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

Section 3. Conflicts: All ordinances in conflict herewith are repealed

Section 4. Severability: If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall be effective immediately after compliance with lawful prerequisites for passage.

This Ordinance shall be codified in the Unified Land Development Code of the City of Lake Alfred, Florida.

INTRODUCED AND PASSED on first reading with a quorum present and voting, by the City Commission of Lake Alfred, the 3rd day of January, 2012.

PASSED AND DULY ADOPTED, on second reading with a quorum present and voting, by the City Commission of Lake Alfred, Florida, the 17th of January, 2012.

**CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION**

Nancy Z. Daley, Mayor

ATTEST:

Linda Bourgeois, CMC, City Clerk

APPROVED AS TO FORM:

Frederick J. Murphy, Jr., City Attorney

Overview
**Proposed Amendments to the
City of Lake Alfred Unified Land Development Code**

January 12, 2012

City of Lake Alfred Land Development Code Amendments

The following pages proposed amendments to the City of Lake Alfred Land Development Code.

Language

The language being amended includes Articles and Sections. The text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Comments

Comments listed under each proposed change indicate why the Article or Section is being amended.

**LAKE ALFRED
UNIFIED LAND DEVELOPMENT CODE**

ARTICLE 2

REGULATIONS FOR SPECIFIC DISTRICTS

Draft Amendments

LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE

ARTICLE 2

REGULATIONS FOR SPECIFIC DISTRICTS

- Please note that only the sections of Article 2 that are to be amended are provided. Not all sections of Article 2 are proposed to be amended and therefore are not included in this Draft Amendment Package.
- Language that is proposed to be changed is shown in strikeout/underline text as demonstrated below.
 - Text that is underlined is text to be added. Text that is in ~~strikeout~~ is text to be removed.

A Comment is included after each proposed amendment or at the beginning of amendment sections for reference.

Comment: The Table of Contents for Article 2 has been amended to provide for the addition of Section 2.02.11, model Homes, and to provide for the renumbering of the Zoning District Sections to allow for the addition of new zoning districts:

- Section 2.04.02.13 *C-4 Neighborhood Convenience*
- Section 2.04.02.23 *PUD Planned Unit Development*

Please note that Section 2.04.02.14 has been added as "Reserved" to allow for a mixed use zoning category in the near future.

2.01.00 *General Provisions*

2.02.00 *General Regulations for All Zoning Districts*

2.02.01 Regulations for Historic Sites

2.02.02 Foster Home, Group Home, and Halfway House

2.02.03 Adult Congregate Living Facility and Nursing Home

2.02.04 Moving of Buildings

2.02.05 Requirements for Lots Divided by a Right-of-Way

- 2.02.06 *Alteration of Lot Size*
- 2.02.07 *Limitations on Animals and Zoning for Agricultural Uses (Including Farm Animals)*
- 2.02.08 *Fence Height Limitations*
- 2.02.09 *Special Needs Housing and Facilities*
- 2.02.10 *Family Foster and Day Care Homes*
- 2.02.11 *Model Homes*

2.03.00 *General Regulations for Commercial/Industrial Zoning Districts*

- 2.03.01 *Sale of Alcoholic Beverages*
- 2.03.02 *Adult Entertainment Establishments*
- 2.03.03 *Temporary Tents*
- 2.03.04 *Minimum Maintenance Requirements for Commercial Districts*
- 2.03.05 *Sidewalk Cafés*

2.04.00 *Establishment of Districts*

- 2.04.01 *Zoning District Summary Tables*
- 2.04.01(A) *Table of Land Use*
- 2.04.01(B) *Table of Development Standards*
- 2.04.02 *Zoning Districts*
 - 2.04.02.01 *RR Rural Residential District*
 - 2.04.02.02 *RE Residential Estate District*
 - 2.04.02.03 *R-1AAA Single Family Dwelling District*

- 2.04.02.04 *R-1AA-B Single Family Dwelling District*
- 2.04.02.05 *R-1AA Single Family Dwelling District*
- 2.04.02.06 *R-1A Single Family Dwelling District*
- 2.04.02.07 *R-1B Single Family Dwelling District*
- 2.04.02.08 *R-1 Single Family Dwelling District*
- 2.04.02.09 *R-2 Multiple Family Dwelling District*
- 2.04.02.10 *C-1 Limited Commercial District*
- 2.04.02.11 *C-2 Retail Commercial District*
- 2.04.02.12 *C-3 General Commercial District*
- 2.04.02.13 *C-4 Neighborhood Convenience Center District*
- 2.04.02.14 *[Reserved]*
- ~~2.04.02.13~~15 *M-1 Industrial District*
- ~~2.04.02.14~~16 *I-1 Light Industrial District*
- ~~2.04.02.15~~17 *I-2 Heavy Industrial District*
- ~~2.04.02.16~~18 *P-B Public Buildings and Grounds*
- ~~2.04.02.17~~19 *P-R Public Recreation*
- ~~2.04.02.18~~20 *CN Conservation*
- ~~2.04.02.19~~21 *PRES Preservation*
- ~~2.04.02.20~~22 *UNIV University*
- 2.04.02.23 *PUD Planned Unit Development*
 - 2.04.02.23.01 *Planned Unit Development – Residential (PUD-R)*
 - 2.04.02.23.02 *Planned Unit Development – Office (PUD-O)*
 - 2.04.02.23.03 *Planned Unit Development – Commercial (PUD-C)*

2.04.02.03.04 Planned Unit Development – Industrial (PUD-I)

2.04.02.03.05 Planned Unit Development – Mixed Use (PUD-MU)

2.05.00 General Regulations for Accessory Uses

2.05.01 *Swimming Pools*

2.05.02 *Docks, Piers and Boathouses*

2.05.02.01 *Boathouse Application*

2.05.02.02 *Docks & Piers Standards*

2.05.02.03 *Maintenance and Removal*

2.05.03 *Satellite Dishes*

2.05.04 *Antennas*

ARTICLE 2

REGULATIONS FOR SPECIFIC DISTRICTS

2.02.00 General Regulations for All Zoning Districts

2.02.07 Limitations on Animals and Zoning for Agricultural Uses (Including Farm Animals)

- (A) No person shall keep or maintain in connection with any residential dwelling unit more than two (2) dogs aged six (6) months or older. No person shall keep or maintain more than two (2) dogs in connection with any building used for commercial or industrial purposes.
- (B) No person shall breed or maintain farm animals, fowl, or other livestock within the City of Lake Alfred except in residential districts RR and RE with the restrictions outlined in ~~(4)~~ (D) below. These shall include, but are not limited to, bees, cattle, chickens (including roosters), goats, horses, peacocks, pigeons, and pigs.
- (C) No person shall breed or maintain any wild animal or poisonous reptile that, in the opinion of the Chief Building Official, poses a threat to human safety in Lake Alfred. Excluded from this restriction are animal shelters, medical or scientific facilities, pet shops, zoos or other locations where the showing or maintenance of such animals is a permitted use under the provisions of this Code.
- (D) Property that was previously classified and zoned by Polk County for agricultural uses; and is used for a "Bona Fide Agricultural Purpose", as certified by the Polk County Property Appraiser; and qualifies for an agricultural tax exemption by the State of Florida under F.S. 193.461; may be annexed into the City with Single Family Residential land use classification to allow the property owner to continue his agricultural (including farm animal) activity. These lots may only be zoned under an RR or RE district. Existing vacant lots in the City zoned RR or RE are not eligible for this special provision for agricultural uses that include the raising of farm animals.

Lands that are surrounded by the city limits, and are known as "enclaves", may not be annexed in and zoned agricultural (including farm animal) activity. For the

health, safety and welfare of the citizens of Lake Alfred, this activity will only be permitted at the perimeter of the City, in areas that already support agricultural uses and have qualifying agricultural tax exemptions. At the time of development, or subdivision of the land for development, or when the agricultural tax exemption is removed, all rights to agricultural uses (including the keeping of farm animals) shall cease.

2.02.11 Model Homes

(A) Model Homes. All model dwelling units shall be subject to the following restrictions:

- (1) Model dwelling units shall not be used for a period of longer than one year; however, the City Commission may grant an extension for a period not to exceed one year.
- (2) The number of model dwelling units shall not exceed eight (8) in number, and shall not be connected to water and sewer facilities until a plat of record has been provided for the subdivision area in which the models are located.
- (3) At least two off-street parking spaces per model unit shall be provided on the same lot as the model dwelling unit or on contiguous lots, and shall be maintained as long as the model dwelling unit is used as such.

Comment: Language relating to model homes relocated from the PUD section because model home requirements pertain to multiple types of dwelling units.

[RESERVED]

2.04.00 Establishment of Zoning Districts

In order to classify, regulate, and restrict the uses of land, water, buildings, and structures; to regulate and restrict the height and bulk of buildings; to regulate the area of yards, courts, and other open spaces between buildings; and to regulate the intensity of land use, all the area of the City of Lake Alfred is classified into one of the following districts:

Map ID	Name of District	Map ID	Name of District
RR	Rural Residential District	R-2-C	Multiple Family Dwelling District
RE	Residential Estate District	C-1	Limited Commercial District
RE-C	Residential Estate District	C-2	Retail Commercial District
R-1AAA	Single Family Dwelling District	C-3	General Commercial District
R-1AAA-C	Single Family Dwelling District	<u>C-4</u>	<u>Neighborhood Convenience Center District</u>
R-1AA-B	Single Family Dwelling District	M-1	Industrial District
R-1AA	Single Family Dwelling District	PB	Public Buildings and Grounds District
R-1AA-C	Single Family Dwelling District	PR	Public Recreation District
R-1A	Single Family Dwelling District	CN	Conservation District
R-1A-C	Single Family Dwelling District	PRES	Preservation District
R-1B	Single Family Dwelling District	PUD	Planned Unit Development (Also See Section 7.04.00)
R-1	Single Family Dwelling District	UNIV	University
R-1-C	Single Family Dwelling District		
R-2	Multiple Family Dwelling District		
NOTE: C denotes cluster subdivision districts			

AMENDMENTS: The new C-4 Neighborhood Convenience Center District has been added to the table in underlined text to provide zoning districts for the newly created Neighborhood Convenience Center and Specialty Center Future Land Use classifications. Under PUD Planned Unit Development, a reference to Section 7.04.00 has been added.

2.04.01 Zoning District Summary Tables

- (A) The tables on the following pages present, in a quick-reference form, information regarding permitted and special exception land uses, and development standards for all zoning districts. These tables must be read in conjunction with the regulations for specific zoning districts in Section 2.04.02.
- (B) All proposed uses in the Green Swamp Area of Critical State Concern (GSACSC) require a Site Development Plan Review, review by the Planning Board, and approval by the City Commission. Specific development regulations are contained

in Article 3, Section 3.08.00 Specific regulations for Site Development Plan submittal and review are contained in Article 7, Section 7.05.00, of this Code.

(C) The key to the table is as follows:

P = Permitted Use

S = Special Exception Use, Board of Adjustments action required, per Section 7.09.00

D = Site Development Plan required, use is permitted upon approval of site development plan by the Planning Board, per Section 7.05.00

C = Conditional Use, Planning Board and City Commission action required, per Section 7.08.00

Comment: *New zoning district of C-4 has been added to the following Table of Land Uses, Table 2.04.01(A) and is shown in underlined text.*

Table of Land Uses, Table 2.04.01(A)

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA **	R-1 A **	R-1 B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PI	PR	CN
Groves, orchards, row crops, pasturing of livestock	P																		
Ranching or farming	P																		
Limited agricultural uses	P	P																	
Stables	P	P																P	
Horticulture with no wholesale or retail sales	P	P	P	P	P	P	P	P	P										
Horticulture with wholesale or retail sales	P									P	P	P		P	P	P			
Roadside stands to sell ag products grown on the site	P																		
Single family, conventional construction	P	P	P	P	P	P	P	P	P										
Single family, manufactured	P	P	P	P	P	P	P	P	P										
Mobile home subdivision									D										
RV park									D	D	D								
Docks, piers and boathouses as a principal use																	P	P	P
Apartment building									P	P	P				P				
Boarding house									P	P					P				
Duplex(2 units)									P	P	P				P				
Dwelling unit in commercial										P	P	P		P	P				
Garage apartment									P	P	P	P			P				
Residential Cluster Development	D	D	D	D					P	P	P				P				

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA **	R-1 A **	R-1 B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PI	PR	CN
Small Lot Subdivision	D	D	D	D					P	P	P				P				
Townhouse									P	P	P				P				
Adult Family Care Home, Family Day Care Home, Family Foster Home	P	P	P	P	P	P	P	P	P										
Child Care Facility, Adult Day Care Center, Assisted Living Facility, Foster Care Facility, Group Home Facility, Hospice Residential Unit									P	P	P	P			P				
Nursing home										D	D	D			D		D		
Bed & breakfast						D	D	D	P	P	P	P			P				
Hotel/motel										D	D	D			D				
RV campground										D	D				D				
Adult Entertainment Facility											P	P		P					
Appliance repair											P	P	<u>D</u>	P	P	P			
Barber shops										P	P	P	<u>P</u>	P	P	P			
Beauty shops										P	P	P	<u>P</u>	P	P	P			
Convenience store										P	P	P	<u>D</u>	P	P	P			
Convenience store with gasoline sales										P	P	P	<u>C</u>	P	P	P			
Funeral homes										D	P	P		P	P	P			
Indoor amusement enterprise											P	P		P	P	P			
Mini-warehouse												D		D	D	D			
Minor automotive repairs											P	P		P	P	P			
Nursery and Greenhouse, Retail															P	P			
Personal Services										P	P	P	<u>P</u>	P	P	P			

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA **	R-1 A **	R-1 B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PI	PR	CN
Recycling center (indoor)										P	P	P		P	P	P	P		
Retail Sales - general										P	P	P	<u>P</u>		P	P			
Restaurant											P	P	<u>PC</u>	P	P	P			
Restaurant with Drive Thru											<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>				
Sale of alcoholic beverages											P	P	<u>C</u>	P	P	P			
Shopping center <50,000 sq. ft.										<u>D</u>	<u>D</u>	<u>D</u>	<u>C</u>						
Shopping center 50,000 sq. ft. to 150,000 sq. ft.										<u>D</u>	<u>D</u>	<u>D</u>	<u>C</u>						
Shopping center <150,000 sq. ft.										<u>D</u>	<u>D</u>	<u>D</u>		<u>D</u>	<u>D</u>	<u>D</u>			
Shopping center >150,000 sq. ft.		C								C	C	C		C	C	C			
Theaters											P	P		P	P	P			
Auto sales												P		P	P	P			
Boat sales												P		P	P	P			
Building supply sales												P		P	P	P			
Flea market												D		D	C	C			
Machine shop, indoor												P		P	P	P			
Major automotive repairs												P		P	P	P			
Mobile home sales												P		P	P	C			
Outdoor amusement enterprise												D		D	C	C			
Plant nursery		P										P		P	P	P			
Recycling center (outdoor)														P	P	P			
RV sales												P		P	D	D			
Service Station											D	D		D	D	P			
Truck stop												D		D	D	P			

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA **	R-1 A **	R-1 B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PI	PR	CN
Truck Storage Lot											D	P		P	D	D			
Bank										P	P	P	C	P	P	P			
Clinic										P	P	P		D	D	D	P		
Hospital										P	P	P		D	D	D	P		
Medical laboratory											P	P		D	P	P	P		
Office Park														D	D	D			
Professional office										P	P	P	C	D	D	D			
Real estate/business office										P	P	P	C		D	D			
Boat repair, no sales												P		P	P	P			
Contractor storage yard														P	D	P			
Equipment Repair Major																P			
Kennels, outdoor												P		P	P	P			
Sales/repair of heavy equipment												P		P		P			
Veterinary clinics										P	P	P		P	P	P			
Warehouse												P		P	P	P	P		
Wholesale distributor												P		P	D	P			
Airports/aviation uses		C												C	C	C	C		
Bottling plant/bakery														P	C	D			
Food processing/packaging														P	C	D			
Freight/trucking terminal														P	D	P			
Heliport / Helistop																D			
Landfill, Construction Debris																D			

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA **	R-1 A **	R-1 B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PI	PR	CN
Manufacturing, Light												D		P	D	P			
Manufacturing, General														P		D			
Printing/publishing												P		P	D	D			
Railroad Yard															D	D			
Recycled materials processing														D	C	D			
Sales/minor storage of propane gas														P	D	D			
Bulk storage of chemicals & explosive gases														C		C			
Citrus processing plant														P		D			
Junkyard/storage area														C		D			
Storage of sand/gravel/blocks														P	D	D	P		
Auto license/tag facility																		P	
City hall/municipal building																		P	
Communications tower/antenna														D	D	D	D		
Correctional facility		C																P	
Electric power plant		C												C	C	D	C		
Fire station																		P	
Jail		C																P	
Police station																		P	
Post office																		P	
Power substation		D	D	D	D	D	D	D	D	P	P	P		P	P	P	P	P	P
Public wellfield w/no treatment																		P	P
Sewage disposal facility		C												C	C	C	C		

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA **	R-1 A **	R-1 B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PI	PR	CN
Sewer lift station		P	D	D	P	P	P	P	P	P	P	P		P	P	P	P	P	P
Sewer/water plant (Municipal)														P	P	P	P	P	P
Telephone switching station		D	D	D	D	D	D	D	D	P	P	P		P	P	P	P	P	P
Church		D	D	D	D	D	D	D	D	D	D	D	<u>D</u>	D	D	D	D		
Civic center/auditorium																	P		
College/university											D	D			P	D	D		
Community center																	P		
Museum										P	P	P		P	D	D	P		
Public library																	P		
School (grades K-12)		D	D	D	D	D	D	D	D	D	D	D			C	C	D		
Vocational/technical school											D	D		D	D	D	D		
Docks, piers and boathouses as a principal use																	P	P	P
Park		P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P
Clubs, private									P	P	P	P						P	P
Recreation, outdoor, public																		P	P

Table 2.04.01(B), Table of Development Standards

		Zoning District	Max. Density (residential units per ac)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
								Front	Rear	Side			
1	*	RR *	1 du/ 10 ac	10 acres	200	1,500	--	50	100	50	25,000 s.f.	15,000 s.f.	35 except farm buildings
2	*	RE *	1.0	1 acre	100	2,000	--	30	20	10	40%	30%	35 except farm buildings
3	*	RE-C * SF detached See Article 7, Section 7.07.00	1.0	10,000	80	1,600	--	20	20	10	45%	35%	35 except farm buildings
4	*	R-1AAA *	3	14,000	100	1,900	--	30	20	10	40%	30%	35
5	*	R-1AAA-C* SF detached See Article 7, Section 7.07.00/ For Green Swamp See Section 3.08.02.02 and 3.08.02.03	5 net/ 3 gross	8,000	70	1,200	--	20	20	10	40%	30%	35
6		R-1AA-B	3	14,000	100	1,400	--	30	20	10	45%	35%	35
7		R-1AA	3.6	12,000	90	1,500	--	30	20	10	40%	30%	35
8		R-1AA-C SF detached See Article 7, Section 7.07.00	3.6	8,000	70	1,500	--	20	20	10	45%	35%	35
9		R-1A	4.2	10,000	80	1,200	--	30	15	10	40%	30%	35

	Zoning District	Max. Density (residential units per ac)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
							Front	Rear	Side			
10	R-1A-C SF detached See Article 7, Section 7.07.00	4.2	7,000	60	1,200	--	20	15	10	50%	40%	35
11	R-1B	6.0	--	50	960	--	20	20	5	40%	30%	35
12	R-1	6.0	7,500	80	960	--	25	15	8	40%	30%	35
13	R-1-C SF detached See Article 7, Section 7.07.00	6.0	6,000	60	960	--	20	15	8	55%	45%	35
14	R-2	12.0				--	20	20	10	60%	50%	35
15	R-2-C SF detached See Article 7, Section 7.07.00	12.0	4,500	40	960	--	20	20	10	60%	50%	35
16	R-2: duplex	4 buildings/ac	8,000	80	720/unit	--	20	20	10	60%	50%	35
17	R-2: MF 3-4 units	12.0	8,000	80	450/unit	--	20	20	10	60%	50%	35
18	R-2: MF 5-12 units	12.0	9,400	100	450/unit	--	20	20	10	60%	50%	35
19	R-2: RV Campground Tract See Article 3, Section 3.09.02	Min. 5 ac	30,000	15 x 200		--	25	15	15/25	60%	50%	35
20	R-2: RV Campground Per Space See Article 3, Section 3.09.02	10.0	1,200	20 x 40		--	20	5	5	60%	50%	35

	Zoning District	Max. Density (residential units per ac)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
							Front	Rear	Side			
21	R-2: RV Campground Pull Thru Space See Article 3, Section 3.09.02	10.0	1,200	36 x 70		--	22	5	15	60%	50%	35
22	R-2: RV Park Tract See Article 3, Section 3.09.03	Min. 5 ac	30,000	150 x 200		--	50	30	30	60%	50%	35
23	R-2: RV Park Per Space See Article 3, Section 3.09.03	12	1,960	28 x 70	350 min. 500 max.	--	20	7.5/10	7.5	60%	50%	35
24	R-2: MH Park Tract See Article 3, Section 3.09.04	Min. 5 ac	30,000	150 x 200		--	50	30	30	60%	50%	35
25	R-2: MH Park Per Space, single wide	12	3,000	30 x 100	500	--	20	7.5/10	7.5	60%	50%	35
	R-2: MH Park Per Space, double wide See Article 3, Section 3.09.04	<u>12</u>	5,000	50 x 100	500	<u>--</u>	20	7.5/10	7.5	60%	50%	35
26	R-2: For Cluster Tract, SF attached Duplex: 3+ units: See Article 3, Section 3.09.05	8	7,500	75 x 100		--	25	20	10	45%	35%	35
		<u>8</u>	<u>10,000</u>	<u>75 x 100</u>		<u>--</u>	25	25	25	<u>45%</u>	<u>35%</u>	<u>35</u>

	Zoning District	Max. Density (residential units per ac)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
							Front	Rear	Side			
27	R-2: For Clusters Per Lot, SF attached See Article 3, Section 3.09.05	8	2,000	20	500	--	25	20	10	60%	50%	35
28	C-1 For residential, use standards for R-1A, R-1B or R1 for single family; and R-2 for multi family	6 12	--	--	--	2.5	20	--	--		--	35
29	C-2 For residential, use standards for R-1A, R-1B or R1 for single family; and R-2 for multi family	6 12	--	--	--	2.5	20	--	--		--	35
30	C-3	0	--	--	--	2.5	50	10	10		--	35
31	C-4 (Area inside the Green Swamp ACSC) -- (Maximum 10 acres in size)	0	--	--	--	0.25	50	10	10		--	35
32	C-4 (Area outside the Green Swamp ACSC) -- (Maximum 10 acres in size)	0	--	--	--	0.35	20	10	10		--	35

		Zoning District	Max. Density (residential units per ac)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
								Front	Rear	Side			
<u>31</u> 32 <u>33</u>		I-1	0	--	--	--	2.5	20	--	--	0.75	--	--
<u>32</u> <u>33</u> <u>34</u>		I-2	0	--	--	--	2.5	25	20	15	0.75	--	100
<u>33</u> <u>34</u> <u>35</u>	*	Public Recreation	0	7,000	70	300	0.01	25	20	10		40%	35
<u>34</u> <u>35</u> <u>36</u>	*	Conservation	0	NA	NA	NA	0.001	100	100	100		NA	20
<u>35</u> <u>36</u> <u>37</u>	*	Preservation	0	NDA	NDA	NDA	NDA	NDA	NDA	NDA		NDA	NDA

Key: s.f. = square feet Min. = Minimum NA = Not applicable du = dwelling unit Max. = Maximum NDA = No development allowed ac = acres SF = Single Family unit MF = Multi Family unit

Note: A complete set of development regulations are located in Articles 3 & 7 for those uses noted.

Note: Those districts marked with an * may be used in the Green Swamp ACSC but with limits. For a complete set of regulations, see Article 3, Section 3.08.00.

Note: Max. Impervious Surface is the total area that may be covered by buildings, swimming pools and anything paved with asphalt, concrete & other similar surfaces.

Note: Max. Lot Coverage is the total area that may be covered by the principal building plus all accessory buildings.

Note: Min. Floor Area is the minimum size building required and is measured from the footprint of the principal dwelling unit, excluding any attached garage, and excluding, in general, any space not air-conditioned, such as a screened-in porch or carport.

Comment: New C-4 zoning district added to table as shown in underlined text, table renumbered as shown in ~~strikeout~~ & underlined text, and table reorganized for ease of understanding for rows that provide information for multiple uses.

2.04.02.01 Zoning Districts

The following zoning districts are hereby established within the City of Lake Alfred.

2.04.02.01 RR Rural Residential

- (A) *FLUM Designations:* Very Low Density Residential Classification (VLD) and Rural-Residential/Agricultural.

Comment: Added the existing Rural-Residential/Agricultural FLU category which also allows the RR zoning district.

- (B) *Purpose:* The purpose of this district to provide for the lowest residential densities and all agricultural uses. The district is restricted to single family dwelling uses with necessary and incidental accessory uses for agriculture and residential structures; and to allow for agricultural uses on property without a dwelling unit; and public uses compatible with residential uses. The VLD future land use classification allows a density of three units per acre and the Rural-Residential/Agricultural FLU classification allows a density of one (1) unit per ten (10) acres; however, the density in the RR zoning district shall not exceed one unit per ten acres where paved roads, municipal water and sanitary sewer service are not available to the site.

Comment: Added the future land use density for the Rural-Residential/Agricultural FLU category. Added the term "VLD" and the word "zoning" for clarification.

- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (1) Also permitted in this district are "limited agricultural uses" as defined by statute: "Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. (9J-5.003 F.A.C.)"
- (2) Also permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption

as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A).)

(3) Also permitted in this district are roadside stands. The following regulations apply to all roadside stands:

1. Roadside stands may sell only agricultural products grown on-site;
2. No parking or structures shall be located in any right-of-ways;
3. Structures must be temporary;
4. Structures must be well-maintained and in good repair;
5. The stand must not cause a public nuisance in any way;
6. Structures must be set back a minimum of 20 feet from the property line that fronts on the road; and, structures must be set back at least 100 feet from all other property lines.

(D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental to agricultural uses, including allowance for accessory structures on land used for agricultural purposes but without a residential unit. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

(1) Barns, stables, sheds and similar structures used to house livestock shall be a minimum of 50 feet from all property lines.

(2) Private boat ramps, docks, boat houses and fishing piers are permitted, subject to the provisions of Article 5.

(E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.

(F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) *Other Requirements:*

- (1) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.02 RE and RE-C Residential Estate District

(A) *FLUM Designation:* Very Low Density Residential Classification (VLD)

- (B) *Purpose:* The purpose of this district to provide for the lowest residential densities and limited agricultural uses. The district is restricted to single family dwelling uses with necessary and incidental accessory uses for agriculture and residential structures; and limited agricultural uses on property with a dwelling unit; and public uses compatible with residential uses.

(C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (1) Permitted in this district are "limited agricultural uses" as defined by statute: "Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. (9J-5.003 F.A.C.)"
- (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A).)

- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental to residential uses and agricultural uses. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
 - (1) Private boat ramps, docks, boat houses and fishing piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
 - (1) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.03 R-1AAA and R-1AAA-C Single Family

- (A) *FLUM Designation:* Very Low Density Residential Classification (VLD)
- (B) *Purpose:* The purpose of this district is to provide areas for very low density residential development, with necessary and incidental accessory uses, and public uses compatible with residential uses.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted,

but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (1) Permitted in this district are "limited agricultural uses" as defined by statute: "Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. (9J-5.003 F.A.C.)"
 - (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A).)
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) *Other Requirements:*

- (1) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.04 R-1AA-B Single Family Dwelling District

(A) *FLUM Designation:* Very Low Density Residential Classification (VLD)

- (B) *Purpose:* The purpose of this district is to provide areas for very low density residential development on 14,000 square foot lots or more, with necessary and incidental accessory uses, and public uses compatible with residential uses.

(C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (1) Permitted in this district are "limited agricultural uses" as defined by statute: "Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. (9J-5.003 F.A.C.)"
- (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A).)

(D) *Accessory Uses:* Accessory uses and structures customarily incidental and

subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

- (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.

- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.

- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

- (G) *Other Requirements:*
 - (1) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.05 R-1AA and R-1AA-C Single Family Dwelling District

- (A) *FLUM Designation:* Low Density Residential (LD) Classification

- (B) *Purpose:* The purpose of this district is to provide areas for low density residential development, with necessary and incidental accessory uses, and public uses compatible with residential uses.

- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (1) Permitted in this district are "limited agricultural uses" as defined by statute: "Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. [9J - 5.003 F.A.C.)"
- (2) Permitted in this district re newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A).)
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are

detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) *Other Requirements:*

- (1) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.06 R-1A and R-1A-C Single Family Dwelling

(A) *FLUM Designation:* Low Density Residential (LD) Classification

(B) *Purpose:* The purpose of this district is to provide areas for a higher density, less restrictive residential development, along with the necessary and incidental accessory uses, and uses characteristic and accepted with, but not detrimental to, the principal uses.

(C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (1) Permitted in this district are "limited agricultural uses" as defined by statute: "Land uses in residential areas that are characterized as agricultural in nature and are limited to orchards; vineyards; nurseries; ornamental horticulture areas; groves; noncommercial greenhouses. (9J-5.003 F.A.C.)"
- (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to,

horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A).)

- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent. This use requires the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (2) **Home Occupation:** An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor

may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.07 R-1B Single Family Dwelling District

- (A) *FLUM Designation:* Low Density Residential (LD) Classification
- (B) *Purpose:* The purpose of this district is to provide for a higher density, less restrictive residential development, along with the necessary and incidental accessory uses, and uses characteristic and accepted with, but not detrimental to, the principal uses.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
 - (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) *Other Requirements:*

- (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent. This use requires the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (2) **Home Occupation:** An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.08 R-1 and R-1-C Single Family Dwelling District

- (A) *FLUM Designation:* Low Density Residential (LD) Classification
- (B) *Purpose:* The purpose of this district is to provide for a higher density, less restrictive residential development areas, along with the necessary and incidental accessory uses, and uses characteristic and accepted with, but not detrimental to, the principal uses.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are

detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.

- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
 - (1) Bed and Breakfast: Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.
 - (2) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.
 - (3) Renting of up to three (3) rooms in a principal building, provided adequate parking is provided and no "for rent" signs are used.

2.04.02.09 R-2 and R-2-C Multiple Family Dwelling District

- (A) *FLUM Designation:* Medium Density Residential (MD) Classification
- (B) *Purpose:* The purpose of this district is to provide areas for single-family, duplex, and multiple-family development areas with a higher density standard and less restrictive regulations than single-family districts, along with the necessary and incidental accessory uses, and uses characteristic with, but not detrimental to, the principal use. In no case shall density in R-2 exceed twelve (12) dwelling units per net acre; provided however, that such limitation shall not be applicable in any other zoning district within the City solely by reference to this section of the

zoning ordinance.

- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
 - (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.
 - (2) **Home Occupation:** An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling.

Specific regulations are contained in Section 7.10.00 of this Code.

- (3) Renting of up to three (3) rooms in a principal building, provided adequate parking is provided and no "for rent" signs are used.

2.04.02.10 C-1 Limited Commercial District

- (A) *FLUM Designation:* Commercial Classification
- (B) *Purpose:* The purpose of the district is to provide for transitional commercial uses of land and buildings that will separate objectionable activities of industrial and commercial uses from amenities of single family residential uses of property; and to recognize that certain highway frontage property is not altogether useful for residential purposes, but should be developed for uses that will be more economic; and, at the same time, not permit detrimental heavy commercial uses to adversely affect adjacent residential areas.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7. Special Exception Uses include:
 - (1) Mobile home structures for temporary offices, not to exceed six (6) months in any eighteen (18) month period.
 - (2) Tents and temporary buildings, not to exceed six (6) months in any

eighteen (18) month period.

- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
 - (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.
 - (2) **Home Occupation:** An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.11 C-2 Retail Commercial District

- (A) *FLUM Designation:* Commercial Classification
- (B) *Purpose:* The purpose of this district is to provide areas for development of uses of land for all legal retail product sales, and services normally located in a central business area. It is intended to include all uses expressly permitted and those implied that are conducive to commercial center development, but to exclude the normal industrial warehousing, storage and such uses that do not blend with and add to the business activities of retailing of goods and services.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses.* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
 - (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.
 - (2) **Outdoor Displays and Outdoor Sales:** Outdoor displays and outdoor sales are permitted in C2 zoning district, on any sidewalk abutting a retail business or restaurant, when the following criteria have been met:
 - Criteria:
 - 1) A clear space of three (3) feet shall be reserved in front of displays for pedestrians and pedestrians in wheel chairs to pass safely.

2.04.02.12 C-3 General Commercial District

- (A) *FLUM Designation:* Commercial or Industrial Classification

- (B) *Purpose:* The purpose of this district is to provide areas for development of a variety of commercial uses, including retail commercial uses, highway business uses and other business establishments that are clean, quiet and free of hazardous or objectionable elements, such as noise, odor, dust, smoke or glare. Such establishments, except for those being used as described in paragraph (H)(1)(e) hereof, shall operate entirely within enclosed structures and generate little industrial-type traffic.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Caretakers' cottages are permitted as an accessory use in this district.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs

shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.

2.04.02.13 C-4 Neighborhood Convenience Center District

- (A) FLUM Designation: Neighborhood Convenience Center Classification.
- (B) Purpose: The purpose of this district is to provide areas for low impact, low intensity commercial, office, and institutional uses to serve the residents of the City and the Green Swamp Area of Critical State Concern.
- (C) Permitted Principal Uses & Structures: Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) Accessory Uses: Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) Special Exception Uses: Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) Development Standards: Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) Other Requirements:
 - (1) Area.

Neighborhood Convenience Centers shall not exceed 10 acres in size.

(2) Separation Requirements.

Neighborhood Convenience Centers shall not be located closer than one (1) mile from another Neighborhood Convenience Center or from a City Commercial Future Land Use designation.

(3) Location.

Neighborhood Convenience Centers shall be located at the intersections of arterials and/or collector roads.

(4) Utilities.

Neighborhood Convenience Centers shall be served by central water and wastewater services.

(5) Floor Area Ratio.

(a) The maximum Floor Area Ratio (FAR) shall be 0.25 for property located within the Green Swamp Area of Critical State Concern.

(b) The maximum Floor Area Ratio (FAR) shall be 0.35 for property located outside of the Green Swamp Area of Critical State Concern.

(c) The Neighborhood Convenience Center FAR may be increased for a Planned Unit Development (PUD).

(1) The FAR for property granted Special Approval as a PUD, located within the Green Swamp Area of Critical State Concern, shall not exceed 0.35.

(2) The FAR for property granted Special Approval as a PUD, located outside of the Green Swamp Area of Critical State Concern, shall not exceed 0.50.

Comment: This Section has been added to include the new Neighborhood Convenience Center Zoning District, consistent with the newly created Neighborhood

Convenience Center FLU classification. The format in which this Section is written is consistent with how all the other existing zoning districts are written in this Article.

2.04.02.14 [Reserved]

Comment: *This Section is reserved for a new zoning district, which will be compatible with the newly created Downtown Mixed Use FLU classification.*

Comment: *The following and remaining Sections have been renumbered as a result of adding and accommodating the new Neighborhood Convenience Center Mixed Use and reserved zoning districts.*

2.04.02.13 15 **M-1 Industrial District**

- (A) *FLUM Designation:* Industrial Classification
- (B) *Purpose:* The purpose of this district is to provide described existing sites that contain land uses that are primarily for production, manufacturing, wholesaling, storage enterprises. While this district remains effective for property currently zoned M-1, General Industrial District, the future application of this zoning district shall be prohibited.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7. Uses designated by the letter "C" are also permitted, but require the submission and approval of a Conditional Use application, which is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

- (1) Caretakers' cottages are permitted as an accessory use in this district.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) Sales/Minor Storage of Propane Gas: No more than 1,000 gallons shall be present on the development site at any time.
 - (2) Bulk Storage of Explosive Gases: Storage tanks shall be located at least 75 feet from all property lines.
 - (3) Storage of Sand/Gravel/Blocks:
 - a. Minimum lot size shall be one (1) acre.
 - b. Stored materials shall be completely screened from view by an opaque fence no less than eight feet (8') in height. Said fence may be constructed along property lines, but shall be set back no less than 25 feet from the right-of-way of any abutting public roads.
 - c. All lights shall be shielded to focus and direct light onto the uses established, and away from adjacent property, but may be of sufficient intensity to discourage vandalism and theft. Reference Section 3.06.00, Performance Standards, for applicable glare and lighting standards.

2.04.02.14 16

I-1 Light Industrial District

- (A) *FLUM Designation:* Industrial Classification
- (B) *Purpose:* This district is intended for light manufacturing, processing, storage and warehousing, wholesaling, and distribution not involving the use of any materials, processes or machinery likely with required buffering to cause undesirable impacts beyond the property line. Service and commercial activities relating to the character of the district are permitted. Regulations are intended to prevent or reduce friction between uses in this district and also to protect nearby residential districts.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Use in Section 2.04.01(A). Permitted uses are designated by the letter “P”. Uses designated by the letter “D” are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7. Uses designated by the letter “C” are also permitted, but require the submission and approval of a Conditional Use application, which governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses. Typical accessory uses commonly included but are not limited to the following:
- (1) Caretakers’ cottages are permitted as an accessory use in this district.
 - (2) Financial Institution (Drive Through Allowed)
 - (3) Convenience Store
 - (4) Gas Station
 - (5) Retail
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter “S”. Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special exception is governed by Article 7.

- (F) *Development Standards:* Development Standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) Sales/Minor Storage of Propane Gas: No more than 500 gallons shall be present on the development site at any time.
 - (2) Bulk Storage of Explosive Gases: Storage tanks shall be located at least 75 feet from all property lines.
 - (3) Storage of Sand/Gravel/Blocks:
 - a) Minimum lot size shall be one (1) acre.
 - b) Stored materials shall be completely screened from view by an opaque fence no less than eight feet (8') in height. Said fence may be constructed along property lines, but shall be set back no less than 25 feet from the right-of-way of any abutting public roads.
 - c) All lights shall be shielded to focus and direct light onto the uses established, and away from adjacent property, but may be of sufficient intensity to discourage vandalism and theft. Reference Section 3.06.00, Performance Standards, for applicable glare and lighting standards.
 - (4) All permitted manufacturing uses shall conform to the following additional standards:
 - a) Development site shall be large enough to accommodate all required parking, stormwater management as required by all appropriate permitting agencies and regulations, and other standards and facilities.
 - b) Night operations, including loading and unloading, are prohibited within 50 feet of the property line if any residential zoning district

or area which is shown for residential use on the Future Land Use Map of the comprehensive plan, unless conducted within a completely enclosed building which has no openings other than stationary windows or required fire exits within the 50 foot area. Night operations are those conducted between the hours of 9:00 p.m. and 6:00 a.m. This prohibition shall not apply to night watchmen or other security operations or in the event residential development subsequently develops adjacent to an existing use.

2.04.02.15 17 *I-2 Heavy Industrial District*

- (A) *FLUM Designation:* Industrial Classification
- (B) *Purpose:* This district is intended primarily for heavy manufacturing and closely related uses that may involve potential nuisances in terms of noise, odor, emissions of particulate matter, lighting, and other potential nuisance factors or undesirable effects upon nearby residential or business property. To avoid burdensome regulations on heavy manufacturing, requirements in this district are intended to provide protection principally against effects harmful to other districts.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter “P”. Uses designated by the letter “D” are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7. Uses designated by the letter “C” are also permitted, but require the submission and approval of a Conditional Use application, which is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses. Typical accessory uses commonly include but are not limited to the following:
 - 1) Caretakers’ cottages are permitted as an accessory use in this district.
 - 2) Financial Institution (Drive Through Allowed)
 - 3) Convenience Store
 - 4) Gas Station

5) Retail

- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter “S”. Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable) and Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- 1) Sales/Minor Storage of Propane Gas: No more than 500 gallons shall be present on the development site without adhering to the American Society of Mechanical Engineers (ASME) standards and specifications and receipt of a Special Exception Permit.
 - 2) Bulk Storage of Explosive Gases: Storage tanks shall be located at least 75 feet from all property lines.
 - 3) Storage of Sand/Gravel/Blocks:
 - a) Minimum lot size shall be one (1) acre.
 - b) Stored materials shall be completely screened from view by an opaque fence no less than eight feet (8’) in height. Said fence may be constructed along property lines, but shall be set back no less than 25 feet from the right-of-way of any abutting public roads.
 - c) All lights shall be shielded to focus and direct light onto the uses established, and away from adjacent property, but may be of sufficient intensity to discourage vandalism and theft. Reference Section 3.06.00, Performance Standards, for applicable glare and lighting standards.

- 4) All permitted manufacturing uses shall conform to the following additional standards:
 - a) Development site shall be large enough to accommodate all required parking, stormwater management as required by all appropriate permitting agencies and regulations, and other standards and facilities.
 - b) Night operations, including loading and unloading, are prohibited within 100 feet of the property line if any residential zoning district or area which is shown for residential use on the Future Land Use Map of the comprehensive plan, unless conducted within a completely enclosed building which has no openings other than stationary windows or required fire exits within the 100 foot area. Night operations are conducted between the hours of 9:00 p.m. and 6:00 a.m. This prohibition shall not apply to night watchmen or other security operations or in the event residential development subsequently develops adjacent to an existing use.

2.04.02.16 18 P-B Public Buildings and Grounds

- (A) *FLUM Designation:* Public Buildings and Grounds Classification
- (B) *Purpose:* To establish locations for properties and/or facilities owned by government and used for purposes related to the public health, safety and welfare.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
 - (1) Permitted are caretakers' residences, dining facilities, and playing fields and other recreational facilities located on school grounds. Minimum

building spacing shall be 15 feet.

- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:* None.

2.04.02.17 19 P-R Public Recreation

- (A) *FLUM Designation:* Recreation & Open Space Classification
- (B) *Purpose:* To establish locations for publicly-owned recreation facilities and properties reserved for open space.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
 - (1) Permitted are bathhouses, caretakers' residences, pavilions, and boat

docks. Minimum building spacing shall be 15 feet.

- (E) *Special Exception Uses:* None.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:* None.

2.04.02.18 20 CN Conservation

- (A) *FLUM Designation:* Conservation Classification
- (B) *Purpose:* The purpose of the Conservation district is to protect natural resources so that wetlands, floodplains, lake water quality and groundwater quality are not degraded. The conservation district includes land within wetlands and the 100-year floodplain; however, wetlands and floodplains may also be classified as Preservation. Residential, commercial and industrial land uses are not permissible on land classified as Conservation. Limited disturbance of the land is permissible to construct and provide recreation areas, such as boat docks, trails, parks, public beaches and access to recreation areas; and to allow for the construction of public utilities such as lift stations and wells.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Customary uses that are secondary and incidental to principal uses, including restrooms, caretakers' residences, pavilions, boardwalks, and pedestrian/bicycle paths. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

(E) *Other Requirements: None.*

2.04.02.19 21 PRES Preservation

(A) *FLUM Designation: Preservation Classification*

(B) *Purpose:* The purpose of the Preservation district is to protect and preserve natural resources in their native or natural state. Preservation land uses principally include floodplains and wetlands with associated lakes and swamps, and low land habitat with native plant communities, both wetland and upland. No development is allowed on lands designated Preservation. Public access may be allowed but is severely restricted. When access is granted, only minimum site disturbance to establish access by natural trail-ways shall be allowed.

(C) *Permitted Principal Uses & Structures:* Access is permitted to Preservation areas; however, no structures are allowed.

(D) *Accessory Uses:* None allowed.

(E) *Special Exception Uses:* Under special circumstances, access may be granted to Preservation areas by construction of unpaved roadways and boat ramps. Special circumstances may include roadways that remain dry year round, or roadways and boat ramps that can be stabilized against periodic flooding.

(F) *Other Requirements: None.*

2.04.02.20 22 UNIV University

(A) *FLUM Designation: Public Buildings and Grounds*

(B) *Purpose:* To provide a district that encompasses the variety of uses associated with universities and colleges.

(C) *Permitted Principal Uses & Structures:* Permitted uses include activities conducted by a public or private university or college in order to conduct classes, undertake research, and house students and faculty. Uses may include research facilities, recreation facilities, commercial facilities to serve the students, such as, book stores, cafés, and the like; dormitory facilities; industrial uses as part of research or classroom facilities; agricultural uses as part of research or classroom facilities; publicly-owned and privately-owned properties that are open to

recreational use by the general public, such as: public parks; public and private golf courses; tennis and racquetball centers and facilities; playgrounds; softball, baseball, football, soccer fields and stadiums and associated concessions, parking and facilities; walking paths and trails; water sports facilities; jogging and bike trails with exclusive right-of-way; and other similar facilities and uses. The map symbol shall be “UNIV” and shall be so designated on the Official Zoning Map. The Floor Area Ratio shall not exceed 2.0 and the residential density shall not exceed 12 units per acre.

(D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures. Customary uses that are secondary and incidental to principal uses, including restrooms, caretakers' residences, pavilions, boardwalks, and pedestrian/bicycle paths. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

(E) *Other Requirements:* None.

[RESERVED]

2.04.02.23 PUD Planned Unit Development District

(A) *FLUM Designations: Residential, Commercial, Neighborhood Convenience Center, Specialty Center, and Industrial Classifications.*

Comments: *The PUD Planned Development has been expanded and detailed to include PUDs as follows:*

- *Planned Unit Development – Residential (PUD-R)*
- *Planned Unit Development – Office (PUD-O)*
- *Planned Unit Development – Commercial (PUD-C)*
- *Planned Unit Development – Industrial (PUD-I)*
- *Planned Unit Development – Mixed Use (PUD-MU)*

In addition, sections from Article 7 – Development Approval Process, have been relocated to Section 2.04.02.24.

(1) *Relationship of PUD Regulations to the Comprehensive Plan, Land Development Code, or Other Regulations.*

The development of land uses within a PUD shall be consistent with the pattern of land use designations established on the Future Land Use Map of the Comprehensive Plan. Residential densities in a PUD shall not exceed the permitted densities established in the Comprehensive Plan. Where there are conflicts between these special PUD provisions and other regulations in this Code, these special regulations shall apply. Where no standard is designated in this Section for a particular element of a PUD, appropriate regulations set forth in other sections of this Code shall apply. In a unique situation where no standard is specified, the City Commission shall determine the appropriate standard.

Comment: *This information (above) has been relocated to Article 2 from Section 7.04.02 and language added for clarification.*

(B) *Purpose: Planned Unit Development (PUD) districts are intended to be established for: specialized purposes, where a proposed project warrants greater flexibility than a standard district provides; when the Comprehensive Plan requires a Planned Unit Development review process; or when the ability to attach conditions to a site plan is warranted.*

Planned Unit Development (PUD) may be used as a vehicle to permit developments when the innovative use of buffering and modern design techniques mitigate the external impacts of development and create a helpful physical environment. Through the utilization of a Planned Unit Development District, the Commission may allow mixed dwelling types and/or housing densities; provide for the safe, efficient, convenient, harmonious groupings of structures, uses, facilities, and support uses; provide for appropriate relationships of space, inside and outside buildings, for intended uses; provide for preservation of desirable natural features; and minimum disturbance of natural topography.

Within Planned Unit Development districts, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are intended to control unscheduled development on individual lots; to promote economical and efficient land use; improve levels of amenities for harmonious, creative design, and a better environment.

In view of the substantial public advantage of Planned Unit Development, it is the intent of these regulations to promote and encourage development in this form, where appropriate, in location and character.

(C) The Planned Unit Development (PUD) district is established to provide for well-planned and/or orderly mixed-use development ~~on a large scale~~ in any area of the City. Further, PUDs ~~are intended to~~ may:

- (1) Promote flexibility in development design;
- (2) Promote the efficient use of land;
- (3) Preserve, as much as possible, existing landscape features and amenities;
- (4) Provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided;
- (5) Combine and coordinate architectural styles, building forms and building relationships within the planned development;
- (6) Lessen the burden of traffic conflict on streets and highways;
- (7) Provide for a balanced land use mixture.

Comment: The information in (B) has been relocated to Article 2 from Section 7.04.01 and language reworded for clarification that the PUD district is not only to be used for mixed-use development. The minimum acreage requirement has been removed from the PUD requirements, so the language relating to large scale development in this section has been removed.

(D) Permitted Principal Uses & Structures: All development within a PUD district shall comply strictly with its approved Master Development Plan, the Land Development Code and the Comprehensive Plan. Platting of property for residential or non-residential uses shall be carried out according to the requirements of Section 7.06.00. Development on individual sites, other than single family development, shall be reviewed and approved according to the requirements of Section 7.05.00, Site Development Plans. Development may occur in stages consistent with Section 7.04.05.

Comment: Letter (C) has been relocated to Article 2 from Section 7.04.07. The last sentence is new to direct readers to additional requirements contained in Section 7.04.05 regarding development stages.

(E) Planned Unit Development Districts: Five Planned Unit Development Districts are provided within the City and include:

- Planned Unit Development – Residential (PUD-R)
- Planned Unit Development – Office (PUD-O)
- Planned Unit Development – Commercial (PUD-C)
- Planned Unit Development – Industrial (PUD-I)
- Planned Unit Development – Mixed Use (PUD-MU)

Comment: The uses listed as permitted uses in PUDs has been removed. Five different types of PUDs are proposed. The uses listed above are not intended to be allowed in all of the PUD zoning districts.

(F) Density.

The total number of permitted dwelling units within a PUD shall be based on the gross acreage of the overall development site, including all open space, recreation areas, drainage facilities, road rights-of-way, and areas proposed for commercial use. These units may be clustered or otherwise arranged according to sound planning principles throughout the PUD site, providing a mixture of housing

types, densities, and price ranges in a creative development design that is appealing to residents and beneficial to the City as a whole.

Where a PUD site lies within two or more land use designations, as shown on the Future Land Use Map (such as Low Density Residential and Medium Density Residential), separate dwelling unit calculations shall be made, using the appropriate permitted density value for each. Where a PUD site lies partially within the Commercial land use designation, densities within these areas shall not exceed 12 units per acre.

Dwelling units permitted under each category shall be located on portions of the site lying within the respective land use designation. This requirement may be waived by the City Commission upon recommendation of the Planning Board. In this situation, both bodies shall find that the distribution of residential units without regard to land use designation boundaries is in harmony with the intent of the Comprehensive Plan, will not create adverse impacts on surrounding properties, and is justified in order to fulfill a beneficial development concept. In no case, however, shall the total number of units exceed the number allowable under the provisions of the Comprehensive Plan.

Comment: Letter (F) has been relocated to this Article from Section 7.04.08 (C).

~~(G) — Perimeter Setback.~~

~~No structure shall be located less than 35 feet from the perimeter of the PUD development site.~~

Comment: Letter (G) has been relocated to Article 2 from Section 7.04.08 (J). Comment: The perimeter setback requirement is removed because it is not applicable for all PUD use situations. The numbering of all sections following this one will be renumbered to reflect the deletion of Section (G).

(G) Common Properties.

a. *Designated Open Space.*

The developer shall establish a property owner's association or similar legal entity for the perpetual ownership and maintenance of open space, drainage facilities and other community facilities designated on the Master Development Plan and subdivision or site development plans for individual tracts. Designated open space

shall be defined as the total area within the PUD that has been set aside for recreational use, stormwater management, or for preservation in its natural condition, for the benefit of the residents of the development. Open space shall be shown on the Master Development Plan.

Comment: *The first sentence in (H)a. above has been relocated to this Article from Section 7.04.08 (E). This first sentence is also the first sentence of the new Section 7.04.06*

1. The minimum open space required in a PUD shall be 30 percent of the gross site area, and may include, but shall not be limited to, the following:
 - (a) Common Recreation Areas, as defined below in ~~subparagraph (2) below~~ Section b., Common Recreation Area.

Comment: *This has been revised to accurately reflect the new numbering of the reference.*

- (b) Areas equivalent to no more than 50 percent of the total acreage of wetlands, lakes, drainage retention/detention areas, and other permanent or semi-permanent water bodies.
 - (c) Scrub or other natural areas to be set aside for the preservation of endangered plant or animal species.
 - (d) Golf courses.
 - (e) Stormwater retention/detention areas, but not ditches and swales.
 2. Designated open space shall not include the following:
 - (a) Lands designated for residential or commercial use (regardless of density or intensity of these uses).
 - (b) Parking areas, except those that are accessory to recreational uses.

- (c) Utility easements and road rights-of-way.
- (d) Perimeter setback areas, unless developed with bicycle or pedestrian trails.
- (e) Sewer and/or water treatment plant sites.
- (f) Land that has been or is to be conveyed to a public agency for public use via a purchase agreement or dedication for schools, parks, community buildings, or other public facilities (excluding drainage facilities).

Comment: *This information has been relocated to this Article from Section 7.04.08 (E) and Section 7.04.08 (A) (1).*

b. Common Recreation Area.

Common recreation area shall be designated as such on the Master Development Plan, shall be distributed throughout the PUD, and shall be integrated into its overall design. Common Recreation Area shall constitute not less than one-half of the total area qualifying as designated open space as defined above in ~~(H)~~ Section a., Designated Open Space ~~above~~.

Comment: *This has been revised to accurately reflect the new numbering of the reference.*

Recreation areas shall be usable and accessible, and shall be improved with facilities to allow a specific use or range of uses. Types of recreation facilities and the acreage assigned to each shall be shown in tabular form on the Plan.

1. Common Recreation Area may include the following uses and associated facilities:
 - (a) Swimming pools, tennis courts and playing fields.
 - (b) Playgrounds.
 - (c) Picnic areas and pavilions (up to 20 percent of total required Common Recreation Area acreage).

- (d) Golf courses (up to 50 percent of total required Common Recreation Area acreage).
 - (e) Rights-of-way for nature trails, jogging/bicycle paths, or other pedestrian facilities, up to 15 feet in width (excluding sidewalks in residential or commercial areas).
2. The following shall not be included in Common Recreation Areas:
- (a) Streets, road right-of-way, and parking areas.
 - (b) All easements.
 - (c) Water bodies and wetlands, except within designated right-of-way for nature trails.
 - (d) Ditches, swales, retention areas and other stormwater management facilities.
 - (e) Areas of less than 50 feet in width and 5,000 square feet in size, unless incorporated into a pedestrian or bicycle circulation system.

Comment: This information has been relocated to this Article from Section 7.04.08 (A) (2).

(H) Public Easements.

The City of Lake Alfred shall be granted easements allowing access to and use of tracts designated for open space, recreation, drainage facilities, sewer and water facilities and private roads, should public maintenance and/or repair become necessary.

Comment: This information has been relocated to this Article from Section 7.04.08 (K).

(I) Access.

All residential and commercial properties shall have direct frontage on a public right-of-way or private right-of-way dedicated to common use by all residents of the development.

Comment: *This information has been relocated to this Article from Section 7.04.08 (L).*

(J) Landscaping.

- a. Landscaping requirements shall be as set forth in Section 3.07.00.
- b. Along public or private rights-of-way, including those bordering the perimeter of the PUD, one canopy tree shall be planted for every 50 feet of right of way. Such trees shall be no less than 10 feet in height at the time of planting, and shall be placed within 5 feet of the right-of-way. Along internal roads, the trees shall be planted alternately on either side of the street.
- c. The City Commission shall be permitted to impose any additional landscaping requirements that it determines are necessary, either within the PUD or along its perimeter, to prevent or minimize adverse impacts between potentially incompatible land uses.

Comment: *This information has been relocated to this Article from Section 7.04.08 (M).*

(K) *Other Requirements:*

(1) Unified Control.

All land included for the purpose of development within a Planned Unit Development shall be owned or under the control of the applicant, whether that applicant is an individual, partnership or corporation, or a group of individuals, partnerships or corporations.

Comment: *This information has been relocated to this Article from Section 7.04.03 (B).*

(2) Subdivision of Property.

Property in a Planned Unit Development shall be platted in accordance with Section 7.06.00 prior to the issuance of building permits. In the case of lands that have been platted prior to the adoption of this Code, the landowner shall be required to vacate the previous plat or pre-platted lands before any rezoning and Master Development Plan approval will be considered. In addition, all payments, easements, and dedications required by this Code and other City ordinances will be applicable to any development within a Planned Unit Development, whether vacating an existing plat or replatting, or unplatted lands, so that all new development within the City will bear its fair share of provision of public services.

Comment: *This information has been relocated to this Article from Section 7.04.03 (C).*

(3) Private Roads.

Internal roads serving the PUD may remain in the private ownership of the developer or may be conveyed to a property owner's association or similar entity created under the provisions of Article 7, "Ownership and Maintenance of Common Property". However, such roads must be designed and constructed to meet all standards applicable to a public road serving the same function, including right-of-way widths. No private road that constitutes the primary access to residential or commercial properties within a PUD shall be built on an easement.

Comment: *This information has been relocated to this Article from Section 7.04.08 (F). It is also contained in the newly created Section 7.04.07.*

~~(4) Model Homes.~~

~~All model dwelling units shall be subject to the following restrictions:~~

~~a. Model dwelling units shall not be used for a period of longer than one year; however, the City Commission may grant an extension for a period not to exceed one year.~~

~~b. The number of model dwelling units shall not exceed eight (8) in number, and shall not be connected to water and~~

~~sewer facilities until a plat of record has been provided for the subdivision area in which the models are located.~~

~~e. At least two off-street parking spaces per model unit shall be provided on the same lot as the model dwelling unit or on contiguous lots, and shall be maintained as long as the model dwelling unit is used as such.~~

Comment: *Model homes are applicable to more than PUD zoning districts. This text is proposed to be deleted from Section 7.04.08(G).*

(L) Requirements for PUD Approval of a Within the Neighborhood Convenience Center Future Land Use designation..

Planned Unit Development approvals for land designated with the Neighborhood Convenience Center Future Land Use shall require:

- (1) The site to be reviewed for environmental suitability and evidence to show that environmental impacts have been avoided.
- (2) Central potable water and wastewater are provided to the site.
- (3) There is adequate roadway capacity to sustain the development.
- (4) Capital improvements required to support the development are committed within the Five Year Schedule of Capital Improvements.
- (5) A maximum of ten (10) acres in size and shall not be located closer than 1 mile from other property with the Neighborhood Convenience Center or Cty Commercial Future Land Use designation.
- (6) (Must be located at the intersections of arterials and/or major collector roads and must be served by central water and wastewater services.
- (7) A maximum Floor Area Ratio of 0.50 for property located outside the Green Swamp and 0.35 for property located inside the Green Swamp.

Comment: *(L) above is new information taken directly from FLUE Policy 1.1.10. Language added for clarification and numbers 5 through 7 are added consistent with the Future Land Use Element.*

(M) Requirements for PUD Approval within the Specialty Center Future Land Use.

Planned Unit Development approvals for land designated with the Specialty Center Future Land Use shall provide for:

- (1) Residential Uses not exceeding 3 dwelling units per acre unless developed through the Conservation Development Program.
- (2) Must be located at the intersections of arterials and/or major collector roads and must be served by central water and wastewater services.
- (3) A minimum of 30 percent open space shall be provided.
- (4) A maximum Floor Area Ratio of 1.00 for property located outside the Green Swamp and 0.75 for property located inside the Green Swamp.

Comment: Requirements for PUD approval for the Specialty Center Future Land use added to reflect requirements of the Future Land Use Element.

(N) Requirements for PUD Approval within the Green Swamp ACSC.

Planned Unit Developments shall be allowed in the Green Swamp ACSC consistent with Section 3.08.00 of the LDRs. Prior to applying for a Planned Unit Development designation, owners must file for an amendment to the Future Land Use Map of the City and undergo review by both the City and the DEO, and be found in compliance by the DEO. The following requirements must be met, as applicable:

- (1) If the property is designated as Specialty Center Future Land Use, the Floor Area Ratio (FAR) shall not exceed 0.75.
- (2) If the property is designated as Neighborhood Convenience Center Future Land Use, the Floor Area Ratio (FAR) shall not exceed 0.35 and is limited to a maximum of 10 acres.

Comment: Requirements for PUD approval in the Green Swamp are expanded consistent to the requirements of the Future Land Use Element.

2.04.02.23.01 Planned Unit Development District – Residential (PUD-R)

- (A) Purpose: It is the intent of these regulations to provide for development of residential areas in areas adequately served or in areas which can be served by necessary utilities and services, in locations that are compatible with adjacent and surrounding land uses in accord with the goals, objectives, and policies of the Comprehensive Plan and in compliance with the standards set forth herein. It is further the intent to permit the establishment of such districts only where planned development with carefully located buildings, parking, and service areas, and landscaped open space will provide for internal convenience and ease of use as well as external compatibility. It is further intended that PUD-R districts may provide a broad range of housing types appropriate to the general need of the area served.
- (B) Permitted Uses: Uses in PUD-R districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria, and other applicable Comprehensive Plan criteria. Uses and structures which are customarily and clearly incidental to permitted principal uses and structures shall be also permitted.
- (C) Density: PUD-R districts shall be consistent with the Comprehensive Plan density requirements.

2.04.02.23.02 Planned Unit Development District – Office (PUD-O)

- (A) Purpose: It is the intent of these regulations to provide for development of offices at appropriate locations, in conformance with the goals, objectives, and policies of the Comprehensive Plan and in compliance with standards set forth herein. It is further the intent to permit the establishment of such districts only where planned development with carefully located buildings, parking, and service areas, and landscaped open space will provide for internal convenience and ease of use which is compatible with adjacent and surrounding land uses. It is further intended that PUD-O districts shall provide a broad range of office facilities and services appropriate to the general need of the area served. Uses in PUD-O districts shall be consistent with the Comprehensive Plan requirements regarding permissible uses, intensity, locational criteria, and other applicable standards.
- (B) Location: PUD-O districts shall be located to facilitate ease and convenience of use; and where negative impacts on the surrounding transportation systems, public services, and surrounding land uses will be minimized; where the use is compatible with surrounding land uses; where the development will not encourage the expansion

of office or commercial strip development along adjacent streets; and where the intensity of the project is consistent with the use that is provides.

- (C) Permitted Uses: Uses in PUD-O districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria, and other applicable Comprehensive Plan criteria. Uses and structures which are customarily and clearly incidental to permitted principal uses and structures shall be also permitted.
- (D) Intensity: PUD-O districts shall be consistent with the Comprehensive Plan intensity requirements.

2.04.02.23.03 Planned Unit Development District – Commercial (PUD-C)

(A) Purpose: It is the intent of these regulations to provide for development of commercial centers in scale with surrounding market areas, at appropriate locations, in conformance with the goals, objectives, policies and locational criteria of the Comprehensive Plan and in compliance with standards set forth herein. It is further the intent to permit the establishment of such districts only where planned development with carefully located buildings, parking and service areas, and landscaped open space will provide for internal convenience and ease of use which is compatible with adjacent and surrounding land uses. It is further intended that PUD-C districts shall provide a broad range of commercial facilities and services appropriate to the general need of the area served.

PUD-C districts shall be consistent with Comprehensive Plan requirements regarding permissible uses, maximum floor area ratio, maximum project size, intensity, locational requirements and other applicable standards.

(B) Location: PUD-C districts shall be located where they will facilitate ease and convenience of use; where negative impacts on the surrounding transportation systems, public services, and surrounding land uses; where the use is compatible with surrounding land uses will be minimized; where the development will not encourage the expansion of office or commercial strip development along adjacent streets; and where the intensity of the project is consistent with the use that it provides.

(C) Permitted Uses: Uses in PUD-C districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria, and other applicable Comprehensive Plan criteria. Uses and structures which are customarily and clearly incidental to permitted principal uses and structures shall be also permitted.

- (D) Intensity: PUD-C districts shall be permitted at a range of floor area ratios consistent with the Comprehensive Plan intensity requirements. In evaluating proposals, the criteria contained in Articles 2 and 7 shall provide a basis for intensity determinations (floor area ratio, height, square footage, and setbacks).

2.04.02.23.04 Planned Unit Development District – Industrial (PUD-I)

- (A) Purpose: It is intended that PUD-I districts shall encourage concentration of complimentary uses grouped adjacent to major streets or streets serving industrial areas, providing well planned development on sites with adequate frontage and depth to permit controlled access to streets and reduce marginal traffic friction; serve as an alternative to further extensions of industrial zoning allowing disorderly strip development; protect stability and property values in surrounding neighborhoods; and to establish complimentary groupings of related manufacturing, processing, assembly, research activities, distribution activities, offices and associated uses.

Uses must be consistent with the Comprehensive Plan permitted uses, locational criteria, project size, intensity and other criteria.

- (B) Location: PUD-I districts shall be located where they will facilitate ease and convenience of use; where negative impacts on the surrounding transportation systems, public services, and surrounding land uses will be minimized; where the use is compatible with surrounding land uses; and where the intensity of the project is consistent with the use that it provides.
- (C) Permitted Uses: Uses in PUD-I districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria, and other applicable Comprehensive Plan criteria. Uses and structures which are customarily and clearly incidental to permitted principal uses and structures shall be also permitted.
- (D) Intensity: PUD-I districts shall be permitted at a range of floor area ratios consistent with the Comprehensive Plan intensity requirements. In evaluating proposals, the criteria contained in Articles 2 and 7 shall provide a basis for intensity determinations (floor area ratio, height, square footage, and setbacks).

2.04.02.23.05 Planned Unit Development District – Mixed Use (PUD-MU)

- (A) Intent: The Planned Unit Development Mixed Use district (PUD-MU) is enacted to provide for and encourage a compatible mix of uses, rather than a separation of uses, in accordance with the Lake Alfred Comprehensive Plan. Planned Unit Development Mixed Use districts are defined for purposes of these regulations as planned development districts for the establishment of complimentary groupings of residential, commercial, office, industrial, or other uses.

It is the intent of these regulations to provide for development of such districts at appropriate locations, in accord with the goals, objectives, policies, and locational criteria of the Comprehensive Plan, and in accord with the requirements herein. It is further intended that PUD-MU development shall be in complexes with carefully located buildings, parking and service areas, open space and use mixtures which are scaled and balanced to reduce general traffic congestion, by providing interdependent uses and uses which are compatible with adjacent and surrounding land uses.

Uses must be consistent with the Comprehensive Plan permitted uses, locational criteria, project size, intensity and other criteria.

- (B) Location: PUD-MU districts shall be located where they will facilitate ease and convenience of use; where negative impacts on the surrounding transportation systems, public services, and surrounding land uses will be minimized; where the use is compatible with surrounding land uses; and where the intensity of the project is consistent with the use that it provides.
- (C) Permitted Uses: All uses must be consistent with the Comprehensive Plan permitted uses, project size, intensity, density, locational criteria, and other factors. In the determination of what a primary use in a PUD-MU district is, percentage of land area, percentage of building square footage, and percentage of impacts such as traffic shall be considered. Exceeding fifty-one (51) percent shall be considered to be a primary use.

PUD-MU districts shall not be used when other single use PUD districts can accommodate the proposed uses. However, if a proposed development cannot be applied to other single use PUD Districts, then a PUD-MU may be used if a Master Development Plan, which meets the criteria of Articles 2 and 7, is also approved.

PUD-MU districts shall:

- a. Provide appropriate areas for and facilitate quality mixed use development in activity centers that are consistent with the Comprehensive Plan's land use and transportation goals, objectives, policies and strategies;
 - b. Accommodate intensities and patterns of development that can support multiple modes of transportation, including public transit and walking;
 - c. Group and link places used for living, working, shopping, schooling, and recreating, thereby reducing vehicle trips and relieving traffic congestion in the City;
 - d. Provide a variety of residential housing types and densities to assure activity in the district to support a mix of uses and enhance the housing choices of City residents; and
 - e. Integrate new mixed use development with its surroundings by encouraging connections for pedestrians and vehicles and by assuring sensitive, compatible use, scale, and operational transitions to neighboring uses.
- D. Intensity: Application of appropriate review criteria shall be based upon the specific facts of the proposal. The ranges of intensity controls shall generally be approved according to the guidelines set forth in the other single use PUD districts corresponding to the uses in the PUD-MU district. In no event shall uses permitted in a PUD-MU district exceed the maximum intensity controls established in the Future Land Use categories.

[RESERVED]

**LAKE ALFRED
UNIFIED LAND DEVELOPMENT CODE**

ARTICLE 3

**DEVELOPMENT DESIGN AND IMPROVEMENT
STANDARDS**

Draft Amendments

LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE

ARTICLE 3

DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

- Please note that only the sections of Article 3 that are to be amended are provided. Not all sections of Article 3 are proposed to be amended and therefore are not included in this Draft Amendment Package.
- Language that is proposed to be changed is shown in ~~strikeout~~/underline text as demonstrated below.
 - Text that is underlined is text to be added. Text that is in ~~strikeout~~ is text to be removed.

A Comment is included after each proposed amendment or at the beginning of amendment sections for reference.

3.01.00 General Provisions

3.01.01 Purpose

3.01.02 Responsibility for Improvements

3.01.03 Principles of Development Design

3.02.00 Transportation Systems

3.02.01 General Provisions

3.02.02 Base Building Lines

3.02.03 Street Design Standards

3.02.04 Sidewalks and Bikeways

3.02.05 Access To Streets

3.02.06 Standards for Drive-in Facilities

3.03.00 Off-Street Parking And Loading

3.03.01 Applicability

3.03.01.01 Plans Submitted to City

3.03.01.02 Computation

3.03.02 Off-Street Parking

3.03.03 Off-Street Loading Requirements

3.03.04 Design Standards for Off-Street Parking and Loading Areas

3.04.00 Utilities

3.04.01 Requirements for All Developments

3.04.02 Design Standards

3.04.03 Utility Easements

3.05.00 Stormwater Management

3.05.01 Stormwater Management Requirements

3.05.02 Design Standards

3.05.03 Dedication or Maintenance of Stormwater Management Systems

3.06.00 Performance Standards Governing Waste and Emissions

3.06.01 General Provisions

3.06.02 Specific Standards

3.06.02.01 Vibration

3.06.02.02 Smoke

3.06.02.03 Noise

3.06.02.04 Dust and Dirt

3.06.02.05 Industrial Sewage and Waste

3.06.02.06 Hazardous Wastes

3.06.02.07 Odors

3.06.02.08 Glare

3.06.02.09 Fumes, Vapors and Gases

- 3.06.02.10 *Heat, Cold, Dampness, or Movement of Air*
- 3.06.02.11 *Fire and Safety Hazard*
- 3.06.02.12 *Radioactive Emission*
- 3.06.02.13 *Electromagnetic Radiation*

3.07.00 *Compatibility, Landscaping and Buffering Standards*

3.07.01 *Classification of Land Uses*

3.07.02 *Landscaping*

3.07.02.01 *Selection of New Trees and Shrubs*

3.07.02.02 *Preservation of Existing Trees and Shrubs*

3.07.03 *Canopy Trees*

3.07.04 *Buffer Yards*

3.07.04.01 *Establishment of Buffer Yards*

3.07.04.02 *Buffer Yard Width and Landscaping
Requirements*

3.07.04.03 *Buffer Yards Between Proposed Uses and
Vacant Property*

3.07.05 *Installation, Irrigation and Maintenance*

3.07.06 *Exemptions*

3.07.07 *Xeriscaping*

3.07.08 *Upland Buffers Required in Green Swamp*

3.08.00 *Development Standards for the Lake Alfred Green Swamp ACSC*

3.08.01 *Green Swamp Critical Area Resource Management
Plan-Selected Area Plan*

3.08.02 *Permitted Principal Uses and Structures*

3.08.02.01 *Single Family Detached*

3.08.02.02 *Single Family Detached Cluster*

3.08.02.03 *Single Family Attached Cluster*

3.08.03 *Development Standards*

3.08.03.01 Upland Buffer

3.08.04 Nonresidential Land Uses

3.08.04.01 Commercial

3.08.04.02 Planned Unit Developments

3.08.04.023 Golf Course

3.08.05 Archeological Resource Protection

3.08.06 Wildlife Management Plan Required

3.08.07 Survey for Florida Burrowing Owl Required

3.08.08 Lake Grassy Floodplain Study Required

3.09.00 Development Standards for Uses Requiring a Site Development Plan

3.09.01 Shopping Center (150,000 SFGLA, or less)

3.09.02 Recreational Vehicle Parks and Campgrounds

3.09.02.01 General Requirements

3.09.02.02 Environmental Requirements

3.09.02.03 Tract Requirements

3.09.02.04 Vehicle Site Requirements

3.09.02.05 Recreational and Open Space Requirements

3.09.02.06 Street System and Off-Street Parking Requirements

3.09.02.07 Service Requirements

3.09.02.08 Refuse Handling

3.09.02.09 Service Buildings and Facilities

3.09.02.10 General Operating Requirements

3.09.02.11 Permit Procedures and Requirements

3.09.03 Recreational Vehicle (RV) Parks

3.09.01 Development Standards

3.09.02 Allowable Accessory Uses

3.09.03 Other Requirements

3.09.04 Mobile Home Parks

- 3.09.04.01 *Development Standards*
- 3.09.04.02 *Allowable Accessory Uses*
- 3.09.04.03 *Other Requirements*

3.09.05 *Cluster Development: Garden Homes, Town or Row Houses, Zero Lot Line Homes and Z-Lot Development*

3.09.06 *Communications Towers and Antennas*

3.09.07 *Development Standards for Mini-Warehouses*

3.09.08 *Development Standards for a Flea Market*

3.09.09 *Outdoor Amusement Enterprises*

3.09.10 *Indoor Amusement Enterprises*

3.09.11 *Church*

3.09.12 *Public School/College/University/Vocational-Technical School*

3.09.13 *Service Station/Truck Stop*

3.09.14 *Recycled Materials Processing Facility*

3.10.00 *Development Standards for Conditional Uses*

3.10.01 *Shopping Center (>150,000 SFGLA)*

3.10.02 *Development Standards for Junkyards and Storage Areas*

3.10.03 *Sewage Disposal Facility*

3.10.04 *Airports and Airport Uses*

[RESERVED]

3.08.00 Development Standards for the Lake Alfred Green Swamp ACSC

The Green Swamp Area of Critical State Concern (ACSC) lies directly north of the City of Lake Alfred. In accordance with the Agreement between the Florida Department of Community Affairs (DCA) and the City of Lake Alfred executed on September 13, 1996, and the Special Area Plan for the Green Swamp ACSC, limited portions of the larger ACSC may be annexed and developed at a density higher than that permitted in Polk County. ~~Uses allowed in the Green Swamp ACSC are those uses for the R-1 AAA and RR Rural Residential zoning district only, as delineated in the Table of Land Uses found in Article 2, Section 2.04.00, Table 2.04.01(A), of this Code.~~

Comment: Language deleted because it is inconsistent with Future Land Use Element Policy 2.3, which permits both residential and commercial development and with Section 3.08.02 and 3.08.04 of the LDRs.

3.08.01 Green Swamp Critical Area Resource Management Plan – Selected Area Plan

- (A) A Critical Area Resource Management Plan - Selected Area Plan and associated maps are on file with the Chief Planning Official of the City. All development in the Green Swamp Area of Critical State Concern (ACSC) shall be compatible and consistent with the Selected Area Plan (SAP) and with associated policies of the *Comprehensive Plan of the City of Lake Alfred*. Residential development is permitted on uplands at and above the elevation of 135 feet above Mean Sea Level (M.S.L.) at a gross density not greater than three (3) units per acres; however, the density shall not exceed one unit per ten acres unless the development is served by paved roads, municipal water and sanitary sewer.
- (B) In accordance with the Agreement of September 13, 1996, between the State and the City, a minimum of 30% of the land within the designated area of the Lake Alfred Green Swamp ACSC shall be held in permanent open space. Included in the calculation for the minimum 30% shall be: land located within the 100-year floodplain; all wetlands and areas largely characterized by wetlands lying below the elevation of 135 feet above Mean Sea Level (M.S.L.); but excluding all surface water courses and lakes.
- (C) The City may permit development but under strict regulations. All development must be in compliance with and meet or exceed the goals, objectives and policies adopted in the City’s *Comprehensive Plan* in the Conservation and Future Land Use Elements, ~~as delineated below.~~

Comment: Reference to adopted policies in the Comprehensive Plan ensures accuracy between the LDRs and the Comp Plan by removing duplicative language.

FUTURE LAND USE ELEMENT

~~GOAL 2: It shall be a goal of the City of Lake Alfred to protect the natural Regional Resource known as the Green Swamp Area of Critical State Concern; and to govern development of the Green Swamp as is the intent of State law regarding this resource; and manage the development of the resource so it is compatible with the development of the City; and enhance, conserve, and appropriately manage the natural resource for existing and future residents.~~

Objective 2.1: Annexation in Compact Manner

~~The City of Lake shall abide by the contents of the Chapter 380.032, F.S., Agreement (hereinafter referred to as the "Agreement") made between the Department of Community Affairs (DCA) and the City of Lake Alfred, on September 13, 1996, regulating development of land in the Green Swamp Area of Critical State Concern (ACSC) that will be annexed into the City's corporate limits.~~

~~Policy 2.1.1: For each annexation of land within the Green Swamp ACSC, the City shall amend the Future Land Use Map series, the environmental map series (wetlands, floodplains, soils and habitat), and the infrastructure map series (transportation facilities, water and sewer facilities, stormwater management facilities and recreation facilities) to include the newly annexed land.~~

~~Policy 2.1.2: Concurrent with the City annexing land within the Green Swamp ACSC, the City shall amend the Infrastructure Element, Transportation Element and the Capital Improvements Element to include policies that specifically address the provision of services in the first annexation area proposed within the Green Swamp ACSC; which shall, at a minimum, include a capital improvements budget showing the concurrent provision of public services required by the development; the timing of said improvements; and the source of funds for the public portion of the investment. This budget shall be incorporated into the 5-year Capital Improvements Program (CIP) annually thereafter.~~

~~Policy 2.1.3: The City of Lake Alfred shall establish development standards to ensure the protection and conservation of environmentally sensitive land within the City and within the Green Swamp ACSC. The City shall amend the Unified Land Development Code by adopting land development regulations that are consistent with the Green Swamp Agreement between the City and the DCA and which implement the provisions of the Comprehensive Plan.~~

~~Policy 2.1.4: No residential development at a density greater than one unit per ten acres shall occur in the annexed area within the Green Swamp ACSC until the City has extended municipal services to the area, including paved roads, potable water~~

~~service and sanitary sewer service. Within the Green Swamp ACSC, all residential development at a density greater than one dwelling unit per 10 acres and all commercial development shall be on municipal sewer and water and served by paved roads.~~

Objective 2.2 Protection of the Resource

~~The City shall protect all floodplain areas and wetlands areas of the Green Swamp ACSC by prohibiting development within these areas and by establishing buffers around these areas.~~

~~Policy 2.2.1: The City shall prohibit any development in floodplains and wetlands within the Green Swamp ACSC.~~

~~Policy 2.2.2 The City shall insure that a minimum of 30% of the land within the Green Swamp ACSC that annexes into the City of Lake Alfred will be held in permanent open space: including land located within the 100-year floodplain, all wetlands and areas largely characterized by wetlands, but excluding all surface water courses and lakes. Said lands shall be classified as Conservation or Preservation on the Future Land Use Map (FLUM) and on all other maps.~~

~~Policy 2.2.3: Wetland systems shall not be used for stormwater treatment or storage within the Green Swamp ACSC.~~

~~Policy 2.2.4: No parcel within the Green Swamp ACSC shall be created after the date of this amendment which consists entirely of 100-year floodplains, unless accompanied by a deed restriction which prohibits any future development on the parcel.~~

~~Policy 2.2.5: The City hereby establishes within the Green Swamp ACSC a fifty (50) foot wide upland buffer from the 135 foot elevation contour in which no structure may be placed.~~

~~Policy 2.2.6: The City shall prohibit any and all use of package plants within the Green Swamp ACSC. A package plant is defined as having less than 100,000 gallons per day capacity.~~

~~Policy 2.2.7: The City shall prohibit any and all placement of wastewater sludge within the Green Swamp ACSC.~~

~~Policy 2.2.8: The City shall prohibit all Industrial development, peat and lime rock mining and sand mining.~~

~~Policy 2.2.9: The City shall require a 75 foot minimum setback between the drain field and all wetlands when onsite sewage disposal systems are used. Inspection and pump-out at five year intervals is required.~~

Objective 2.3 Residential and Commercial Development Standards

~~The City shall limit development by requiring 30% of the Green Swamp ACSC to be left undeveloped and classified as open space, in order to protect the natural aquifer recharge functions of the Green Swamp ACSC and to preserve the resource for future generations to enjoy.~~

~~Policy 2.3.1: All development in the Green Swamp ACSC shall be agricultural, residential, commercial or recreational in nature. Commercial Uses permitted in this area shall be low impact, low intensity, commercial and institutional uses intended to serve residents within the Green Swamp ACSC of the City. All recreation uses, other than passive recreation uses, shall be limited to low impact, low intensity public or private recreation uses that do not require impervious surface coverage of more than 10% of the lot. Alternative paving techniques shall be used to achieve this goal.~~

~~Policy 2.3.2: Within the Green Swamp ACSC, the City shall allow residential development on uplands at an overall site density no greater than three (3) dwelling units per gross acre.~~

~~Policy 2.3.3: For all single family, detached dwellings within the Green Swamp ACSC, lot coverage and impervious surface are restricted in order to achieve the overall goal of 60% open space on the development sites situated on the high sand hills in the Green Swamp ACSC. Lot coverage by the principal dwelling shall not exceed 30%. Impervious surface coverage of a lot shall not exceed 40%, which shall include the principal dwelling, all paved areas, accessory structures and swimming pools.~~

~~Policy 2.3.4 For all single family, detached cluster development within the Green Swamp ACSC, combined lot coverage and impervious surface shall not exceed 40%. As an incentive to leaving large areas open and natural, an additional 10% of impervious surface and lot coverage may be permitted depending on lot size and density. Each proposal will be assessed on an individual basis, and as part of the entire Selected Area, so that the 30% minimum amount of overall open space is never compromised. All criteria set forth in the land development regulations must be met to permit the additional 10% impervious surface and lot coverage.~~

~~Policy 2.3.5: The City shall adopt regulations for all commercial development within the Green Swamp ACSC; to limit the intensity of development, to establish locational standards to limit areas where commercial development can occur, and to establish development standards that strictly regulate the commercial uses allowed as well as sets limits for size, setbacks and lot coverage of commercial uses. Specific regulations for commercial development within the Green Swamp ACSC~~

~~are adopted in the Unified Land Development Code of the City. Commercial development is only allowed on land assigned the future land use classification of “Commercial”, per Policy 2.10 of the Future Land Use Element. For all vacant, annexed land, owners seeking the Commercial classification must file for an amendment to the Future Land Use Map of the City and undergo review by both the City and the DCA.~~

~~Policy 2.3.6: Golf Courses within the Green Swamp ACSC shall be approved on a case by case basis pursuant to specified approval criteria.~~

~~Policy 2.3.7: Impervious surfaces within the Green Swamp ACSC shall be kept to a minimum by limiting paved areas and encouraging alternatives to impervious paving surfaces.~~

~~Policy 2.3.8: Stormwater retention facilities must retain the first three inches of run off from substantially paved areas.~~

~~Policy 2.3.9: Pollution abatement requirements shall be the first inch (or 2.5 times the impervious area) of run off for the developed site, or as per the Water Management district, with this volume being recovered within 72 hours.~~

~~Policy 2.3.10: Xeriscaping, the use of Florida native plants and the use of irrigation systems that conserve water shall be encouraged within the Green Swamp ACSC for all landscaped areas including residential and commercial development, golf courses and publicly owned spaces.~~

CONSERVATION ELEMENT

~~GOAL 2: It shall be a goal of the City of Lake Alfred to protect the natural Regional Resource known as the Green Swamp Area of Critical State Concern; and to govern development of the Green Swamp as is the intent of the State law regarding this resource; and manage the development of the resource so it is compatible with the development of the City; and enhance, conserve, and appropriately manage the natural resource for existing and future residents.~~

Objective 1: Abide by the Agreement

~~The City of Lake shall abide by the contents of the Chapter 380.032, F.S., Agreement (hereinafter referred to as the “Agreement”) made between the Department of Community Affairs (DCA) and the City of Lake Alfred, on September 13, 1996, regulating development of land in the Green Swamp Area of Critical State Concern (ACSC) that will be annexed into the City’s corporate limits.~~

~~Policy 1.01: The City has conducted a survey of endangered species within the Green Swamp ACSC, both vegetative and animal, and mapped probable areas of habitat within the agreed upon area of the Selected Area Plan, in order to establish a basis for habitat management.~~

~~Policy 1.02: The City shall classify all floodplain areas and wetlands areas, and areas largely characterized by wetlands, within the Green Swamp ACSC as Conservation or Preservation on the Future Land Use Map (FLUM) and on all other maps of the City.~~

~~Policy 1.03: The City shall prohibit any and all use of package plants within the Green Swamp ACSC. A package plant is defined as having less than 100,000 gallons per day capacity.~~

~~Policy 1.04: The City shall prohibit any and all placement of wastewater sludge within the Green Swamp ACSC.~~

~~Policy 1.05: The City shall prohibit all Industrial development, peat and lime rock mining and sand mining.~~

~~Policy 1.06: The City shall require a 75 foot minimum setback between the drain field and all wetlands when onsite sewage disposal systems are used, in order to protect the resource. Inspection and pump out at five year intervals is required.~~

~~Policy 1.07: Based on the high probability of wetlands, floodplains, endangered species and habitat, and historic archeological sites below the 135 foot elevation line, the City has established a base development line at the 135 foot elevation line, and no development shall occur below this elevation within the Green Swamp ACSC.~~

Comment: Comprehensive Plan language removed to ensure that all updates to the Comprehensive Plan are adequately referenced.

3.08.02 Permitted Principal Uses and Structures

Principal uses and structures permitted in the Green Swamp ACSC include: residential, public utilities, such as potable water, sanitary sewer, power and telephone/cable facilities uses and structures; conditional non-residential uses (see Section 3.08.04); and recreational uses and structures. Accessory uses and structures customarily incidental and subordinate to permitted principal uses are allowed (see Article 2, Section 2.05.00).

Comment: Language amended to reflect the non-residential uses that are permitted through the new Future Land Use categories.

3.08.02.01 Single Family Detached

- (A) All types, models and configurations of single family detached, residential development are permitted. Lot coverage and impervious surface are restricted as follows, in order to achieve the overall goal of 60% open space on the development sites situated on the high sand hills in the Green Swamp ACSC.
- (1) Lot coverage by the principal dwelling shall not exceed 30% .
 - (2) Impervious surface coverage of a lot shall not exceed 40%, which shall include the principal dwelling, all paved areas, accessory structures and swimming pools.

3.08.02.02 Single Family Detached Cluster

- (A) Single family detached units may be clustered at densities up to five (5) dwelling units per net acre, but the gross density for the development site may not exceed three (3) dwelling units per gross developable acre. The minimum floor area of each dwelling unit shall be 1,200 square feet. For those developing Residential Cluster Developments in the Green Swamp ACSC, the development standards of R-1AAA Cluster must be used.
- (B) Whenever single family detached dwelling units are clustered the portion of the upland site shall *not be developed* with additional residential units *at any time in the future* and shall therefore remain a common area in perpetuity. The common areas portion of the site shall: be annotated as “perpetual open space” (POS); shall be zoned Preservation (PRES), Conservation (CN) or Public Recreation (PR); and shown as such on the Subdivision Plat and the Site Development Plan. This regulation shall be specified in a Development Agreement between the developer, the City and any established homeowners’ association. The perpetual open space shall be a recorded deed restriction that runs with the land and shall be recorded against every dwelling unit of the residential cluster development and shall be enforceable by the homeowners’ association, the City or any other affected party.
- (1) Perpetual open space may be dedicated to the City, if the City is willing to accept the dedication and the perpetual responsibility for maintenance of the land and whatever facilities may be located upon it.
 - (2) Perpetual open space may remain in the ownership of a homeowners’ association, which shall be responsible in perpetuity for maintenance of the land and whatever facilities may be located upon it.
 - (3) Perpetual open space may be placed in a *Conservation Easement*, which shall, at a minimum: remove all development rights to the land; indicate

the maintenance measures that are established; and, identify the individual, entity or agency responsible for the enforcement of the easement.

- (C) The common areas shall be classified according to their permitted use as separate tracts on the subdivision plat or site plan as a conversation tract, passive recreation tract, or recreational amenity tract. A minimum of forty percent (40%) of the required common areas shall consist of passive recreation and/or recreational amenities tract(s).

Permitted uses by common area tract are as follows:

- Conservation Tract: the upland buffer, protected or endangered habitat, native upland communities, areas containing soils considered as having “serve limitations” by Polk county Soil Conservation Service, and storm water retention areas.

Not more than sixty percent (60%) of the required common areas shall be conservation tract(s):

- Passive Recreation Tract: boardwalks, nature trails, exercise trails such as jogging and bicycle paths or other pedestrian facilities; bridle paths, the area between a residential lot line and the ordinary high water line of a lake. Passive recreation tracts shall retain the natural characteristics and features of the land and shall not require off-street parking and utilities. For the purposes of this section natural shall be defined as the state of the site prior to development, but exclusive of any non-native or invasive plants species.
- Recreational Amenities Tract: Clubhouses; ~~swimming~~ swimming pools; tennis courts; shuffleboard courts; picnic areas and pavilions; parks; playgrounds; golf courses; boat ramps; parking associated with the preceding areas; storage areas for boats; trailers; recreational vehicles and riding stable; and landscaped areas.

Golf courses are subject to stringent review on a case-by-case basis, in accordance with the provisions of Section 3.08.04.02

Impervious surfaces in common areas shall be limited to ten (10%) percent for each tract or by the cumulative total of impervious surface for the entire site which ever of the two calculations is more restrictive.

- (D) Combined impervious surface and lot coverage shall not exceed forty (40%) percent.
- (E) As an incentive to leaving large areas open and natural, combined impervious

surface and lot coverage percentages per lot may be permitted up to fifty (50%) percent depending on lot size, density, and minimum floor area. The following criteria must be met in its entirety:

- (1) The minimum lot size shall be no less than 9,500 square feet.
- (2) The minimum floor area shall be not less than 3,200 square feet.
- (3) The cumulative impervious surface coverage shall not exceed forty (40%) percent for the entire site. Calculations demonstrating that the site's maximum impervious surface coverage shall be provided and approved by City Staff.
- (4) Pervious brick pavers or other pervious surface materials approved by the City's engineer shall be used for driveways, walkways, pool decking, and elsewhere deemed appropriate to minimize impervious surfaces as much as possible.

Each proposal will be assessed on an individual basis, and as part of the entire Green Swamp Selected Area Plan, so that the thirty (30%) percent overall open space required by the DCA 380 Agreement is not compromised.

3.08.02.03 Single Family Attached Cluster

- (A) Single family attached clusters are permitted to a maximum density of five (5) dwelling units per acre; however, the gross density for the development site may not exceed three (3) dwelling units per gross developable acre. The minimum floor area of each dwelling shall be 1,200 square feet. For those developing single family attached cluster subdivisions in the Green Swamp ACSC, the development standards of R-1AAA Cluster must be used.
- (B) The Subdivision Plat and the Site Development Plan for single family attached residential cluster development in the Green Swamp ACSC shall specify the location and net density of the clustered residential development and shall clearly specify the remaining portion of the site as common area in perpetuity. The designated common area in perpetuity *shall not be developed* with additional residential units *at any time in the future*. The common area portion of the site must remain natural and may also be developed in a limited range of outdoor recreation uses, such as, parks and playgrounds, exercise courses and trails, bridle paths and riding stables, golf courses, and permitted uses by common area tracts found in section 3.08.02.03 (C). The Conservation (CN) or Public Recreation (PR); shown as such on the Subdivision Plat or the Site Development Plan. This regulation shall be specified in a Development Agreement between the

developer, the City and any established homeowners' association. The perpetual open space shall be a recorded deed restriction that runs with the land and shall be recorded against every dwelling unit of the development and shall be enforceable by the homeowners' association, the City or any other affected party.

- (1) Perpetual open space may be dedicated to the City, if the City is willing to accept the dedication and the perpetual responsibility for maintenance of the land and whatever facilities may be located upon it.
- (2) Perpetual open space may remain in the ownership of a homeowners' association, which shall be responsible in perpetuity for maintenance of the land and whatever facilities may be located upon it.
- (3) Perpetual open space may be placed in a Conservation Easement, which shall, at a minimum: remove all development rights to the land; indicate the maintenance measures that are established; and identify the individual, entity or agency responsible for the enforcement of the easement.

Golf courses are subject to stringent review on a case-by-case basis, in accordance with the provisions of section 3.08.04.02 below.

- (C) The required perpetual common area shall not be less than forty (40%) percent of the total upland developable area.
- (D) Combined impervious surface and lot coverage shall no exceed 40%.

3.08.03 Development Standards

Before property can be zoned in the Green Swamp ACSC, land owners must file for an amendment to the Future Land Use Map of the City and undergo review by both the City and the Department of ~~Community Affairs~~ Economic Opportunity (DCA DEO), and found in compliance by the ~~DCA DEO~~ per Chapter 163, Florida Statutes. Prior to the issuance of a Building Permit for any development in the Green Swamp ACSC, development plans must be submitted to ~~DCA DEO~~ DCA DEO and found in compliance with the regulations adopted by the City per the 380 Agreement with the City that is in accordance with 380.032 F.S. The following development standards apply.

- (A) The maximum gross density of residential development areas within the Green Swamp ACSC is three (3) dwelling units per acre. For regulations governing nonresidential uses, see paragraph 3.08.04 below.

- (B) Based on the high probability of wetlands, floodplains, endangered species and habitat, and historic archeological sites below 135 feet M.S.L., that elevation is the base line for development and *no development shall occur at an elevation lower than the 135 feet M.S.L.* Furthermore, there is no development right to lands below 135 feet M.S.L.
- (1) To ensure the conservation and protection of all floodplain areas, wetlands areas and areas largely characterized by wetlands, and lands below 135 feet M.S.L. shall be classified and zoned Preservation (PR) or Conservation (CN) on the Future Land Use Map (FLUM) and on all other planning and zoning maps of the City.
 - (2) Land containing “upland natural plant communities” as defined in *The Green Swamp Critical Area Resource Management Plan for the City of Lake Alfred Selected Area, pages 22-24*, lie above 135 feet M.S.L., but shall be classified and zoned Preservation. Since they lie above 135 feet M.S.L., the development density of three (3) dwelling unit per acre associated with these special areas shall be included in the calculation of gross density permitted for the development site in which they are located.
 - (3) No density credit is given for lands that are wetlands, floodplains, lakes, rivers or streams, nor for lands classified Conservation or Preservation lying below 135 feet M.S.L. There shall be no right to transfer density from lands below 135 feet M.S.L. to developable lands above that elevation within the same ownership nor from one owner to another on the same parcel or on different parcels. Within the Green Swamp ACSC, density may only be counted at a maximum of three (3) dwelling units per acre on that portion of a parcel that is identified as upland and above the 135 feet elevation. A general location of such lands is shown in *The Green Swamp Critical Area Resource Management Plan for the City of Lake Alfred Selected Area*, specifically those areas labeled “Developable” on Map 9.
- (C) No structure shall be placed at an elevation lower than the 135 feet M.S.L. nor within 100 feet of 135 feet M.S.L. contour line.
- (D) The use of package plants within the Green Swamp ACSC is strictly prohibited.
- (E) The City shall require a 75 foot minimum setback between the drain field and all wetlands when onsite sewage disposal systems are used; and a minimum lot size of one acre is required. Inspection and pump-out at five year intervals is required.
- (F) The placement of wastewater sludge within the boundaries of the Green Swamp ACSC is strictly prohibited.
- (G) Wetlands shall be maintained in their natural and unaltered state. However, controlled burns, selective thinning, and ecosystem restoration and maintenance activities may be conducted within the wetlands, provided they are performed in accordance with current

Silviculture Best Management Practices, published by the Florida Division of Forestry. Any isolated wetland of less than one acre shall be exempt from these requirements.

- (H) Impervious surfaces shall be kept to a minimum. Paving stones or open blocks rather than conventional paving are encouraged; as well as any other building innovations that reduce the amount of overall impervious surface.
- (I) Recharge Standard: Single family detached homes developed without a subdivision plat are exempt from this standard. Subdivisions and any development other than residential must comply with this standard.
 - (1) Projects or portions of projects in Most Effective Recharge Areas must retain three inches of runoff from directly connected impervious areas within the project. Applicants may instead demonstrate that the post-development recharge will be equal to or greater than the pre-development recharge.
 - (2) “Most Effective Recharge Areas” are defined as those areas with soils classified by the Soil Conservation Service as Type “A” Hydrologic Soil Group.
 - (3) “Directly connected impervious areas” are defined as those impervious areas which are connected to the surface water management system by a drainage improvement such as a ditch, storm sewer, paved channel or other man-made conveyance.
 - (4) Stormwater must be infiltrated into the soil or evaporated such that the storage volume is recovered within 14 days following a storm event.
 - (5) Pollution abatement requirements shall be the first inch (or 2.5 times the impervious area) of run off for the developed site, or as per the Water Management district, with this volume being recovered within 72 hours.
- (J) The City has conducted a survey of endangered species, both vegetative and animal, and mapped probable areas of habitat within the Selected Area Plan (SAP) in the Green Swamp ACSC, in order to establish a basis for habitat management. This data is on file with the City, and shall be considered the base data when any development is proposed within the Green Swamp ACSC and within the SAP.
- (K) Xeric landscaping and minimum irrigation systems are required, to reduce the effects of stormwater runoff, pollution of groundwater and surface water sources and to foster potable water conservation. See Article 3, Section 3.07.07, “Xeriscaping” for a description of xeric landscaping techniques.
- (L) To ensure that natural systems are not disrupted by development, development may not fragment conservation and preservation areas below 135 M.S.L. A clear connection

between adjacent conservation and preservation areas must remain intact or be created if none currently exists.

- (M) To ensure that wildlife corridor connections in the uplands are not disrupted, and to preserve the natural systems within the uplands of a developable area, open space areas within a development shall be designed adjacent and connected to the surrounding open space areas of all other developments.
- (N) To ensure that agricultural areas and uses are not impacted by development, development may not be located adjacent to agricultural areas. A buffer of open space shall be provided by uplands developers between their development and agriculture where ever a developable area is adjacent to an agricultural use. Open space areas within a development are to be designed adjacent and connected to the surrounding open space areas of all other developments. The buffer area may be rented out as pasture land for horses, cattle, or similar grazing animals by the owner of the land, such as the homeowners' association or the City, at a minimum of one acre of pasture per animal. The buffer area may be planted and farmed with nonmotorized equipment and without the spraying of airborne pesticides or fertilizers or other contaminants that could cause harm to the people in the adjacent development.
- (O) The type of development known as Planned Unit Development or "PUDs", and regulated in Article 2, Section 2.04.02.24 and Article 7, Section 7.04.00 in the Unified Land Development Code, shall ~~not~~ be allowed in the Green Swamp ACSC consistent with Section 3.08.00 of the LDRs.

Comment: Policy language updated to reflect multiple locations for regulations on PUDs and to provide a requirement for consistency with the requirements of the Green Swamp ACSC regulations.

- (P) All streets within the Green Swamp Area of Critical State Concern SAP shall comply with Section 3.02.03 Street Design Standards of the Unified Land Development Code.
- (Q) The lowest floor level of any habitable structure must be built a minimum of one foot above the 100-year flood level, as determined by and in accordance with FEMA regulations.
- (R) Water reuse lines shall be installed for irrigation purposes in both common areas and for homeowner use at the time of development, as capacity will allow.

3.08.03.01 Upland Buffer

- (1) An *Upland Buffer*, consisting of a 50 foot conservation buffer and a 50 foot structure setback shall be surveyed or otherwise identified upland from the 135 feet M.S.L. The 50 foot conservation buffer ~~and~~ shall be maintained as a natural zone to minimize the impact of development on the habitat and the

environmentally sensitive lands below that elevation. In addition, the *upland buffer* is to provide upland habitat that is necessary for bird and animal foraging and nesting; and to prevent the runoff of contaminants into wetlands and lakes.

- (a) When the growth of natural plants, ground cover and grasses in the upland buffer is sparse, it may be supplemented by planting the species of trees and shrubs from the lists found in Article 3, Section 3.07.08, Table 3.07F and 3.07G, “Listed Species for Green Swamp Upland Buffer Zone.”
 - (b) If the topography of the upland buffer on the parcel is greater than a 6% slope, then a berm shall be placed between the dwelling unit and the upland buffer zone, on the building side of the buffer and at the boundary of the buffer, to prevent fertilizer contaminated runoff from inundating the buffer zone.
 - (c) This *upland buffer* shall be planted and maintained by the developer, a land manager, a homeowners association, or the homeowner, whichever may be specified in a deed or subdivision restriction or other instrument addressing the creation, ownership and maintenance of the upland buffer.
- (2) The 50 foot conservation boundary is in addition to and shall not be a part of any required rear, side or front yard setback.
 - (3) The combination of the *upland buffer* and the rear, side or front yard setback, whichever is adjacent to the upland buffer, shall be a minimum of one hundred (100) feet from any structure.
 - (4) The *upland buffer* may be offered or dedicated to the City of Lake Alfred at the City’s option and with the City’s consent to accept ownership and/or maintenance.
 - (5) In the case where a structure is served by a septic system rather than sanitary sewer, the setback to any part of the septic system shall be the *upland buffer* plus seventy-five (75) feet.

3.08.04 Nonresidential Land Uses

Nonresidential land uses such as proposed commercial, office, employment center, institutional, utility, and golf courses may be allowed in limited areas of the Green Swamp ACSC. All proposals require review by the Planning Board and approval by the City Commission in accordance with the detailed provisions of Article 2, Section 2.04.02.24 and Article 7. Prohibited uses include all Industrial uses, major Institutional and utility uses such as hospital, airport/aviation, correctional facility, electric power plant, jail, and sewage disposal facility, as well as peat and lime rock mining and sand mining.

Institutional and utility uses may only be ~~development~~ developed on land assigned the ~~f~~Future ~~H~~Land ~~u~~Use classification of “Public Buildings and Grounds,” per Policy ~~2.11~~ 1.1.15 of the Future Land Use Element. Golf course development is only allowed on land assigned the ~~f~~Future ~~H~~Land ~~u~~Use classification of “Recreation and Open Space,” per Policy ~~2.12~~ 1.1.16 of the Future Land Use Element. Commercial development is only allowed on land assigned the Future Land Use classification of Commercial per Policy 1.1.13 of the Future Land Use Element, Neighborhood Convenience Center per Policy 1.1.10 of the Future Land Use Element, or Specialty Center per Policy 1.1.11 of the Future Land Use Element. For, annexed land, owners with existing uses seeking the Commercial, Neighborhood Convenience Center, Specialty Center, Public Buildings and Grounds, or Recreation and Open Space Future Land Use classification must file for an amendment to the Future Land Use Map of the City and undergo review by both the City and the ~~DCA~~ DEO, and be found in compliance by the DEO, prior to applying for a Conditional Use Permit or a Planned Unit Development (PUD).

Comment: Language updated to reflect changes made to the permitted non-residential uses through the update to the Comprehensive Plan. Language updated to reference the location of applicable language in other sections of the LDRs. Language pertaining to Commercial language added to provide clarity. The references to the Department of Community Affairs (DCA) have been updated to the Department of Economic Opportunities (DEO).

3.08.04.01 Commercial

- (A) When Commercial uses existing before these regulations were adopted annex into the City, the use shall be mapped as “Commercial” on the ~~f~~Future ~~H~~Land ~~u~~Use ~~m~~Map. Commercial uses may not change or be expanded without review by the City. An existing commercial use proposed to be expanded or changed within the boundaries of the Green Swamp ACSC is a Conditional Use and shall be applied for, reviewed and approved, first by the City in accordance with the provisions of Article 7, and then by ~~DCA~~ DEO.
- (B) When reviewing all requests for change of use or expansion of use for commercial uses, the City shall be subject to the Green Swamp regulations for commercial uses adopted in the Comprehensive Plan, Objective 2.3 “Residential and Commercial Development Standards” and its Policies 2.3.1 through 2.3.9.

3.08.04.02 Planned Unit Developments – Non-Residential

Planned Unit Developments shall be allowed in the Green Swamp ACSC consistent with Section 3.08.00 of the LDRs. Prior to applying for a Planned Unit Development designation, owners must file for an amendment to the Future Land Use Map of the City and undergo review by both the City and the DEO, and be found in compliance by the DEO. The following requirements must be met, as applicable:

(A) If the property is designated as Specialty Center Future Land Use, the Floor Area Ratio (FAR) shall not exceed 0.75.

(B) If the property is designated as Neighborhood Convenience Center Future Land Use, the Floor Area Ratio (FAR) shall not exceed 0.35.

Comment: Planned Unit Development language added to address planned unit developments within the City.

3.08.04.023 Golf Course

A golf course proposed within the boundaries of the Green Swamp ACSC is a Conditional Use and shall be reviewed and approved first in accordance with the provisions of Article 7, then by ~~DCA~~ DEO. The following standards and criteria are strict requirements of golf course development in the Green Swamp ACSC, shall be reviewed by the City in its approvals, and are subject to separate enforcement by ~~DCA~~ DEO.

- (A) An approved Integrated Chemical and Pesticide Management Plan has been prepared, which demonstrates that the minimum amount of pesticides, herbicides and fertilizers possible shall be used on the course.
- (B) The developer has committed to a quarterly groundwater quality monitoring program of indefinite duration.
- (C) A detailed landscape plan shall be prepared that demonstrates the maximum feasible use of Xeric vegetation throughout the course.
- (D) Use of irrigation shall be the minimum required for tees and greens and shall be eliminated through golf course and system design wherever possible.
- (E) Stormwater runoff shall be captured, retained and treated on-site and shall not flow into wetlands, floodplains, lakes or rivers.
- (F) Paved areas may be constructed with pervious pavement or similar products to minimize runoff and maximize aquifer recharge.
- (G) Permanent structures on the golf course shall be kept to the absolute minimum required for convenience, shelter and maintenance to reduce runoff and maximize aquifer recharge. All clubhouses, restaurants and pro shops must be shown on a master plan and shall be reviewed and approved as part of the review of the golf course. These areas shall be mapped as Recreation and Open Space as part of the golf course. Impervious surfaces must be kept at a minimum by using alternate paving techniques for all parking areas.

3.08.05 Archeological Resource Protection

- (A) The combination of the buffer and the structural setback will provide 100 feet from the edge of the historic wetlands of water bodies to any new structure. Although this may seem a significant width, it will not limit development density and it provides only about one-third of the width of the highest archeological probability zone.
- (B) Generally, the standard for archeological excavation will be that single-family detached houses are exempt, but that any multi-story and attached development will require an on-site investigation before permit approval.

3.08.06 Wildlife Management Plan Required

- (A) For all land located within the *seven identified natural areas* of the Lake Alfred Green Swamp SAP, which are high probability areas for wildlife, a wildlife management plan must be submitted and approved by the City before any development can occur. [Requirement of DCA per letter dated 9-16-99.] The seven areas are identified on Page 9, Figure 3 “Map Depicting Natural Vegetative Communities” of the March 1998 HDR Engineering, Inc., *Cultural Resource and Listed Species/Habitat Reconnaissance*. The seven areas are described on page 7, Section 4.2, “Results”, which is on file with the City of Lake Alfred.
- (B) The wildlife management plan shall be developed and paid for by the applicant for development.

3.08.07 Survey for Florida Burrowing Owl Required

- (A) Within the 554 acres identified in the Lake Alfred Green Swamp SAP, a resurvey will be required on a parcel-by-parcel basis at the time when specific development approval is requested, for the Florida Burrowing Owl. [Requirement of DCA per letter dated 9-16-99]
- (B) This survey shall be conducted between April and August of any given year.
- (C) If owls are found, a Wildlife Management Plan must be submitted and approved by the City before any development can occur.
- (D) This survey and wildlife management plan shall be developed and paid for by the applicant for development.

3.08.08 Lake Grassy Floodplain Study Required

- (A) Because no development shall occur below the 135 foot elevation line within the Green

Swamp ACSC of Lake Alfred, no additional floodplain studies are required for proposed development within the Lake Alfred Green Swamp area. There is one exception, however, and that is the immediate area around Lake Grassy in Section 19. [Requirement of DCA per letter dated 9-16-99]

- (B) Around Lake Grassy, a detailed flood study shall be performed for all subdivision proposals and other proposed development which have five (5) acres or more within the unnumbered one hundred year floodplain.
- (C) The study shall be conducted in accordance with the *Flood Study Guidelines and Specifications for Flood Contractors*. The purpose of the study is to more clearly delineate the floodplain.
- (D) This survey and study shall be developed and paid for by the applicant for development.

[RESERVED]

**LAKE ALFRED
UNIFIED LAND DEVELOPMENT CODE**

ARTICLE 7

DEVELOPMENT APPROVAL PROCESS

Draft Amendments

LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE

ARTICLE 7

DEVELOPMENT APPROVAL PROCESS

- Please note that only the sections of Article 7 that are to be amended are provided. Not all sections of Article 7 are proposed to be amended and therefore are not included in this Draft Amendment Package.
- Language that is proposed to be changed is shown in ~~strikeout~~/underline text as demonstrated below.
 - Text that is underlined is text to be added. Text that is in ~~strikeout~~ is text to be removed.

A Comment is included after each proposed amendment or at the beginning of amendment sections for reference.

7.04.00 *Planned Unit Development*

7.04.01 *Intent and Purpose*

~~The Planned Unit Development (PUD) district is established to provide for well planned and orderly mixed use development on a large scale in any area of the City. Further, PUDs are intended to:~~

- ~~(A) Promote flexibility in development design;~~
- ~~(B) Promote the efficient use of land;~~
- ~~(C) Preserve, as much as possible, existing landscape features and amenities;~~
- ~~(D) Provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided;~~
- ~~(E) Combine and coordinate architectural styles, building forms and building relationships within the planned development;~~
- ~~(F) Lessen the burden of traffic conflict on streets and highways.~~

~~(G) Provide for a balanced land use mixture.~~

Comment: This Section has been relocated to Article 2, Section 2.04.02.24.

~~7.04.02 Relationship of PUD Regulations to the Comprehensive Plan, Land Development Code, or Other Applicable Regulations~~

~~The development of land uses within a PUD shall be consistent with the pattern of land use designations established on the Future Land Use Map of the Comprehensive Plan. Residential densities in a PUD shall not exceed the permitted densities established in the plan.~~

~~Where there are conflicts between these special PUD provisions and other regulations in this Code, these special regulations shall apply. Where no standard is designated in this Section for a particular element of a PUD, appropriate regulations set forth in other sections of this Code shall apply. In a unique situation where no standard is specified, the City Commission shall determine the appropriate standard.~~

Comment: This Section has been relocated to Article 2, Section 2.04.02.24.

~~7.04.03 General Regulations and Requirements~~

~~(A) *Minimum Site Area.* Property proposed for development as a Planned Unit Development shall be at least 5 acres in size. While the PUD site may include water bodies, wetlands and areas within the 100-year floodplain, no such areas may be counted toward the 5-acre minimum site size or individual minimum lot sizes within the PUD.~~

Comment: This has been deleted due the fact that PUDs may need to be smaller than 5 acres in size.

~~(B) *Unified Control.* All land included for the purpose of development within a Planned Unit Development shall be owned or under the control of the applicant, whether that applicant is an individual, partnership or corporation, or a group of individuals, partnerships or corporations.~~

Comment: This has been relocated to Article 2, Section 2.04.02.24.

~~(C) *Subdivision of Property.* Property in a Planned Unit Development shall be platted in accordance with Section 7.06.00 prior to the issuance of building permits. In the case of lands that have been platted prior to the adoption of this Code, the landowner shall be required to vacate the previous plat or pre-platted lands before~~

~~any rezoning and Master Development Plan approval will be considered. In addition, all payments, easements, and dedications required by this Code and other City ordinances will be applicable to any development within a Planned Unit Development, whether vacating an existing plat or replatting, or unplatted lands, so that all new development within the City will bear its fair share of provision of public services.~~

Comment: This has been relocated to Article 2, Section 2.04.02.24.

7.04.04.01 Procedures for Obtaining a Planned Unit Development (PUD) Zoning Designation

The PUD approval process shall address land use density and intensity, building types, location of major roads and interior road networks, and the design for public utility service(s). The City Commission may exercise broad discretion in the Master Development Plan review process, and such review process shall be deemed to be an integral part of the zoning decision pertaining to such property.

As a condition for processing a PUD application, the Chief Planning Official or the City Commission may require the owner of the property to undertake specific studies or reports to be submitted regarding soil types, environmental aspects of the land or the impact of the proposed development on City utilities, roads or other facilities. Proximity to wetlands, nature of vegetation, site specific and off-site environmental characteristics and impacts, and other appropriate matters of impact on the community may be taken into consideration by the City Commission. The property owner may be required to provide whatever design features are necessary to minimize adverse impacts on the community or abutting properties, including the provision of any needed off-site improvements.

- (A) Master Development Plan. Development requirements in a PUD are established through an approved Master Development Plan (MDP), to be consistent with the City's Comprehensive Plan ~~and the development standards of specific zoning districts~~. The MDP shall establish the overall development concept, dividing the development site into tracts and assigning generalized land use types to each (i.e., recreation, retail commercial, townhouses, low-density single family, etc.), and depicting the approximate locations of roads, water bodies, utility plants, and other features of the development site.

~~In reviewing the Master Development Plan, the Planning Board and City Commission shall determine that conventional residential or commercial zoning district most nearly accommodates the proposed use(s) of each tract. Approval of the plan shall include designation of an Equivalent Zoning District for each~~

~~residential or commercial tract. The Equivalent Zoning District designation implements the development standards of a conventional zoning district on individual tracts; however, the Official Zoning Map shall show the entire development site as a PUD district. Site development plans or subdivision plats for specific tracts shall be designed according to the development standards of the Equivalent Zoning District. No proposed use, or zoning district development standards, shall be approved for a particular location unless consistent with the Future Land Use Map.~~

~~Equivalent Zoning Districts for residential or commercial tracts shown on the Master Development Plan shall be limited to R-1AA, R-1A, R-1, R-2, and C-2. Tracts proposed for uses other than residential or commercial development shall be labeled on the Master Development Plan as to type of use proposed (i.e., recreation, open space, utility sites, etc.) and acreage. Written information as to land use type, density/intensity of land use, and acreage of tracts and rights-of-way shall be included with the PUD application and considered part of the Master Development Plan.~~

Comment: The language pertaining to the equivalent zoning district requirements is deleted to permit full use of the Planned Unit Development concept in keeping with the requirements of the Comprehensive Plan.

- (B) Master Development Plan Conference. At the option of the applicant, the Chief Planning Official shall schedule a Master Development Plan pre-application conference, at which time the applicant may outline his proposal to all appropriate City staff members. The purpose of the pre-application conference is to assist the developer in clearly understanding all relevant City Code requirements, identify development issues specific to the proposed project, and discuss any other procedural issues relative to the review of the request.
- (C) Requirements for Master Development Plan Review. The review and approval of a Master Development Plan constitutes a zoning change resulting in a PUD zoning designation. The determination by the Planning Board and City Commission concerning the appropriateness of the MDP shall be based on the same factors as any other change of zoning designation, including consistency with the Future Land Use Map and compatibility with surrounding land uses. In addition to other requirements of the rezoning process, applications for PUD designation shall include the following:
 - (1) A letter of transmittal officially submitting the proposal for approval, signed by the developer or his authorized representative, stating which type of PUD is being proposed.

- (2) Firm evidence of unified control by the developer of the entire proposed PUD site and a signed statement that, if he proceeds with the proposed development, he will:
 - a. Abide by the officially approved Master Development Plan of the development, and such other conditions and modifications as may be included.
 - b. Provide proposed agreements, covenants, or other appropriate mechanisms for completion of the undertaking in accordance with the approved Master Development Plan as well as for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated and maintained at general public expense.
 - c. Bind his development successors in title to any commitments made as a condition of development approval.
 - d. Secure written consents and agreements from all property owners of record within the PUD that they have given the applicant authority to act in their behalf and that said representative or agent has the delegated authority to represent the owner or owners and they agree that all commitments made by the aforementioned representative or agent are binding.
- (3) A statement of the applicant's interest in the property to be rezoned, including certificate of title or attorney as to ownership and, if a contract purchaser, written consent of the seller/owner; or, if a lease, a copy of the lease agreement and written consent of the owner(s).
- (4) A certified boundary survey of the tract prepared by a surveyor registered with the State of Florida showing the location and type of boundary evidence related to the State Plane Coordinate System, and the accurate legal description of the property in metes and bounds and a computation of the total acreage of the tract to the nearest tenth of an acre. Survey must have been done within one year prior to filing.
- (5) Five (5) copies of a scaled Master Development Plan of the entire proposal showing the following information:
 - a. A key map at a convenient scale showing existing roads, streams, street rights-of-way and street intersections; the location of the nearest public roads on all four sides; a statement indicating the

distance to all public improvements such as schools, firehouses, public recreational areas and the like, that would serve the subject development; a description of how the proposed development is in conformity with the City of Lake Alfred Comprehensive Plan and all relevant laws, ordinances, and regulations, and the type of PUD.

- b. Location, with pavement type, right-of-way, names, and other related appurtenances of all existing public streets adjoining or traversing the site. In the event no public street now adjoins the site, sufficient description by metes and bounds as to identify the location of the site shall be required.
- c. Identification of the name, plat book and page number of any recorded subdivision comprising all or part of the site.
- d. Identification and location of any existing water courses, lakes, wooded areas, or other significant natural physical features upon the site, as well as on adjacent property within 250 feet of outside boundaries and proposed alterations to said features.
- e. Location and spatial arrangement of all land uses proposed, including the number of acres in each land use, proposed residential densities, and development type (i.e., single family residential, multifamily residential, commercial shopping center, hotel/motel, mixed use, etc.).
- f. All existing and proposed means of vehicular access to and from the site, including an internal traffic circulation plan depicting arterial and collector streets.
- g. A transportation analysis, prepared by a professional in the field of transportation planning, to include an estimate of average trips/land use, total average daily trips, distribution of total peak hour trips on existing and/or proposed transportation network, and distribution splits onto existing and/or proposed transportation network (may be waived at Chief Planning Official's discretion).
- h. Location of existing structures and/or open space facilities of adjacent properties within 250 feet of any boundary line of the site (use of a recent aerial photo is adequate).

- i. A statement by the applicant of the major planning assumptions and objectives of the development project including but not limited to:
 - 1) Size and/or scope of development.
 - 2) Projected Population.
 - 3) Proposed timing and phases of development.
 - 4) Proposed ownership and forms of organization to maintain common open space and facilities.
- j. A general layout of the types, quantities and location of trees and other such significant vegetative features (use of a recent aerial photo is adequate).
- k. A map of Soil Conservation Service Soil Classification by Soil Associations.
- l. A general floodplain map indicating areas subject to inundation and high groundwater levels up to the 100-year flood zone boundary, at a scale of one inch to 500 feet.
- m. Delineation of all wetland areas on the site including type (i.e., FDEP jurisdictional, SWFWMD isolated, and all others). For the purpose of Master Development Plan review, wetland areas may be assumed using the best available data sources including, but not limited to, aerial photographs, recognized published reports/studies, etc.
- n. The most recent aerial photograph available, with the areas to be modified delineated.
- o. Preliminary drainage plan showing existing topographic contours at one (1) foot intervals, identification of the major natural drainage basin(s) of the site, areas for proposed stormwater management retention/detention basins, and location of outfall.
- p. A description of anticipated potable water and sanitary sewer demands of the proposed development and what facilities are available or projected to be available to meet this demand.

- q. Any other reasonable information that may be required by the Chief Planning Official that is commensurate with the intent and purpose of this Code.

Upon receipt of the materials described above, the Chief Planning Official shall transmit copies of relevant materials to the various City and county officials and agencies as appropriate. The Chief Planning Official shall also notify all adjacent units of government within a 1,000-foot radius of any proposed PUD that such review is under way and shall include their comments and recommendations into the record.

When review of the proposed PUD is complete, the Chief Planning Official shall recommend approval, conditional approval, or denial to the Planning Board for its review and consideration. The Chief Planning Official shall include with his recommendations the zoning application and a written report that shall include all pertinent documents, comments of the reviewing City officials, and any other applicable documentation or graphics.

(D) *Planning Board Review and Recommendation.* The Planning Board shall hear the request at a regularly scheduled public hearing, and recommend to the City Commission whether the proposed rezoning be approved, approved with modifications or conditions, or denied. The official minutes of the meeting shall include a summary of the reasons for the Board's advisory recommendation. In support of its recommendation, the Board shall make findings as to:

- (1) The suitability of the area for the type and pattern of development proposed in relation to the physical characteristics of the land, relation to surrounding areas, concurrency, and other requirements of this Code.
- (2) Conformity of the proposed development with the Comprehensive Plan of the City of Lake Alfred.
- (3) Conformity with these regulations, or as to desirable modification of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes.
- (4) Compatibility with surrounding land uses.
- (5) All such other review criteria as may be appropriate.

In consultation with the City Attorney, the Board shall also assess the adequacy of the following items relating to arrangements for ownership, operation and maintenance of common properties and/or facilities that are not provided at public expense:

- (1) Evidence of unified control of the overall development site.
 - (2) Suitability of any proposed agreements, or contracts, or other instruments that are to be executed to create or provide the facilities.
 - (3) The need for such instruments or for amendments in those that have been proposed.
- (E) *Action by City Commission.* Upon completion of required action by the Planning Board, the Chief Planning Official shall transmit the application to the City Commission and place the item on the next available regular agenda. That transmittal may include all pertinent documents submitted by the applicant, the Chief Planning Official's report and recommendation, the Planning Board findings and any other applicable documentation or graphics. The City Clerk shall keep all this material as part of the public record of the City Commission. The City Commission may:
- (1) Deny the application.
 - (2) Phase the application to ensure compliance with the standards herein and other standards and requirements in this Code.
 - (3) Modify the application so that these standards are met.
 - (4) Grant conditional approval or modification of the application, attaching whatever reasonable conditions or requirements the City Commission deems necessary to ensure compliance with these standards or maximum mitigation of the adverse impacts of the development.

Comment: Language added to reflect the need to state which type of PUD is being reviewed since there are now multiple types of PUDs.

7.04.05 02 Development Conditions

Conditions placed on a request by the City Commission may include requiring the applicant, at his cost and expense, to:

- (A) Finance or dedicate land for public rights-of-way, easements, parks and open space, school sites, or other such sites as may be necessary to protect the health, safety, and welfare of the residents of the PUD.
- (B) Finance or construct potable water, wastewater or drainage facilities.
- (C) Any other reasonable conditions necessary to ensure compliance with these standards, if the applicant agrees in writing in a recordable agreement binding upon his successors and assigns, that no further processing of the development request, pursuant to the provisions of this Code, shall occur until the requirements of this article are met. Attachment of these conditions shall be voluntary on the part of the applicant, and agreement by the applicant to provide any conditions will not, in any way, obligate the City to approve the subject application. Any conditional approval shall be based solely on the fact that the development application, as modified or conditioned, meets the standards of this article, and may not be based solely on the granting of certain conditions deemed favorable by the City unless the standards of the Planned Unit Development district are thereby met.

7.04.06-03 Approval of a PUD

Comment: This Section has been renumbered, restructured (providing (A), (B), and (C) lettering) and the words “of a PUD” have been added to the Section title.

(A) General.

Approval of a Planned Unit Development shall constitute a rezoning of the subject property and amendment to the Official Zoning Map. Any and all development of the approved PUD shall be in strict conformance with the Master Development Plan, as approved by the City Commission.

In the event of an amendment to the Comprehensive Plan, the Land Development Code, or other applicable regulations that occurs prior to completion of construction of the PUD, all subsequent development that has not received approval under Section 7.06.00 (Subdivision Regulations) or Section 7.05.00 (Site Development Plan Regulations) as of the date of the amendment shall be consistent with the new regulations. Approval of development under these sections of the Code shall be valid for one (1) year. Unless construction begins on or before the first anniversary date, development approval shall be null and void, and the new standards shall apply.

Previous approval of a Master Development Plan shall not by itself convey the right to develop property in a manner that is inconsistent with the Comprehensive

Plan and current codes. Prior to approval of further subdivision plats or site development plans within the PUD, the Master Development Plan shall be amended to reflect amended codes or other requirements.

7.04.07 Development Within PUDs

~~All development within a PUD district shall comply strictly with its approved Master Development Plan, the Land Development Code and the Comprehensive Plan. Platting of property for residential or non-residential uses shall be carried out according to the requirements of Section 7.06.00. Development on individual sites, other than single family development, shall be reviewed and approved according to the requirements of Section 7.05.00, Site Development Plans.~~

~~(A) — *Permitted Uses.* Within any PUD District the following uses shall be permitted:~~

~~(1) — Single family detached dwellings.~~

~~(2) — Single family attached dwellings.~~

~~(3) — Mobile homes on individual platted lots.~~

~~(4) — Multiple family dwellings.~~

~~(5) — Recreational facilities and structures intended for the use of the residents of the PUD.~~

~~(6) — Golf courses, public or private, that may be calculated as recreation space as is hereinafter required, provided the clubhouse and other structures are located more than 150 feet from any residential structure.~~

~~(7) — Off street parking and garage facilities intended for the exclusive use of the residents of the PUD.~~

~~(8) — Model dwelling units erected on the site pursuant to all applicable codes and ordinances of the City.~~

~~(9) — Commercial uses permitted in the C-2 district.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

- (B) *Special Exception Uses.* No separate approval of a Special Exception use shall be required within a PUD, provided that the proposed use and its location is noted on the Master Development Plan. Allowable uses for any tract within a PUD shall include those listed in the Table of Land Uses as either a Permitted or Special Exception Use for the Equivalent Zoning District for that tract. However, any use listed in the Table as a Special Exception may be denied if the City Commission determines the proposed use would be incompatible with surrounding land uses, either inside or outside the PUD. Additional uses proposed after approval and/or development of the PUD shall be authorized as a PUD amendment rather than through the Special Exception process.

~~7.04.08~~ **General Requirements**

The following requirements shall apply to all Planned Unit Developments:

- ~~(A) *Common Properties.* Common properties that serve as amenities to the residents of a PUD shall be provided and classified as follows:~~

~~(1) *Designated Open Space.* Designated open space shall be defined as the total area within the PUD that has been set aside for recreational use, stormwater management, or for preservation in its natural condition, for the benefit of the residents of the development. Open space shall be shown on the Master Development Plan. The minimum open space required in a PUD shall be 30 percent of the gross site area, and may include, but shall not be limited to, the following:~~

- ~~a. Common Recreation Areas, as defined in subparagraph (2) below.~~
- ~~b. Areas equivalent to no more than 50 percent of the total acreage of wetlands, lakes, drainage retention/detention areas, and other permanent or semi-permanent water bodies.~~
- ~~c. Scrub or other natural areas to be set aside for the preservation of endangered plant or animal species.~~
- ~~d. Golf courses.~~
- ~~e. Stormwater retention/detention areas, but not ditches and swales.~~

~~Designated open space shall not include the following:~~

- a. ~~lands designated for residential or commercial use (regardless of density or intensity of these uses)~~
- b. ~~parking areas except those accessory to recreational uses~~
- c. ~~utility easements and road rights-of-way~~
- d. ~~perimeter setback areas, unless developed with bicycle or pedestrian trails~~
- e. ~~sewer and/or water treatment plant sites~~
- f. ~~land that has been or is to be conveyed to a public agency for public use via a purchase agreement or dedication for schools, parks, community buildings, or other public facilities (excluding drainage facilities)~~

~~(2) *Common Recreation Area.* Common recreation area shall be designated as such on the Master Development Plan, shall be distributed throughout the PUD, and shall be integrated into its overall design.~~

~~Common Recreation Area shall constitute not less than one-half of the total area qualifying as designated open space as defined in (1) above. Recreation areas shall be usable and accessible, and shall be improved with facilities to allow a specific use or range of uses. Types of recreation facilities and the acreage assigned to each shall be shown in tabular form on the Plan.~~

~~Common Recreation Area may include the following uses and associated facilities:~~

- a. ~~swimming pools, tennis courts and playing fields~~
- b. ~~playgrounds~~
- c. ~~picnic areas and pavilions (up to 20 percent of total required Common Recreation Area acreage)~~
- d. ~~golf courses (up to 50 percent of total required Common Recreation Area acreage)~~
- e. ~~rights-of-way for nature trails, jogging/bicycle paths, or other pedestrian facilities, up to 15 feet in width (excluding sidewalks in residential or commercial areas)~~

The following shall not be included in Common Recreation Areas:

- a. ~~Streets, road right of way, and parking areas~~
- b. ~~All easements~~
- c. ~~Water bodies and wetlands, except within designated right of way for nature trails~~
- d. ~~Ditches, swales, retention areas and other stormwater management facilities~~
- e. ~~Areas of less than 50 feet in width and 5,000 square feet in size, unless incorporated into a pedestrian or bicycle circulation system.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

- (B) ~~*Commercial Uses.* The PUD designation allows those commercial uses that are permitted in the C 2 district. Commercial development shall adhere to development standards established in that district. Such uses shall be permitted only on parcels or tracts labeled on the Master Development Plan as being for commercial use, and shall be subject to Site Development Plan requirements established in Section 7.05.00. Commercial uses shall primarily serve residents of the development, and shall not be located adjacent to the perimeter of the PUD site. Commercial structures shall be located not less than 150 feet from the boundary of any property outside the PUD zoned for residential use.~~

~~No more than 5 percent of the overall PUD site shall be designated for commercial use. Clubhouses, swimming pools, community centers, and other recreational facilities owned in common by residents of the PUD shall not be included in this limitation. However, nothing stated in this Code shall preclude the establishment of a public golf course in a PUD.~~

~~No building permit for a commercial use will be issued until at least 50 percent of the approved dwelling units in the PUD have received Certificates of Occupancy.~~

Comment: This information has been deleted as the PUD-C has been added in Article 2.

- (C) ~~*Density.* The total number of permitted dwelling units within a PUD shall be based on the gross acreage of the overall development site, including all open space, recreation areas, drainage facilities, road rights of way, and areas proposed~~

~~for commercial use. These units may be clustered or otherwise arranged according to sound planning principles throughout the PUD site, providing a mixture of housing types, densities, and price ranges in a creative development design that is appealing to residents and beneficial to the City as a whole.~~

~~Where a PUD site lies within two or more land use designations, as shown on the Future Land Use Map (such as Low Density Residential and Medium Density Residential), separate dwelling unit calculations shall be made, using the appropriate permitted density value for each. Where a PUD site lies partially within the Commercial land use designation, densities within these areas shall not exceed 12 units per acre.~~

~~Dwelling units permitted under each category shall be located on portions of the site lying within the respective land use designation. This requirement may be waived by the City Commission upon recommendation of the Planning Board. In this situation, both bodies shall find that the distribution of residential units without regard to land use designation boundaries is in harmony with the intent of the Comprehensive Plan, will not create adverse impacts on surrounding properties, and is justified in order to fulfill a beneficial development concept. In no case, however, shall the total number of units exceed the number allowable under the provisions of the Comprehensive Plan.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

- ~~(D) — *Development in Stages.* Rather than construct the entire PUD at once, the developer may choose to build the project in stages. Phased development of a PUD is permissible under the following conditions:~~
- ~~(1) — Developer must submit a construction schedule covering all phases of the PUD to the Chief Planning Official. This schedule may be revised from time to time as necessary.~~
 - ~~(2) — All roads, drainage and utility facilities needed to support any stage shall be completed and available for use prior to issuance of any building permits.~~
 - ~~(3) — At least thirty percent (30%) of the total acreage of each stage shall qualify as Designated Open Space, as defined in paragraph 1(a) above. No less than one-half of this acreage shall be developed as Common Recreation Area, as defined in paragraph 1(b) above. All recreation facilities shall be completed and available for use prior to issuance of building permits.~~

- (4) ~~No individual stage of the PUD shall exceed the overall density approved on the Master Development Plan for the PUD as a whole.~~

Comment: This information has been relocated to a new Section 7.04.05.

~~(E) *Ownership and Maintenance of Common Property.* The developer shall establish a property owner's association or similar legal entity for the perpetual ownership and maintenance of open space, drainage facilities and other community facilities designated on the Master Development Plan and subdivision or site development plans for individual tracts. These facilities include, but are not limited to, pedestrian or bike paths, playgrounds, landscaped open spaces, lakes, swimming pools, bath houses, tennis courts, parking lots, utilities, drainage channels, and retention/detention ponds. Roads shall also be included unless dedicated to the City of Lake Alfred for public use. Such organizations shall be created by covenants running with the land, and such covenants shall be included as part of the final site development plan or subdivision plat of each phase and subject to approval of the City Commission.~~

~~In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of a PUD fails to maintain the common areas as previously defined above, in reasonable order and condition, and in accordance with the adopted Master Development Plan and subsequent final development plans, the City may serve written notice upon such organization and/or the owners or residents of the PUD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing, the City shall call upon any public or private agency to maintain the common open space for a period of one year. If the City determines that the subject organization is not prepared or able to maintain the common open space, such public or private agency shall continue maintenance for yearly periods.~~

~~The cost of such maintenance by the designated public or private agency shall be assessed proportionately against the properties within the PUD that have a right of enjoyment of the common open space, and shall become a lien on said properties.~~

~~Applicable requirements of this subsection shall be inserted into the legal documents of the homeowners association or similar organization having legal ownership of common properties. These legal documents shall be structured to serve the following purposes:~~

- ~~(1) To define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the common elements of the owners of the association or organization;~~

- ~~(2) — To establish a system of interlocking relationships binding each owner to all other owners for the purpose of maintaining and preserving what is owned and used in common;~~
- ~~(3) — To establish an array of protective standards or restrictions designed to establish limits and assure that a certain level of appearance is maintained;~~
- ~~(4) — To create an administrative vehicle, the owners association, to manage those elements shared in common and to enforce standards;~~
- ~~(5) — To provide for the operation and financing of the association;~~
- ~~(6) — To specify the process involved in effecting the transfer of control of the association and responsibility for the common elements from the developer to the unit owners collectively; and,~~
- ~~(7) — To set forth proper access and utility easements for the owners and the association.~~

~~All common areas are to be properly defined in legal descriptions and must be consistent with the Master Development Plan and subsequent final development plans of the PUD.~~

Comment: This information has been relocated to a new Section 7.04.06.

~~(F) — *Private Roads.* Internal roads serving the PUD may remain in the private ownership of the developer or may be conveyed to a property owner's association or similar entity created under the provisions of paragraph (E) above. However, such roads must be designed and constructed to meet all standards applicable to a public road serving the same function, including right of way widths. No private road that constitutes the primary access to residential or commercial properties within a PUD shall be built on an easement.~~

~~The City of Lake Alfred shall have no responsibility for maintenance of private roads. Should such roads be offered for public dedication in the future, the City shall not accept the dedication unless the roads are in good repair and in conformity with all codes and standards in effect at the time of dedication.~~

~~If a guard house or other form of barrier is placed at the entrance to the PUD for the purpose of restricting access, the developer or property owner's association shall be responsible for ensuring entry to the property for emergency vehicles. The City shall have no liability for injury or loss of life resulting from restricted access to the development.~~

Comment: This information has been relocated to a new Section 7.04.07.

~~(G) — *Model Homes.* All model dwelling units shall be subject to the following restrictions:~~

- ~~(1) — Model dwelling units shall not be used for a period of longer than one year; however, the City Commission may grant an extension for a period not to exceed one year.~~
- ~~(2) — The number of model dwelling units shall not exceed eight (8) in number, and shall not be connected to water and sewer facilities until a plat of record has been provided for the subdivision area in which the models are located.~~
- ~~(3) — At least two off street parking spaces per model unit shall be provided on the same lot as the model dwelling unit or on contiguous lots, and shall be maintained as long as the model dwelling unit is used as such.~~

Comment: This information has been deleted as model homes apply to more than PUD zoning districts.

~~(H) — *Bonding.* Prior to commencement of construction within any tract of a PUD, the developer shall file the following items with the office of the Chief Planning Official:~~

- ~~(1) — A performance, labor and material payment bond for the completion of the construction of all public improvements specified in the Preliminary Subdivision Plan or Site Development Plan within one (1) year.~~
- ~~(2) — A performance, labor and material payment bond for the completion of the construction of all common properties specified in the Preliminary Subdivision Plan or Site Development Plan within one (1) year.~~
- ~~(3) — A maintenance warranty bond in the amount of 10 percent of the total cost of the construction of all public improvements, to be in force for a period of two (2) years following acceptance by the City of the final construction of said public improvements.~~
- ~~(4) — In lieu of any bond, the developer may use an escrow account to insure the performance of the construction as planned if said account and the administration thereof is approved by the City Commission.~~

All bonds shall be from a company licensed as a surety in the State of Florida, listed by the U.S. Treasury Department and rated A:AAA in Best's Insurance Guide. Upon acceptance of all improvements described in Subsections 1 and 2 above, said performance and payment bonds shall be released.

Comment: This information has been relocated to a new Section 7.04.08.

~~(1) — Amendment or Termination of a PUD. Once PUD approval is granted, all development within the PUD development site shall be in conformity with the approved Master Development Plan. In the event a developer wishes to deviate significantly from the approved development pattern, he shall either submit an amended Master Development Plan or apply for a conventional zoning classification through the normal rezoning process.~~

~~The addition to or removal of any tract or parcel from a PUD shall require an amendment to the Master Development Plan. Any amendment, variation or adjustment of a Master Development Plan shall require approval according to the following:~~

~~(1) — Major Amendment. Submission for review and approval by the Planning Board and City Commission.~~

~~(2) — Minor Amendment. Submission for review and approval by the Chief Planning Official.~~

~~The Chief Planning Official shall determine whether a proposed Master Development Plan amendment is a major amendment or a minor amendment. The determination shall be based on, but not limited to the following: any substantial change to the MDP, including increase in density, change in permitted uses, change in stormwater runoff characteristics, rearrangement of designated open space or recreation areas, change in traffic patterns and trip generation, or other similar changes shall be considered a major amendment to the plan; any proposed minor changes in configuration or similar changes shall be considered a minor amendment to the plan. The Chief Planning Official may, at his discretion, forward any application for plan amendment to one or more individual departments for review and recommendation both as to its classification as a major or minor amendment and as to whether it should be approved, approved with conditions, or denied.~~

Comment: This information has been relocated to a new Section 7.04.04.

~~(1) — Perimeter Setback. No structure shall be located less than 35 feet from the~~

~~perimeter of the PUD development site.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

~~(K) — *Public Easements.* The City of Lake Alfred shall be granted easements allowing access to and use of tracts designated for open space, recreation, drainage facilities, sewer and water facilities and private roads, should public maintenance and/or repair become necessary.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

~~(L) — *Access.* All residential and commercial properties shall have direct frontage on a public right of way or private right of way dedicated to common use by all residents of the development.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

~~(M) — *Landscaping*~~

~~(1) — Landscaping requirements shall be as set forth in Section 3.07.00.~~

~~(2) — Along public or private rights of way, including those bordering the perimeter of the PUD, one canopy tree shall be planted for every 50 feet of right of way. Such trees shall be no less than 10 feet in height at the time of planting, and shall be placed within 5 feet of the right of way. Along internal roads, the trees shall be planted alternately on either side of the street.~~

~~(3) — The City Commission shall be permitted to impose any additional landscaping requirements that it determines are necessary, either within the PUD or along its perimeter, to prevent or minimize adverse impacts between potentially incompatible land uses.~~

Comment: This information has been relocated to Article 2, Section 2.04.02.24.

Comment: The information contained in the following newly numbered 7.04.04, 7.04.05, 7.04.06, 7.04.07, and 7.04.08 were contained in the original Section 7.04.08. The information remains unchanged but has been separated out by topic with each given its own Section number in order to provide a clearer manner in which to locate the information.

7.04.04 Amendment or Termination of a PUD

~~Amendment or Termination of a PUD.~~ Once PUD approval is granted, all development within the PUD development site shall be in conformity with the approved Master Development Plan. In the event a developer wishes to deviate significantly from the approved development pattern, he shall either submit an amended Master Development Plan or apply for a conventional zoning classification through the normal rezoning process.

The addition to or removal of any tract or parcel from a PUD shall require an amendment to the Master Development Plan. Any amendment, variation or adjustment of a Master Development Plan shall require approval according to the following:

- (1) Major Amendment. Submission for review and approval by the Planning Board and City Commission.
- (2) Minor Amendment. Submission for review and approval by the Chief Planning Official.

The Chief Planning Official shall determine whether a proposed Master Development Plan amendment is a major amendment or a minor amendment. The determination shall be based on, but not limited to the following: any substantial change to the MDP, including increase in density, change in permitted uses, change in stormwater runoff characteristics, rearrangement of designated open space or recreation areas, change in traffic patterns and trip generation, or other similar changes shall be considered a major amendment to the plan; any proposed minor changes in configuration or similar changes shall be considered a minor amendment to the plan. The Chief Planning Official may, at his discretion, forward any application for plan amendment to one or more individual departments for review and recommendation both as to its classification as a major or minor amendment and as to whether it should be approved, approved with conditions, or denied.

Comment: This information in this Section has been relocated from the original Section 7.04.08 (I).

7.04.05 Development in Stages

Development in Stages. Rather than construct the entire PUD at once, the developer may choose to build the project in stages. Phased development of a PUD is permissible under the following conditions:

- (1) Developer must submit a construction schedule covering all phases of the PUD to the Chief Planning Official. This schedule may be revised from time to time as necessary.

- (2) All roads, drainage and utility facilities needed to support any stage shall be completed and available for use prior to issuance of any building permits.
- (3) At least thirty percent (30%) of the total acreage of each stage shall qualify as Designated Open Space, as defined in ~~1(a) above~~ Article 2, Section 2.04.02.24 (E)(4)a. No less than one-half of this acreage shall be developed as Common Recreation Area, as defined in ~~1(b) above~~ Article 2, Section 2.04.02.24(E)(4)b. All recreation facilities shall be completed and available for use prior to issuance of building permits.
- (4) No individual stage of the PUD shall exceed the overall density approved on the Master Development Plan for the PUD as a whole.

Comment: The information in this Section has been relocated from the original Section 7.04.08 (D). References updated to reflect the relocation of information.

7.04.06 Ownership and Maintenance of Common Property

~~Ownership and Maintenance of Common Property.~~ The developer shall establish a property owner's association or similar legal entity for the perpetual ownership and maintenance of open space, drainage facilities and other community facilities designated on the Master Development Plan and subdivision or site development plans for individual tracts. These facilities include, but are not limited to, pedestrian or bike paths, playgrounds, landscaped open spaces, lakes, swimming pools, bath houses, tennis courts, parking lots, utilities, drainage channels, and retention/detention ponds. Roads shall also be included unless dedicated to the City of Lake Alfred for public use. Such organizations shall be created by covenants running with the land, and such covenants shall be included as part of the final site development plan or subdivision plat of each phase and subject to approval of the City Commission.

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of a PUD fails to maintain the common areas as previously defined above, in reasonable order and condition, and in accordance with the adopted Master Development Plan and subsequent final development plans, the City may serve written notice upon such organization and/or the owners or residents of the PUD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing, the City shall call upon any public or private agency to maintain the common open space for a period of one year. If the City determines that the subject organization is not prepared or able to maintain the common open space, such public or private agency shall continue maintenance for yearly periods.

The cost of such maintenance by the designated public or private agency shall be assessed proportionately against the properties within the PUD that have a right of enjoyment of the common open space, and shall become a lien on said properties.

Applicable requirements of this subsection shall be inserted into the legal documents of the homeowners association or similar organization having legal ownership of common properties. These legal documents shall be structured to serve the following purposes:

- (1) To define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the common elements of the owners of the association or organization;
- (2) To establish a system of interlocking relationships binding each owner to all other owners for the purpose of maintaining and preserving what is owned and used in common;

- (3) To establish an array of protective standards or restrictions designed to establish limits and assure that a certain level of appearance is maintained;
- (4) To create an administrative vehicle, the owners association, to manage those elements shared in common and to enforce standards;
- (5) To provide for the operation and financing of the association;
- (6) To specify the process involved in effecting the transfer of control of the association and responsibility for the common elements from the developer to the unit owners collectively; and,
- (7) To set forth proper access and utility easements for the owners and the association.

All common areas are to be properly defined in legal descriptions and must be consistent with the Master Development Plan and subsequent final development plans of the PUD.

Comment: The information in this Section has been relocated from the original Section 7.04.08 (E). The first sentence of this Section is also the first sentence of Section 2.04.02.24.

7.04.07 Private Roads

~~Private Roads.~~ Internal roads serving the PUD may remain in the private ownership of the developer or may be conveyed to a property owner's association or similar entity created under the provisions of ~~paragraph E above~~ Section 7.04.06. However, such roads must be designed and constructed to meet all standards applicable to a public road serving the same function, including right-of-way widths. No private road that constitutes the primary access to residential or commercial properties within a PUD shall be built on an easement.

The City of Lake Alfred shall have no responsibility for maintenance of private roads. Should such roads be offered for public dedication in the future, the City shall not accept the dedication unless the roads are in good repair and in conformity with all codes and standards in effect at the time of dedication.

If a guard house or other form of barrier is placed at the entrance to the PUD for the purpose of restricting access, the developer or property owner's association shall be responsible for ensuring entry to the property for emergency vehicles. The City shall have no liability for injury or loss of life resulting from restricted access to the development.

Comment: The information in this Section has been relocated from the original Section 7.04.08

(F). Reference updated to reflect the relocation of information.

7.04.08 Bonding

~~*Bonding*~~ Prior to commencement of construction within any tract of a PUD, the developer shall file the following items with the office of the Chief Planning Official:

- (1) A performance, labor and material payment bond for the completion of the construction of all public improvements specified in the Preliminary Subdivision Plan or Site Development Plan within one (1) year.
- (2) A performance, labor and material payment bond for the completion of the construction of all common properties specified in the Preliminary Subdivision Plan or Site Development Plan within one (1) year.
- (3) A maintenance warranty bond in the amount of 10 percent of the total cost of the construction of all public improvements, to be in force for a period of two (2) years following acceptance by the City of the final construction of said public improvements.
- (4) In lieu of any bond, the developer may use an escrow account to insure the performance of the construction as planned if said account and the administration thereof is approved by the City Commission.

All bonds shall be from a company licensed as a surety in the State of Florida, listed by the U.S. Treasury Department and rated A:AAA in Best's Insurance Guide. Upon acceptance of all improvements, said performance and payment bonds shall be released.

Comment: The information in this Section has been relocated from the original Section 7.04.08 (H).

[RESERVED]

Comment: The information in this Section has been relocated from Section 7.04.08 (came after letter (M)). Therefore, "Reserved" remains at the end of the PUD Article.

**LAKE ALFRED
UNIFIED LAND DEVELOPMENT CODE**

ARTICLE 9

DEFINITIONS

Draft Amendments

LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE

ARTICLE 9

DEFINITIONS

- Please note that only the definitions in Article 9 that are to be amended are provided. Not all definitions in Article 9 are proposed to be amended and therefore are not included in this Draft Amendment Package.
- Language that is proposed to be changed is shown in strikeout/underline text as demonstrated below.
 - Text that is underlined is text to be added. Text that is in ~~strikeout~~ is text to be removed.

A Comment is included after each proposed amendment or at the beginning of amendment sections for reference.

~~**Drive-in Restaurant:** A business establishment where food or drink is served to patrons in automobiles, or that have take out services or provide parking spaces, or outside tables for use by patrons.~~

Comment: The definition has been relocated under restaurant for easier reference.

Mixed-Use: A building or development that contains two or more of the following major use types: residential, office, retail, or industrial.

Comment: The definition has been added to address mixed use.

Restaurant: Any establishment where food is served or prepared or both, for public consumption on or off the premises.

Drive-in Restaurant: A business establishment where food or drink is served to patrons in automobiles, or that have take-out services or provide parking spaces, or outside tables for use by patrons.

Drive-thru Restaurant: An establishment that by design, physical facilities, service, or packaging procedures encourages or permits costumers to receive services or to obtain goods while remaining in their motor vehicles.

Comment: Definitions relating restaurants located under the definition of restaurant. Definition

for Drive-thru restaurant added because the use was added to the Table of Uses.

Planned Unit Development (PUD)/Planned Development Project (PDP): ~~A form of development characterized by a unified site design for a number of housing units, clustering buildings, and providing common open space, density increases, and a mix of building types and land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. Also, a process in which public officials have considerable involvement in determining the nature of development through site plan review. It includes aspects of both subdivision and zoning regulation and usually is administered either through a special permit or a rezoning process.~~ A form of development characterized by a unified site design for residential, commercial, office, industrial, or a mix of uses, allowing for the clustering of buildings, and providing relatively high net residential densities balanced by common open space. It permits the planning of a project and the calculation of densities/intensities over the entire development, rather than on a lot-by-lot basis. It also refers to a process, mainly revolving around site plan review, in which public officials have considerable involvement in determining the nature of the development. It includes aspects of subdivision, site plan and zoning regulation and is administered through a rezoning process.

Comment: Definition updated to reflect the current use of Planned Unit Development.