

**FRUITLAND PARK CITY COMMISSION
LOCAL PLANNING AGENCY MEETING AGENDA**

December 14, 2023

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, Florida 34731

6:15 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
July 13, 2023 meeting

PUBLIC HEARING

- 4. PUBLIC HEARING - ORDINANCE 2023-016 SSCPA 16.67 ± ACRES-
EAST US HIGHWAY 441/27 AND EAST OF REGISTER ROAD GRIFFIN
PRESERVE – PETITIONER: BERYL N. STOKES III** (city attorney/city
manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 16.67 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

- 5. PUBLIC HEARING – ORDINANCE 2023-020 COMPREHENSIVE PLAN
AMENDMENT BUILDING HEIGHTS RESTRICTION** (city attorney/city
manager/community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO

ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

6. PUBLIC HEARING – ORDINANCE 2023-019 LAND DEVELOPMENT CODE AMENDMENT – BUILDING HEIGHTS RESTRICTION (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF GROVELAND LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

END OF PUBLIC HEARING

7. UNFINISHED BUSINESS

8. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the local planning agency at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the LPA. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the LPA addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

9. ADJOURNMENT

Any person requiring special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.

CITY OF FRUITLAND PARK
LPA AGENDA ITEM SUMMARY SHEET
Item Number: 3

ITEM TITLE:	Draft LPA Meeting Minutes
MEETING DATE:	Thursday, December 14, 2023
DATE SUBMITTED:	Monday, December 4, 2023
SUBMITTED BY:	City Clerk
BRIEF NARRATIVE:	July 13, 2023 LPA meeting minutes
FUNDS BUDGETED:	None
ATTACHMENTS:	Draft meeting minutes
RECOMMENDATION:	Approval, if there are no corrections.
ACTION:	Approval.

**FRUITLAND PARK LOCAL PLANNING AGENCY
DRAFT MEETING MINUTES
July 13, 2023**

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, July 13, 2023 at 6:15 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor Patrick DeGrave, Commissioners John L. Gunter Jr., and Chris Bell.

Member Absent: Commissioner John Mobilian and Nonvoting Member Tyler Brandenburg School Board District 2.

Also Present: Gary La Venia City Manager; City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Captain Henry Rains; Sergeant David Cox, Police Department; Public Works Director Robb Dicus; Human Resources Director Betty McHale; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Mses. Sharon Williams, Administrative Manager; Kelli Fielder, Permit and Zoning Technician, and Carrie Pruitt, Permit Technician, Community Development Department; Lieutenant/Paramedic Firefighter/Emergency Medical Technician Bryce Benton, Lake County Fire Rescue, Lake County Fire Rescue, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order.

ACTION: 6:12:40 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present and Commissioner Mobilian’s absence was acknowledged.

ACTION: 6:02:12 p.m. **By unanimous consent, the LPA excused the absences of Commissioner John Mobilian and Nonvoting Member Tyler Brandenburg School Board District 2.**

3. APPROVAL OF MINUTES

March 9, 2023 LPA meeting minutes.

ACTION: 6:03:28 p.m. **On motion of Commissioner Bell, seconded by Commissioner Gunter and unanimously carried, the LPA approved the March 9, 2023, LPA meeting minutes as submitted.**

PUBLIC HEARING

4. Public Hearing Ordinance 2023-009 SSCPA – 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC

After Ms. Geraci-Carver read into the record proposed Ordinance 2023-009 the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (Continued from January 26 and February 9, 2023.)

Mr. Logan J. Opsahl, Lowndes et.al, Attorney representing the applicant, recalled the subject small-scale comprehensive plan amendment (SSCPA) and the draft master development agreement (MDA) previously considered before the city commission; referred to his earlier discussions with Ms. Geraci-Carver relative to same together with comparisons on the two draft MDAs, and addressed the applicant's following commitments, consistent with the (conceptual) site plan, to voluntarily restrict the densities to 170 dwelling units; to build-to-rent or purchase of town homes, duplexes or add single family or one of same, and to provide asset classes with the determination of all town homes or single-family dwellings and reassess current marketing trends with a flexible (conceptual) site plan proposing all town homes or single-family dwellings which would decrease density.

In response, Ms. Geraci-Carver clarified and identified the following three draft MDA's -
- first initial draft showing the conceptual site plan (based on Mr. Opsahl's direction);
second draft (following her discussion with Mr. Opsahl on the need for ultimate control and flexibility of the plan) revealing civil drawings with the acquisition of two more units and adjustment of the buildings' locations, and the third draft (sent to her from Mr. Opsahl) with strikethroughs and changes where he confirmed the determination of unit counts of the different asset classes on duplexes and town homes.

Subsequent to much discussion, Ms. Geraci-Carver gave reasons why she recommends the first or third draft MDA (based on duplexes and town homes in the conceptual site plan with the request for the applicant's commitment with same together with single family dwellings

Following extensive discussions, Mr. "Chuck" C. Hiott, Halff Associates, Inc. (consultants retained by the city), referred to the submittal of the conceptual site plan showing town homes and duplexes and in following the developer's placement of infrastructure and consistent to the plan, he accepted the following, contingent upon the applicant's approval:

- the flexibility to combine town homes, duplexes and single-family dwellings which would reduce the density/number of units;
- under Section 2, Land Use Development, accept the provision that apartments are not permitted;
- the commitment to an 8.8 density with a cap of 170 units, and
- under Section 3, Elevations and Architectural Features, Exhibit C, remove the language *Roofs shall be tile*

ACTION: 6:03:28 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Gunter that the LPA recommend to the city commission the approval of Ordinance 2023-009 as previously cited.** (The LPA recognized the petitioner's request as previously cited and the amendment to commit to a future land use designation of 8.8 maximum density (not to exceed 170 units per acre) contingent upon the applicant's acceptance.

There being no one from the public and **by unanimous consent, Mayor Cheshire closed the public hearing.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

END OF PUBLIC HEARING

5. UNFINISHED BUSINESSES

There was no unfinished business to come before the LPA at this time.

ACTION: 6:20:08 p.m. No action was taken.

6. PUBLIC COMMENTS

There were no public comments at this time.

ACTION: 6:20:09 p.m. No action was taken.

7. ADJOURNMENT

The meeting adjourned at 6:21 p.m.

Signed
Esther B. Coulson, City Clerk, MMC

Signed
Chris Cheshire, Mayor

CITY OF FRUITLAND PARK
LPA AGENDA ITEM SUMMARY SHEET
Item Number: 4

ITEM TITLE: Public Hearing Ordinance 2023-016 Small-Scale Comprehensive Plan Amendment – East of US 27/441 and East of Register Road – Petitioner: Beryl N. Stokes III

MEETING DATE: Thursday, December 14, 2023

DATE SUBMITTED: Monday, December 4, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-016 Owner submitted an application for annexation, a small-scale comprehensive plan amendment (SSCPA), and a planned unit development rezoning to receive city services and develop a proposed 67-unit single family subdivision with a proposed density limitation of four units/acre. The SSCPA request is to amend the future land use plan designation from Lake County Regional Office to City Single Family Medium Density of 16.67+ acres.

FUNDS BUDGETED: None

ATTACHMENTS: Draft Ordinance 2023-016, legal description, proposed and existing FLU map, staff report and affidavit.

RECOMMENDATION: The Planning and Zoning Board recommended approval at its November 16, 2023 meeting.

ACTION: Approve Ordinance 2023-016

ORDINANCE 2023-016

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY REGIONAL OFFICE TO CITY SINGLE-FAMILY MEDIUM DENSITY OF 16.67 +/- ACRES OF PROPERTY GENERALLY LOCATED EAST OF US HWY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Sloan Engineering Group, Inc. as applicant, on behalf of Beryl N Stokes, III as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Single-Family Medium Density" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Board of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The following described property consisting of approximately 16.67 ± acres generally located east of US Highway 441/27 and east of Register Road as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Single-Family Medium Density under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3. Direction to the City Manager.

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

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: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: Scrivener's Errors.

Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7. Adoption

After adoption, a copy hereof shall be forwarded to the Department of Economic Opportunity.

Section 8: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice-Mayor DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

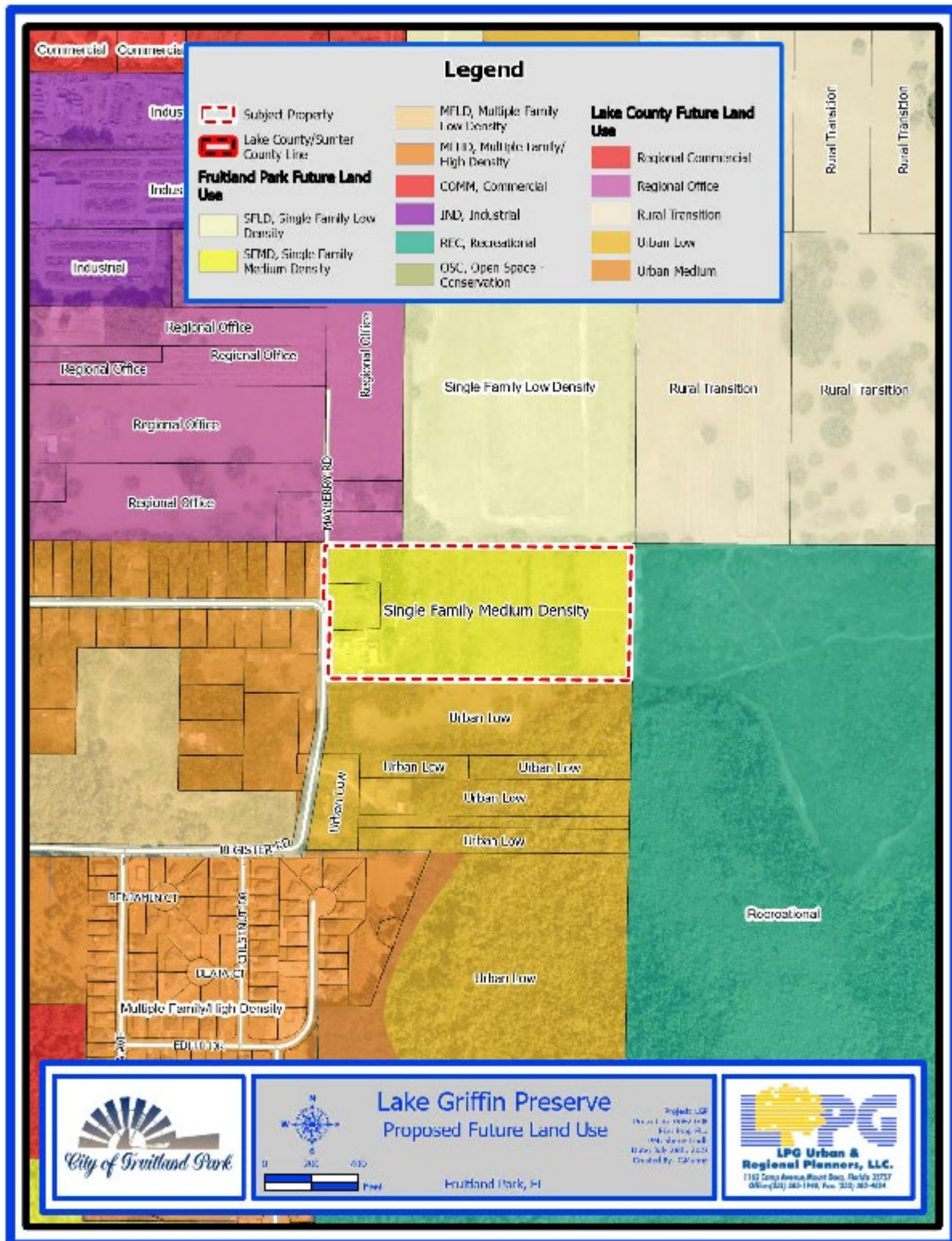
Commissioner Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

“EXHIBIT A”

That part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3; thence run N89°46'23"W along the North line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 1327.38 feet to the Northwest corner of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence run S00°53'13"W along the West line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 15.00 feet for the Point of Beginning; thence continue S00°53'13"W along said West line, a distance of 225.75 feet; thence run S89°46'23"E along the South line of the North 240.74 feet of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 25.00 feet; thence run S00°53'13"W along a line 25.00 feet East of and parallel to said West line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 337.27 feet; thence run S89°46'23"E along a line parallel with said North line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 1285.45 feet; thence run N01°04'39"E along a line 15.00 feet West of and parallel to the East line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 563.05 feet; thence run N89°46'23"W along a line 15.00 feet South of and parallel to said North line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 1312.33 feet to the Point of Beginning. Contains 729,865 square feet or 16.755 acres, more or less.

EXHIBIT B

Commercial Commercial

Indus

Indus

Industrial

Rural Transition


Rural Transition

Rural Transition

Recreational

Legend

 Subject Property


 Lake County/Sumter County Line

Lake County Future Land Use

 Regional Commercial

 Regional Office


 Rural Transition


 Urban Low


 Urban Medium

Fruitland Park Future Land Use

 SFLD, Single Family Low Density

 SFMD, Single Family Medium Density

 MFLD, Multiple Family Low Density

 MFHD, Multiple Family/High Density

 COMM, Commercial

 IND, Industrial

 REC, Recreational

 OSC, Open Space - Conservation

Regional Office

Regional Office

Regional Office

Regional Office

Regional Office

Regional Office

Single Family Low Density

Rural Transition

Regional Office

Urban Low

Urban Low

Urban Low

Urban Low

Urban Low

Urban Low

BENJAMIN CT

CHESTNUT DR

DEATA CT

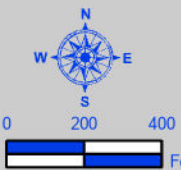
Multiple Family/High Density

A AVE

EDITH DR

REGISTER RD

Urban Low



Lake Griffin Preserve Proposed Future Land Use

Fruitland Park, FL

Project: LGP
Project #: 398-23-08
File: Prop FLU
PM: Sherie Lindh
Date: July 26th, 2023
Created By: C.Manno



CITY OF FRUITLAND PARK
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC

ANNEXATION, SSCPA, AND REZONING

Owner: Beryl Stokes, III

Applicant: Sloan Engineering Group, Inc., Steve Sloan, P.E.

General Location: East of US 27/441 and East of Register Road

Number of Acres: 16.755 ± acres

Existing Zoning: Agriculture and Light Manufacturing (Lake County)

Proposed Zoning: PUD (City of Fruitland Park)

Existing Land Use: Regional Office

Proposed Land Use: Single-Family Medium Density (4 units/acre)

Date: September 19th, 2023

Description of Project

The applicant is requesting annexation, a small-scale comp plan amendment, and a rezoning to receive city services and develop a proposed 67-unit single family subdivision. Based on the proposed density limitation of 4 units/acre the maximum allowable development is 67 units.

	Surrounding Zoning	Surrounding Land Use
North	R-1 (Lake County) & City PUD	Regional Office (3.0 FAR) (Lake County) & SF Low Density (2 units/acre)
South	R-1 (Lake County)	Urban Low (4 units/acre) (Lake County)
East	PFD	Recreation (0.30 FAR)
West	CFD and R-6	Urban Medium Density (7 units/acre)

Assessment

Annexation

The subject site is adjacent to the City limits along the northeastern and eastern property boundaries and is eligible for voluntary annexation. The proposed annexation would be considered infill development. The subject site is also within the City's Utility Service Area.

Small Scale Comp Plan Amendment

The proposed small scale comprehensive plan amendment consists of 16.755 ± acres and is located east of US Highway 27/441 and east of Register Road. For comprehensive plan purposes a maximum development scenario was utilized.

The site is designated as Regional Office on the Lake County Future Land Use Map and it is proposed to designate the site as City of Fruitland Park Single Family Medium Density. Under the Lake County Regional Office future land use the property could have been developed at a maximum development scenario of 218 MF units and 2,178,436 SF of commercial/office uses pursuant to Lake County FLU Policy 1-1.3.6 which allows a 3.0 FAR and multi-family residential at 1 unit per 10,000 SF of commercial space. Under the proposed Single Family Medium Density land use the property could be developed at a maximum development scenario of 67 units (4 units/acre); therefore, the amendment would result in a decrease of 151 units and a decrease of 2,178,436 SF of commercial/office uses. It should be noted that maximum densities and intensities will not be achieved in all cases. Compatibility standards and other LDR regulations including those regulating the interaction between land use districts and design districts, as related to each specific site's unique characteristics, will determine actual achievable densities and intensities).

The property to the north within the city limits is designated as SF Low Density (2 units/acre) and the property to the east is designated as Recreation. The adjacent properties within Lake County are designated as Regional Office, Urban Low Density (4 units/acre) and Urban Medium Density (7 units/acre).

The proposed amendment is compatible with the exiting adjacent land uses and would result in a logical transition between those land uses.

Residential Needs Analysis – The housing element data and analysis indicates the City requires a minimum of 5,460 additional dwelling units to meet the projected need through 2035. The addition of 67 units will assist in meeting this need.

School Impact Analysis – The amendment will decrease the impacts to schools, as it is a decrease in density from 1 unit per 10,000 SF (218 MF units) to 4 units/acre (67 units). The decrease in school age children is from 61 students to 17 students; a decrease of 44 students.

Existing County Land Use Residential Units: 218 MF units

Proposed Development Residential Units: 67 SF units

The anticipated number of students generated by the existing land use is shown in Table 1.

TABLE 1
STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT

Lake County Student Generation Rates	
Multi-Family	
Type	Student Multipliers per Dwelling Unit
High School	0.068
Middle School	0.061
Elementary School	0.153
Total	0.282

Lake County Student Generation Rates	
Single-Family	
Type	Student Multipliers per Dwelling Unit
High School	0.114
Middle School	0.079
Elementary School	0.157
Total	0.350

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.152	0	218	0.153	33	33
MIDDLE	0	0.074	0	218	0.061	13	13
HIGH	0	0.102	0	218	0.068	15	15
GRAND TOTAL							61

The anticipated number of students generated by the proposed land use is shown in Table 2.

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
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ELEMENTARY	67	0.157	4	0	0.143	0	4
MIDDLE	67	0.079	5	0	0.063	0	5
HIGH	67	0.114	8	0	0.077	0	8
GRAND TOTAL							17

Traffic Impact Analysis – The amendment will decrease traffic impacts as it is a decrease in density and intensity. Register Road is under the jurisdiction of Lake County and is designated as a local roadway. The LOS for Register Road is “D”. Results of the trip analysis just for the residential portion of the project indicate that the proposed amendment will decrease the daily trips by 752 and reduce the PM Peak hour trips by 41.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
SF Residential	67 units	210	717	70	44	26
TOTAL GROSS TRIPS (PROPOSED)			717	70	44	26

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
MF Residential	218 units	220	1,469	111	70	41
TOTAL GROSS TRIPS (EXISTING)			1,469	111	70	41

Net Difference (Proposed Net Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-41	-26	-15

Solid Waste Impact Analysis – The LOS for solid waste is 2 collections per week pursuant to Public Facilities Policy 4-6.1. The City utilizes a private waste hauler through a franchise agreement. The amendment will not cause a deficiency in the LOS.

Utility Impact Analysis – The subject site is within the City of Fruitland Park Utility Service Area and central water is available. The LOS for water is 172 gallons per resident per day pursuant to

Public Facilities Policy 4-10.1. The estimated population based on US Census data (estimated 2021) of 2.34 person per household is 157. The estimated water usage is 0.027.

The City owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.22 MGD. The City has a current available capacity of .317 mgpd and an analysis was conducted of the proposed amendment based on land use and the City's Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 0.29 mgpd.

The City of Fruitland Park provides sanitary sewer. The City of Fruitland Park has an agreement with the Town of Lady Lake to treat sewage and the maximum capacity is 500,000 gallons per day (0.5 mgd). The City currently has an available capacity of 374,000 gallons per day (0.374 mgd). The LOS for sanitary sewer is 122 gallons per resident per day pursuant to Public Facilities Policy 4-2.1. The estimated population based on US Census data (estimated 2021) of 2.32 person per household is 157. The estimated sanitary sewer usage is 0.019 (mgd). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.355 (mgd).

Environmental Analysis – An environmental assessment was conducted by Bio Tech Consulting, Inc. (Appendix A). There are no wetlands or flood prone areas on the subject site. Results of the assessment indicate the presence of one (1) protected species, the gopher tortoises. Prior to development, the appropriate regulatory permits will be required.

Rezoning

The subject property is currently zoned Agriculture and Light Manufacturing (LM) in Lake County and the proposed City zoning is Planned Unit Development (PUD) for the development of a 67-unit subdivision. The proposed zoning is compatible with the adjacent lands. The property to the North is zoned PUD and R-1. The property to the west is zoned Community Facilities District (CFD) and R-6. The property to the south is zoned R-1 and the property to the east is zoned PFD. The city has approved several subdivisions in the general area; Logan PUD to the north which allows 78 SF units and Gardenia East which allows for 49 SF units on 4,000 SF lots. To the southwest is Chelsea Run which is zoned R-15 with lots of approximately 7,840 SF.

Concept Plan

The concept plan identifies a 10' landscaping buffer along Register Road. Pursuant to Chapter 164, Section 164.030(b) landscape buffers for PUDs are reviewed individually with each application. The proposed single family lot sizes within the development are less than the minimum standard for the 8,000 SF lot minimums of the R-8, R-10, and R-15 category which would require a minimum of a Type "A" - 10' buffer adjacent to single family development of

larger lots (R-2 and R-4) per the table as outlined in Section 164.030(b). At a minimum a 10' buffer is recommended by staff along the entire property boundary.

Comprehensive Plan Compliance

The subject amendment is consistent with the following Comprehensive Plan policies, among others. The amendment will further the City's goals in meeting projected housing demands through 2035.

FLU Policy 1-1.1: Adequate Residential Land Area.

FLU Policy 1-1.2: Density and Intensity Standards and Table 1-1 – Single-Family Medium Density, 4 units/acre.

FLU Policy 1-1.4: Single-Family Medium Density.

FLU Policy 1-2.1: Promote Orderly, Compact Growth.

Recommendation

Please submit adequate schools determination or school concurrency reservation. At a minimum a 10' landscaping buffer is recommended by staff on all property boundaries. Please revise the preliminary site plan to include landscaping buffers along all property boundaries.

The Villages DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # **1157101** in the matter of

NOTICE OF PUBLIC HEARINGS

was published in said newspaper in the issues of

NOVEMBER 8, 2023
NOVEMBER 15, 2023

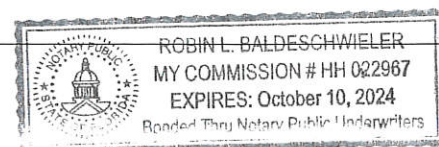
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 16
day of November 2023.

Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARINGS

ORDINANCE 2023-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 16.67 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-016

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY REGIONAL OFFICE TO CITY SINGLE-FAMILY MEDIUM DENSITY OF 16.67 +/- ACRES OF PROPERTY GENERALLY LOCATED EAST OF US HWY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-017

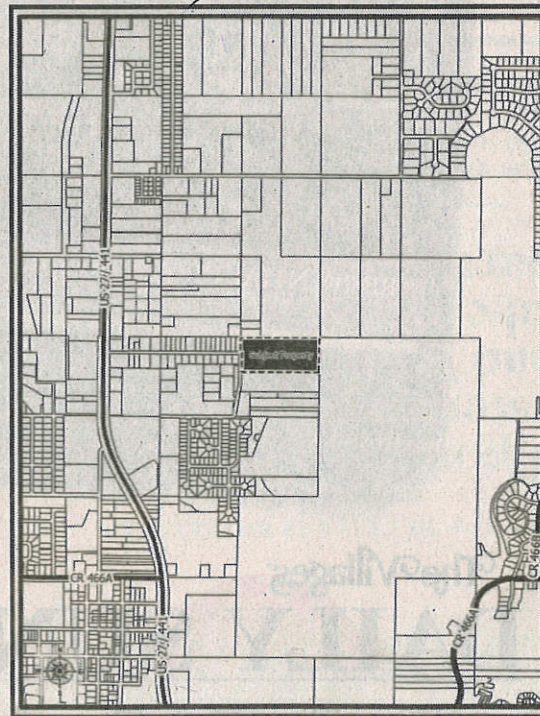
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 16.67 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) AND LIGHT MANUFACTURING (LM) TO CITY OF FRUITLAND PARK PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED EAST OF US HWY. 441/27 AND EAST OF REGISTER ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinances will be considered at the following public meetings:

Planning & Zoning Board Thursday, November 16, 2023 @ 6:00 p.m.
City Commission 1st Reading Thursday, December 14, 2023 @ 6:00 p.m.
Land Planning Agency Meeting Thursday, December 14, 2023 @ 6:15 p.m.
City Commission 2nd Reading Thursday, January 11, 2024 @ 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed ordinances and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed ordinances.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



CITY OF FRUITLAND PARK
LPA AGENDA ITEM SUMMARY SHEET
Item Number: 5

ITEM TITLE: Public Hearing Ordinance 2023-020
Comprehensive Plan Amendment Building
Heights Restriction

MEETING DATE: Thursday, December 14, 2023

DATE SUBMITTED: Monday, December 4, 2023

SUBMITTED BY: City Attorney/City Manager/ Community
Development

BRIEF NARRATIVE: Ordinance 2023-020 to amend the city's
comprehensive plan to restrict building heights within the city to a maximum of 35'
(three stories).

FUNDS BUDGETED: None

ATTACHMENTS: Draft Ordinance 2023-020 and advertising
affidavit.

RECOMMENDATION: Approval

ACTION: Approve Ordinance 2023-020.

ORDINANCE 2023-020

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fruitland Park desires to amend its comprehensive plan to amend the maximum number of stories allowed and maximum height of buildings within the City of Fruitland Park.

WHEREAS, the Planning and Zoning Board and the local planning agency of the City of Fruitland Park each held a public hearing on this ordinance which was advertised in accordance with law, and the Planning and Zoning Board and the LPA made a recommendation to City Commission.

WHEREAS, the City Commission of the City of Fruitland Park public hearing for transmittal has been advertised as required by law with the public hearing occurring at least 7 days after the day that the first advertisement was published.

WHEREAS, the City Commission of the City of Fruitland Park second public hearing for adoption of this ordinance is being held at least 5 days after the date of the second advertisement.

WHEREAS, the City of Fruitland Park desires to amend the Comprehensive Plan for the City of Fruitland Park as set forth below.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. Table 1.1, Chapter 1. Table 1.1, Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Table 1.1

Land Use Designation	Permitted Residential Density	Special Requirements	Non-Residential Allowable Uses and
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			Intensities
Single-Family Low Density	2 units/acre	Min. 25% open space.	Public facilities/services as set out in Policy 1-5.1
Single-Family Medium Density	4 units/acre	Min. 25% open space	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family Low Density	4-8 units/acre	Max 4/ac without sewer Min. 25% open space	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple -Family Medium Density	10 units/acre	Min. 25% open space. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Max 4/ac without sewer	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family High Density	15 units/acre	Min. 25% open space. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Max 4/ac without sewer	Small scale commercial uses may be permitted with PUD zoning, max. size 20,000 sq. ft. & max. FAR 0.20
Central Business District Mixed Use	10 units/acre	Residential at 2 nd or 3 rd floor. Maximum building height 3	Max. FAR 1.0. Max. ISR 80%

		story's Buildings are limited to 3-story maximum and maximum height of 35-ft.	
Transitional	4 units/acre	Min. 25% open space	Maximum FAR 0.20
Mixed Community	6 units/acre	Min. 20% open space. Building heights above 35 feet may be allowable if approved by the City Commission. Buildings are limited to 3-story maximum and maximum height of 35-ft. Min. & Max. uses apply. Max 4/ac without sewer	Neighborhood commercial and professional services. Max ISR 80%, Max FAR 0.70
General Mixed Use	12 units/acre	Min. 20% open space. Building heights above 35 feet may be allowable if approved by the City Commission. Buildings are limited to 3-story maximum and maximum height of 35-ft. Min. & Max. uses apply. Max 4/ac without sewer	Commercial sales/office, educational & civic uses. Max ISR 80%. Max FAR 0.70
Neighborhood Commercial	Residential uses may be permitted 2 nd floor or above 3rd floor with up to 4/ac with PUD zoning per Policy 1-1.10	See Policy 1-1.10 for locational criteria. Building heights above 35 feet may be allowable if approved by the City Commission. Buildings are limited to 3-story maximum and maximum height of 35-ft.	Convenience retail, office and services, civic & institutional. Max ISR 70%, Max FAR 0.50.
Commercial – High Intensity		Building heights above 35 feet may be allowable if approved	Higher intensity commercial uses and wholesale commercial

		by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	uses. Max. ISR 70%, Max FAR 0.2-0.5
Industrial		Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Wholesale commercial and light industrial uses. Max ISR 75%, Max FAR 0.2-0.5
Institutional		Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Educational, religious, public and private utilities, and governmental land uses. Max ISR 70%, Max FAR 0.30
Recreation			Private and public recreation facilities. Max. ISR 30% Max. FAR 0.30
Open Space			Max. ISR 35%

See also Policy 1-1.19, Chapter 1.

Section 2. Policy 1-1.8, Chapter 1. Policy 1-1.8, Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.8: Central Business District Mixed Use. The Central Business District Mixed Use land use category is established to encourage economic activity, living quarters and local employment opportunities within the central area of Fruitland Park. This category permits the highest commercial floor area ratios in the city and is intended to provide flexibility and to enable uses that meet the retail and service needs of a traditional city center and its vicinity. Permitted land uses include retail, office, business and other professional services at first floor, with office and residential uses at second or third floor. The maximum impervious surface coverage is 80% and the maximum floor area ratio is 1.0. The maximum residential density is up to 10.0 dwelling units per acre. Maximum building height is 35-feet and buildings are limited to a maximum of three (3) stories.

Section 3. Policy 1-1.11, Chapter 1. Policy 1-1.11 Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.11: Neighborhood Commercial. Neighborhood Commercial is intended to provide for the day-to-day needs of the immediate neighborhood and should be within walking distance of the supporting neighborhood. Located adjacent to primary highways, commercial development in this land use district is intended to accommodate businesses up to 30,000 sq. ft. in size. Residential uses may be permitted in this category if the site has Planned Unit Development (PUD) zoning and it is compatible with the adjacent properties. No industrial development shall be allowed. ~~Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.~~ Maximum building height is 35-feet and buildings are limited to a maximum of three (3) stories.

The following uses and criteria are applicable to this land use category:

- 1) Convenience retail sales and services
- 2) Offices
- 3) Civic and institutional uses.
- 4) Residential at 2nd floor and 3rd floor ~~above~~
- 5) Maximum FAR: 0.5.
- 6) Maximum ISR: 70%
- 7) Maximum residential density 4 units/acre.

Section 4. Policy 1-1.19, Chapter 1. Policy 1-1.19 Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby added to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.19 Affordable Housing Development. It is the City's intention to comply with s.166.04151, Florida Statutes relating to development of affordable housing, as defined in s. 420.0004, Florida Statutes. Therefore, notwithstanding any other policy, ordinance, regulation, or land development code provision, multifamily and mixed-use residential are allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004, F.S. Such proposed multifamily development is not required to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under s.166.04151(7), F.S. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

Section 5. Severability. If any section or phrase of this ordinance is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

Section 6. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

Section 7. Inclusion. It is the intention of the City Commission of the City of Fruitland Park that this comprehensive plan amendment shall become and be made a part of the comprehensive plan for the City. Goals, objectives, and policies of the Comprehensive Plan may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the comprehensive plan amendment as adopted.

Section 8. Effective Date. The effective date of this plan amendment shall be pursuant to the state land planning agency's notice of intent. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 11th day of January 2024 ~~9th day of February 2023~~.

Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk, MMC

Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

First Reading _____
Second Reading _____

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

EXHIBIT A

CHAPTER 154

ZONING DISTRICT REGULATIONS

SECTION 154.030: ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP

d) Purpose and Intent of Zoning Districts

This section presents the basic purpose and intent of each zoning district.

1) **R-2 "Single Family Low Density Residential"**

This district is established to implement comprehensive plan policies for managing low-density, single-family residential development at a density not to exceed two (2) single-family dwelling units per acre. The R-2 district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments, natural features of the land, as well as existing and projected public services and facilities within the area.

A) *The following uses shall be permitted:*

- i) Single-family detached dwelling units.
- ii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage and maximum square footage pursuant to the zoning district.
- iii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code.
- iv) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.

C) *Uses Expressly Prohibited*

- i) Single-family attached dwelling units.
- ii) Multi-family residential dwelling units.
- iii) Two family (duplex) dwelling units.
- iv) Commercial land uses.
- v) Industrial land uses.
- vi) Any use prohibited by City, State, or Federal law.
- vii) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as a conditional use pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty-five feet (25')
Garage setback from roadway: Twenty-five feet (25')
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility

rooms.

- vii) The minimum open space shall be twenty-five percent (25%).

2) **R-4 "Single-Family Medium Density Residential"**

This district is established to implement comprehensive plan policies for managing traditional single-family residential development at a density not to exceed four (4) dwelling units per acre. This district is established to preserve the stability of existing and future residential neighborhoods, preserve open space, and manage future densities to assure a smooth transition between low-density residential and areas designed for more intense uses, natural features of the land, as well as existing and projected public services and facilities within the area.

A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- v) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.

B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.
- ii) Small Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Any use prohibited by City, State, or Federal law.

- iv) Multi-family dwelling unit.
- v) Two-family (duplex) dwelling units.
- vi) Single family attached dwelling units.
- vii) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
- ii) Minimum lot width shall be eighty feet (80') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25').
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20')
Garage setback from roadway: Twenty-five feet (25').
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility rooms.
- vii) The minimum open space shall be twenty-five percent (25%).

3) **R-8 "Multi-Family Low Density Residential"**

This district is established to provide for medium density residential development not restricted to single-family dwelling units. Density shall not exceed four (4) units per acre unless central sewer facilities are available at which time density is not allowed to exceed eight (8) dwelling units per acre. This zoning district will facilitate the transition between lower intensity and higher intensity residential uses.

A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Single-family attached residential dwelling units.
- iii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iv) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- vi) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- vii) Two family (duplex) dwelling units.
- viii) Multi-family dwelling units.
- ix) Mobile Home Subdivision Development Requirements. The developer shall prepare and submit plans in accordance with the Subdivision Regulations of Chapter 157 of the Land Development Code.
- x) Small and Medium Home Stay Bed and Breakfast Inn

B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of Land Development Code.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Any use prohibited by City, State, or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized. All lot widths are measured at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family,

duplex and triplex units:

- a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
- a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')

Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20').
Garage setback from roadway:
Twenty-five feet (25')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

4) **R-3A “High Density Residential/Neighborhood Commercial”**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. Buildings are limited to 3-story maximum and maximum height of 35-ft. It is intended to provide essential services

to residential areas without detrimental effects to residential neighborhoods. Any future request for commercial development in this category will require rezoning to Planned Unit Development consistent with Section 154.030(d)(10).

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures incidental to the principal use not to exceed 30% of living area of the principal dwelling unit, or 450 square feet, whichever is greater.
- vi) Home occupations pursuant to Section 156.020 of the Land Development Code.
- vii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- viii) Day Care Centers.
- ix) Offices for professional services.
- x) Personal services.
- xi) Commercial uses less than 25,000 square feet, when approved through the Planned Unit Development process in Section 154.030(d)(10).

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.
- iv) Small, medium, and large Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) Commercial land uses greater than 25,000 square feet.
- ii) Industrial land uses.

iii) Adult Entertainment.

iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

5) **R-10 "Multi-Family Medium Density"**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. It is intended to provide essential services to residential areas without detrimental effects to residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- vi) Accessory dwelling units for non-paying family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- vii) Home occupations pursuant to Section 156.020 of the Land Development Code.
- viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- ix) Small, medium, and large Homestay Bed and Breakfast Inn.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.

- vi) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway - Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways - Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
 - a. Front yard: Thirty feet (30')
 - b. Front yard garage: Twenty-five feet (25')
 - c. Side yard: Fifteen feet (15')
 - d. Rear yard: Thirty feet (30')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

6) **R-15 "Multi-Family High Density Residential"**

This district is established to implement comprehensive plan policies for managing high density residential development at a density not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed (15) dwelling units per acres. This district is established to ensure that sufficient land is available for high density residential development.

- A) *The following uses shall be permitted:*
- i) Single-family attached residential dwelling units.
 - ii) Single-family detached residential dwelling units.
 - iii) Two-family (duplex) residential dwelling units.
 - iv) Multi-family residential dwelling units.
 - v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
 - vi) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling units may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
 - vii) Home Occupations pursuant to Section 156.020 of the Land Development Code.
 - viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
 - ix) Small, Medium, and Large Homestay Bed and Breakfast Inn.
- B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*
- i) Mobile home subdivisions/parks.
 - ii) Adult Congregate Living Facilities.
 - iii) Nursing Homes.
- C) *Uses Expressly Prohibited*
- i) General Commercial land uses.
 - ii) Industrial land uses.
 - iii) Uses prohibited by City, State, or Federal law.
- D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')

Another lot - Fifteen feet (15')
Garage setback from roadway: Twenty-five feet (25')

- c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20').
Garage setback from roadway: Twenty-five feet (25')

- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

7) **RP "Residential Professional"**

This district is established to implement comprehensive plan policies for managing transitional areas where existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. The density cannot exceed four (4) dwelling units per acre.

A) *The following uses shall be permitted:*

- i) Single Family Detached dwelling units
- ii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Business Services.
- v) Financial Services.
- vi) Personal Services.
- vii) Multi-family dwelling units.
- viii) Medical office/Clinic
- ix) Home occupations pursuant to Section 156.020 of the land Development Code.

- x) Small, Medium, and Large Homestay Bed and Breakfast Inn
- B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*
 - i) Banks.
 - ii) Day Care Centers.
 - iii) Health/Exercise Clubs.
 - iv) Office/Warehouse Facilities.
 - v) Veterinary Offices.
 - vi) Game Recreation Facility.
- C) *Uses Expressly Prohibited*
 - i) Commercial parking.
 - ii) Industrial land uses.
 - iii) Uses prohibited by City, State, or Federal law.
 - iv) Adult Entertainment.
- D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.
- E) *Design Standards*
 - i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
 - ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
 - ~~iii) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire and Building Official.~~
 - iv) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')

- b. Front yard garage: Twenty-five feet (25')
- c. Side yard: Ten feet (10')
- d. Rear yard: Twenty feet (20').
- v) Maximum Impervious Surface Ratio: seventy percent (70%).
- vi) The minimum open space shall be twenty-five percent (25%).

8) **C-1 "Neighborhood Commercial"**

This district is established to implement comprehensive plan policies for managing transitional areas between residential land uses and more intense commercial and industrial uses. This district is established to provide sufficient land for both medium density residential at a density not to exceed six (6) units per acre and professional/light commercial uses.

A) *The following uses shall be permitted:*

- i) Offices for professional services.
- ii) Personal services.
- iii) Convenience stores without fuel operations.
- iv) Laundry and dry-cleaning retail stores.
- v) Day care centers.
- vi) Adult Congregate Living Facilities.
- vii) Licensed Community Residential Homes, Group Homes, Foster Care Facilities with more than six (6) residents.
- viii) Clubs, Lodges, and Fraternal Organizations.
- ix) Financial Services.
- x) Office Supply.
- xi) Retail Sales & Services.
- xii) Business Services.
- xiii) Small, Medium, and Large Homestay Bed & Breakfast Inn.
- xiv) Office Complex.
- xv) Maintenance General Contractor.

- xvi) Medical Office/Clinic.
- xvii) Family Amusement Arcade
- xviii) Adult Arcade Amusement Center/Internet Café as define in Chapter 116 of City Code of Ordinances
- xix) Licensed Medical Marijuana Treatment Centers as proved in s. 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Convenience stores with fuel operations.
- ii) Restaurants.
- iii) Banks.
- iv) Athletic/Sports Facility.
- v) Game/Recreation Facility.
- vi) Health/Exercise Club.
- vii) Mini-warehouses.
- viii) Veterinary Office.
- ix) Xerographic and Offset Printing.
- x) Office/Warehouse Facility.

C) *Uses Expressly Prohibited*

- i) Commercial Parking.
- ii) Wholesale commercial uses.
- iii) Industrial uses.
- iv) Uses prohibited by City, State, and Federal law.
- v) Adult Entertainment.
- vi) RV Parks.
- vii) Outside storage.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant

to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), and maximum floor area ratio of 0.5, ~~and a~~ The maximum building height is of thirty-five (35) feet and buildings are limited to 3-story maximum. ~~unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.~~

F) *Design Standards*

- i) Minimum lot size shall be fifteen thousand (15,000) square feet.
- ii) Minimum lot width shall be one hundred twenty-five feet (125') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

9) **C-2 "General Commercial"**

This district is established to implement comprehensive plan policies for managing commercial development. This district is designed to accommodate general retail sales and services.

A) *The following uses shall be permitted:*

- i) Adult/Vocational Education.
- ii) Appliance/Electronic Repair Shops.
- iii) Athletic/Sports Facility.
- iv) Auction Houses.
- v) Banks.
- vi) Bars, Lounges, and Night Clubs.

- vii) Boat Sales and Services.
- viii) Business Services.
- ix) Commercial/Industrial Equipment and Supplies.
- x) Convenience Stores with or without Fuel Operations.
- xi) Day Care Centers.
- xii) Equipment Rental.
- xiii) Financial Services.
- xiv) Furniture and Appliance Stores.
- xv) Game/Recreational Facilities.
- xvi) Health/Exercise Clubs.
- xvii) Hotels/Motels.
- xviii) Kennels.
- xix) Maintenance Contractors.
- xx) Medical Office/Clinic.
- xxi) Motor Vehicle Service Centers.
- xxii) Motor Vehicle Service Stations.
- xxiii) Offices.
- xxiv) Office Complex.
- xxv) Office Supplies.
- xxvi) Pawn Shops.
- xxvii) Personal Services.
- xxviii) Restaurants.
- xxvii) Retail Home Building Materials.
- xxviii) Retail Sales and Services.
- xxix) Shopping Center.
- xxx) Theaters.
- xxxi) Transportation Services.

- xxxii) Wholesalers and Distributors.
- xxxiii) Veterinary Clinic.
- xxxiv) Licensed Community residential homes, group homes and foster care facilities with more than six (6) residents.
- xxxv) One single family dwelling unit for owners/caretaker's residence.
- xxxvi) Motor Vehicle Repair Facility.
- xxxvii) Xerographic and Offset Printing.
- xxxviii) Commercial Parking.
- xxxix) Family Amusement Arcade.
- xl) Adult Arcade Amusement Center/Internet Cafes as defined in Chapter 116 of the City Code of Ordinances.
- xli) Licensed Medical Marijuana Treatment Centers as Provided in s, 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Gun & Archery Range.
- ii) Trucking Terminal.
- iii) Farmers/Flea Markets
- iv) Natural Gas/Propane Distribution Centers.
- v) Mobile Homes Sales.
- vi) Motor Vehicle and Boat Storage Facilities.
- vii) Motor Vehicle Dealer Sales.
- viii) Motor Vehicle Sales.

C) *Uses permitted as a Conditional Use Approval of the City Commission*

- i) Mini warehouses.

D) *Uses Expressly Prohibited*

- i) Residential uses, except as stated above in Section 154.030 (8)(A)(xxxvii) and (8)(A)(xxxviii).

- ii) Industrial uses.
- iii) Uses prohibited by City, State, and Federal law.
- iv) Adult Entertainment.
- v) Outside storage.

E) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant to Chapter 155 of the Code.

F) *Maximum Intensity Standard*

- i) The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), ~~and a maximum floor area ratio of .50, and a~~ The maximum building height of is thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.

G) *Design Standards*

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred fifty feet (150') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setback requirements:
 - a. Front yard: Fifty feet (50')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

10) **I "Industrial"**

This district is established to implement comprehensive plan policies for managing industrial development and to provide development for

limited industrial operations engaged in fabricating, repair or storage of manufactured goods, where no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to loading, unloading and handling of goods and materials) are noticeable beyond the lot on which the facility is located. No hazardous materials may be utilized by the industrial operations permitted in this district. The location of such districts shall take into consideration access to rail and terminal facilities, major arterial roadways, labor markets and necessary urban services. Such districts shall be accessible to major thoroughfares and buffered from residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Airport and related activities.
- ii) Agriculturally related industry.
- iii) Boat repair.
- iv) Commercial/Industrial Service.
- v) Construction Contractor's Yard and Storage.
- vi) Distribution Centers.
- vii) Laboratory/Research and Development.
- viii) Laundry/Dry Cleaning Plants.
- ix) Manufacturing: Craftsman Shops.
- x) Manufacturing: Fabrication.
- xi) Manufacturing: Processing.
- xii) Motor Vehicle Repair Facility.
- xiii) Motor Vehicle Towing and Impoundment.
- xiv) Trucking Terminal.
- xv) Warehousing.
- xvi) Wholesale Commercial Uses.
- xvii) Xerographic and Offset Printing.
- xviii) Appliance/Electronic Repair Shops.
- xix) Commercial Parking.
- xx) Maintenance Contractor.

- xxi) Motor Vehicle Service Center.
- xxii) Motor Vehicle Service Station.
- xxiii) Transportation Service.
- xxiv) Family Amusement Arcade.
- xxv) Adult Arcade Amusement Center/Internet Cafes.
- xxvi) Adult Entertainment.

a) Adult entertainment uses shall be permitted as long as they are not located nearer than five hundred (500) feet to any other adult entertainment establishment, or nearer than five hundred (500) feet to any place of worship, child care center, or educational center, except vocational and technical schools, colleges, and universities.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) One single-family residential dwelling unit on the site of a permitted use to be used exclusively by an owner/caretaker.
- ii) Used motor vehicle parts yard.
- iii) Natural Gas/Propane Distribution Centers.

C) *Uses Expressly Prohibited*

- i) Residential dwelling units except for Section 154.030(d)(7)(b)(I).
- ii) Uses prohibited by City, State, and Federal law.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy-five (75) percent impervious surface ratio (which included building coverage), a maximum floor area ratio of .50, ~~and a maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is-~~

~~provided and approved by the City Fire Inspector and Building Official.~~

F) *Design Standards*

- i) Minimum lot size shall be thirty thousand (30,000) square feet.
- ii) Minimum lot width shall be two hundred fifty feet (200') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Fifty feet (50')
 - b. Side yard: Twenty-five feet (25').
 - c. Rear yard: Twenty-five feet (25').
- iv) The minimum open space shall be twenty-five percent (25%).

11) **PUD "Planned Unit Development"**

The PUD district is established to implement comprehensive plan policies for encouraging affordable housing by allowing a variety of housing types with a broad range of housing costs. This district is designed to encourage innovative development concepts to provide design amenities and to manage natural features of the land. The location of such PUDs will be dictated by the type of development that will be provided. (Residential PUDs will be located in residentially designated areas of the Future Land Use Map of the comprehensive plan, commercial PUDs will be located in commercially designated areas of the Future Land Use Map, etc.) Densities and intensities cannot exceed those which are permitted in that area on the Future Land Use Map. Preliminary and/or Conceptual Development plans are required to be submitted along with the rezoning application. Buildings are limited to maximum of 3-story and building height of 35-ft.

A) *The following uses shall be permitted:*

- i) **Residential PUD** – Single- and Multi-family residential dwelling units provided, however, that the housing stock of PUDs located within the Single-family overlay district of the Future Land Use Map which utilize multi-family units must consist of a minimum of 51% single-family dwelling units. On-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use shall also be permitted.

- ii) **Mixed Use PUD** – All uses as permitted under the R-2, R-4, R-15, RP, PFD, and C-1 zoning districts and other uses deemed appropriate and incidental to the primary use by the City Commission.

The Mixed-Use PUD located within the Mixed Community land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 6 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	35%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed-Use PUD located within the General Mixed Use land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 12 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	25%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed- Use PUD shall incorporate the following principles:

- (1) The creation of an attractive and high-quality environment that is compatible with the scale and character of the surrounding community.
- (2) The development of commercial, residential, and mixed-use areas that is safe, comfortable and attractive to pedestrians.
- (3) The location of the commercial center so that it is easily accessible by pedestrians from as many of the residential areas as possible.
- (4) The maximization of shared parking.

- (5) To develop a network of parks, walkways, public art, and cultural facilities that encourage a sense of place and the overall health and well-being of the community.
- (6) To encourage a mix of housing types and styles that provides people with affordable housing choices that can accommodate changes in lifestyle.
- (7) Encourage alternative forms of transportation.

iii) **Commercial PUD** – Commercial uses as permitted under the C-1 zoning district and other uses deemed appropriate and incidental to the primary use by the City Commission.

iv) **Industrial PUD** – Industrial uses as permitted under the Industrial zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the City Commission.

a) **Maximum Density/Intensity**

The maximum density/intensity allowed within the PUD shall be as delineated by the land use districts on the Future Land Use Map. A density bonus may be permitted as outlined in Section 154.030(d)(8)(I), below.

b) **PUD Land Uses**

Land uses proposed within a PUD must conform to uses allowed within the land use designations of the Future Land Use Map of the Comprehensive Plan.

B) *Minimum Parcel Size*

The minimum size of any parcel shall be ten (10) acres. A lesser minimum area may be approved if the City Commission determines that the intent and purpose of the PUD district and expressed municipal development policy would be served in such case.

C) *Unified Ownership*

All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation or groups of individuals, partnerships or corporations.

D) *Setbacks and Buffering*

Setback requirements within the PUD shall be flexible however, in no case shall the setback be less than ten (10) feet between structures. Buffering requirements shall be established at the time of rezoning of

the property to a PUD.

E) *Pre-application Conference (Optional)*

It is recommended that a pre-application conference be held between the City Manager or designee and the developer or the developer's representatives, in order to verify the steps necessary for application and review, and discuss potential issues regarding the PUD proposal. Comments made during the pre-application conference are totally non-binding on the formal review of the preliminary development plan.

F) *Application for Rezoning*

Application for preliminary development plan and rezoning approval shall be made to the City utilizing the form provided by the City. The application shall be accompanied by one (1) hardcopy along with one (1) electronic copy of the preliminary plan prepared in accordance with the requirements of the Land Development Code.

G) *Preliminary Development Plan*

In order to implement the goals and policies of the Comprehensive Plan and to streamline the development review process, the applicant shall have the option of preparing the following types of submittals:

- i) **Conceptual Plan** – If the applicant so chooses, a conceptual plan may be submitted prior to the first rezoning hearing for review by the TRC. The conceptual plan shall include the following, which shall not be a bubble plan:
 - a) Boundary of subject property.
 - b) Major natural features such as lakes, streams, wetlands and natural communities.
 - c) Existing or proposed streets abutting the project.
 - d) Generalized location map and legal descriptions, including acreage.
 - e) Proposed land use types and their location including perimeter buffers and setbacks from perimeter boundary.
 - f) Gross densities.
 - g) Typical lot sizes showing setbacks and dimensions.
 - h) Number of units and type.
 - i) Floor area for commercial or industrial.
 - j) Adjacent zoning.

- k) Maximum building heights.
- l) Anticipated phasing plan.
- m) Proposed method of providing water service, including fire protection, sewage disposal, and stormwater management.
- n) Percentage of Open Space and location.
- o) Acreage of Parks/Recreation and location.
- p) Typical road section.
- q) Soils and 100-year flood prone areas.
- r) Project name.

- s) Existing topography at one-foot contours based on Lake County or St. Johns River Water Management District datum.
- t) Net living area for each type of dwelling unit.
- u) Preliminary Environmental Assessment per Chapter of the Land Development Code.
- v) Parking & Loading facilities.
- w) Any other information deemed pertinent by the TRC, Planning and Zoning Board or City Commission.

Upon approval of the Conceptual Plan and rezoning application by the TRC, the Planning and Zoning board and the City Commission, a preliminary development plan must be submitted for review and approval by the TRC prior to construction.

- ii) **Preliminary Development Plan** – In order to streamline the process, the applicant may elect to file a preliminary development plan for rezoning approval that meets the following requirements as outlined below. This plan can be submitted in lieu of the conceptual plan.
 - a) All items required for submittal of a Conceptual Plan outlined in 154.030 (d)(12)(g)(i).
 - b) Name and address of owner, surveyor, engineer, and any other professional consultants involved with the generation of the plan information. If the property is owned by a corporation or company, the name and address of its president and secretary, and state of incorporation shall be given.
 - c) Acreage of lots, drainage areas, common areas, and other uses; and the minimum lot size, average lot size and total number of lots, lot typical details including interior and corner lots, setbacks, phase lines, future land use, zoning, density and open space. Future land use and zoning information for adjacent properties.
 - d) Existing topography using one (1) foot contours based upon National Geodetic Vertical datum, and delineation of Flood Insurance Rate Map flood zones. All development located partially within or wholly within the Special Flood Hazard Area must be completed in accordance with Section 161.090.
 - e) Environmental assessment showing all wetlands, delineation of wooded areas and vegetative communities, if required threatened and endangered species information and a separate tree survey showing all specimen trees. See Chapter 165.

- f) All existing buildings, utilities, roads, easements or other improvements on the property, and all roads and lot lines within one hundred fifty (150) feet of the property boundary.
- g) Acreage and square feet open space, preservation areas and common areas.
- h) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- i) A soils report delineating the soils existing on the site to be developed.
- j) Proposed stormwater management plan and drainage control facilities.
- k) Utility sources, distribution and collection lines, if available, (including but not limited to water, sewer, electricity, cable television and telephone).
- l) Traffic Study/Traffic Statement. The traffic study shall follow the requirements of the Lake-Sumter Metropolitan Planning Organization (MPO) Transportation Concurrency Management System Traffic Impact Study Methodology Guidelines Document for Lake County.
- m) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

Should the developer elect to submit the preliminary plan with the rezoning application, and upon approval of the rezoning application, the applicant can proceed with final development plan approval as outlined below.

iii) Final Development Plan

- a) All items required for submittal of Preliminary Development Plan outlined in 154.030 (d)(12)(g)(ii).
- b) Acreage and square feet open space, preservation areas, and common areas.
- c) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- d) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

A minimum of twenty-five percent (25%) of the total project area shall be established and maintained as common open space or common facilities. No area shall be accepted as common open space unless it satisfies the following standards.

- i) Common open space shall be dedicated to and useable by all residents of the Planned Unit Development or specific phase thereof.
- ii) Common open space set aside for recreational use shall be suitably improved for its intended use. Such improvements may include aesthetic, amenities, buffering or recreational facilities.
- iii) Common open space set aside for the preservation of natural features or listed species habitats or for buffering purposes shall remain undisturbed and be protected by conservation easements dedicated to the property owner's/homeowner's association or State agency pursuant to Chapter 165 of the Land Development Code.
- iv) Common open space shall not be used for the construction of any structures other than recreational facilities and incidental maintenance buildings.
- v) Common open space shall be maintained by the Home Owner's Association or other legal entity of the Planned Unit Development or the specific phase thereof.

I) *Density Bonuses*

i) Affordable Housing

Residential developments may receive a density bonus not to exceed 20% of the density permitted by the applicable land use designation for the provision of affordable housing units.

An affordable dwelling unit shall be a dwelling unit which:

- a) has a market value less than two (2) times 80% of the median annual household income of Lake County or
- b) has a monthly rent less than or equal to $\frac{1}{12} \times 25\%$ of 80% of the median annual household income of Lake County.
- c) the affordable housing density bonus shall be determined as follows:

% of total units affordable	Bonus
20 – 30%	10%
31 – 50%	15%

51% +	20%
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ii) **Environmental Protection**

Residential developments may receive a density bonus of up to 100% of the number of units allowed by the underlying comprehensive land use designation for the transfer of units from onsite non-altered wetlands and upland habitat.

- a) The total number of units transferred shall not exceed the gross density as allowed on the Future Land Use Map.
- b) A conservation easement pursuant to Chapter 165 of the Land Development Code shall be recorded for the property from which the units are to be transferred. Such easement shall specify that no uses other than passive recreation uses shall be allowed on the property and shall state that the easement shall restrict such land in perpetuity. The easement shall be approved by the City Attorney and recorded in the public records of Lake County.

J) *Application Review Process*

- i) **Technical Review Committee (TRC).** All applications shall be reviewed by the TRC staff and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the TRC shall be transmitted in writing to the applicant no later than five (5) working days after the meeting. A formal staff report will be forwarded to the Planning and Zoning Board with staff recommendations.
- ii) **Resubmittal of the Revised Preliminary Development Plan.** Resubmittal of the preliminary development plan reflecting revisions required by TRC comments shall be made within five (5) days of the regularly scheduled TRC meeting.

K) *Approval of Application for Rezoning*

- i) **Planning and Zoning Board Action.** The Planning and Zoning Board shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the application meets the requirements of this code. Upon consideration of comments and recommendations of the TRC and public, the Board shall take one of the following actions:
 - a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
 - b) Recommend that the application be approved.

- c) Recommend that the application be approved with conditions.
 - d) Recommend that the application be denied.
- ii) **City Commission Approval.** The City Commission shall consider the submitted plan and rezoning application at a regularly scheduled meeting and determine if the application meets the requirements of the Land Development Code. Upon consideration of the comments of the TRC, the public, and the recommendation of the Planning and Zoning Board, the City Commission shall take one of the following actions:
- a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
 - b) Approve the application.
 - c) Approve the application with conditions.
 - d) Deny the application.

L) *Alterations to Preliminary Development Plan*

Alterations to the approved Preliminary Development Plan shall be classified as either substantial or non-substantial amendments. The following criteria shall constitute a substantial amendment.

- i) A change which would include a land use not previously permitted under the approved PUD zoning.
- ii) A change that would increase the land use intensity by ten percent (10%) within any development phase without a corresponding decrease in some other portion of the overall PUD.
- iii) A change that would require an amendment to the conditions approved by the City Commission.
- i) A change that would reduce the required open space by more than ten percent (10%).
- ii) Any change that would eliminate pedestrian facilities or multi-use trails.

A determination of a substantial or non-substantial alteration shall be made by the City Manager or designee.

Alterations to the preliminary development plan which are determined to be substantial must be submitted with plans and support data for review by the TRC, the Planning and Zoning Board and the City Commission.

All proposed alterations to an approved plan must be submitted to the City Manager or designee for a determination of whether the alteration is substantial or non-substantial.

M) *Execution of Master Development Agreement*

The second reading of the ordinance for rezoning any land to a PUD district shall not take place until the developer has provided an executed copy of the master development agreement to the City Manager or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised conceptual plan exhibits. If there are no additional requirements, corrections, or conditions attached by the City Commission at the second reading, the executed document shall be signed by the City Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the City Commission at the second reading, the applicant shall revise the agreement and conceptual plan and return the documents to the City Manager or designee within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the City Commission as a condition for approval of the rezoning.

N) *Failure to Provide Timely Resubmission*

Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees. However, the City Manager may extend the deadlines cited above, when warranted by unforeseeable events. A request for extension shall be filed in writing with the City explaining the circumstances justifying the extension.

O) *Final Development Plan Approval*

Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PUD shall be required in accordance with the general procedures established by this code. Conceptual plan exhibits of the master development agreement which fully satisfy the requirements for - preliminary subdivision plan submittal shall be considered as such.

P) *Expiration of Master Development Agreement*

Any master development executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, installation of physical improvements, and any other factors pertinent to the specific proposal. If the City should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall become null and void, and approval of any additional final development plans for the PUD shall not be permitted without resubmission and approval of a

new development agreement in accordance with the procedures established in the land development code.

12) **PFD "Public Facilities District"**

The PFD district is established to manage policies of the comprehensive plan for development of public facilities. This district is established to provide for the special or substantial public interest facilities that are so desired. Conceptual site plans are required to be submitted along with rezoning applications.

A) *Permitted Uses*

- i) Airports.
- ii) Auditoriums, stadiums, arenas, and expositions.
- iii) Broadcasting facilities.
- iv) Municipal/governmental buildings, structures, and uses.
- v) Cemeteries.
- vi) Houses of worship.
- vii) Educational institutions.
- viii) Day care centers.
- ix) Electric power substations and operation centers.
- x) Gas and water metering stations.
- xi) Hospitals, clinics, and medical facilities.
- xii) Public parks and recreational facilities.
- xiii) Post offices.
- xiv) Libraries.
- xv) Police and fire facilities.
- xvi) Sewage treatment facilities.
- xvii) Water supply operations.
- xviii) Adult care facility.
- xix) Clubs, lodges, and fraternal organizations.
- xx) Funeral homes.
- xxi) Crematorium.

- xxii) Any other use of a similar nature when approved by the City Commission.

B) *Locational Criteria for PFD Districts*

- i) The approved use shall front on an arterial or collector roadway. Sewage treatment facilities, water supply operations, electric power substations and operation centers and cemeteries are exempt from this requirement.
- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.
- iii) The site must be located in close proximity to the main user group.
- iv) The approved use must serve the majority of the population.

C) *Maximum Intensity Standard*

The maximum intensity standard shall be seventy (70) percent impervious surface ratio (which includes building coverage) ~~and a~~ maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum.

D) *Design Standards*

- i) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Fifteen feet (15').
 - c. Rear yard: Fifteen-five feet (15').
- ii) The minimum open space shall be twenty-five percent (25%).

E) *Site Plan Requirements*

- i) In order to establish "PFD" Public Facility District, the applicant must provide a Conceptual site plan as outlined in Section 154.030(d)(7)(G)(i) of the Land Development Code, with a zoning application.
- ii) After approval of the zoning, a final site plan meeting the requirements of Section 160.080 of the Land Development Code must be submitted and approved by the Technical Review Committee (TRC) before any building permits are issued or the start of operation of activity on the site.

13) **GB "Greenbelt District"**

This district is established to provide green, undeveloped areas and to protect floodplains, wetlands, other natural resources and agricultural uses. Areas of the city in which this category is most appropriate are designated as "conservation" on the future land use map of the comprehensive plan; however, this district is also permitted within all other land use designations.

A) *Permitted Uses*

- i) Groves and farms.
- ii) Single-family homes and customary accessory uses.
- iii) Swamps, wetlands, and forests.
- iv) Private and public gardens.
- v) Pastures.
- vi) Nature preserves.
- vii) Private and public parks.
- viii) Riding stables.

B) *Uses Permitted as Special Exception use Upon Approval by the City Commission*

- i) Golf courses.
- ii) Retail or wholesale plant production, nurseries, and greenhouses.
- iii) Fishing clubs and marinas.

C) *Uses Expressly Prohibited*

All uses not listed above are expressly prohibited.

D) *Site Development Standards*

- i) Minimum lot size (for buildings): One acre.
- ii) Minimum lot width at building line: 200 feet.
- iii) Minimum dwelling size: 1000 sq. feet.
- iv) Minimum street frontage: 50 feet.

- v) Minimum building setbacks:
 - Front yard: 50 feet.
 - Side yard: 25 feet.
 - Rear yard: 25 feet.
 - From any street: 50 feet.
- vi) Maximum building height: 35 feet and 3-story maximum.
- vii) Parking: See Section 162.040.
- viii) Landscaping and buffers: See Section 164.030.
- ix) Signs: See Chapter 163.
- x) Access: See Section 162.030.

14) **CBD "Central Business District Mixed Use"**

This district is established to encourage economic activity, living quarters and local employment opportunities within the central area of the City. Residential density shall not exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre.

A) *The following uses shall be permitted*

- i) Residential dwelling units on the 2nd or 3rd floor.
- ii) Bed and Breakfast Inn.
- iii) Convenience stores without fuel operations.
- iv) Business Services.
- v) Financial Services.
- vi) Retail sales and services.
- vii) Medical Office/Clinic.
- viii) Professional Services Office.
- ix) Office Supply.

x) Personal Services.

xi) Restaurants.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

i) Banks.

ii) Daycare Centers.

iii) Health/Exercise Clubs.

iv) Tattoo parlor.

v) Veterinary Offices.

vi) Game Recreation Facility.

C) *Uses Expressly Prohibited*

i) Commercial parking.

ii) Industrial land uses.

iii) Uses prohibited by City, State, or Federal law.

iv) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

Coverage shall be limited to eighty (80) percent impervious surface ratio (which includes building coverage), a maximum floor area ratio of 1.0, ~~and~~ a maximum building height of three stories and 35-ft.

F) *Design Standards*

i) Minimum lot size shall be six thousand (6,000) square feet with central sewer. Minimum lot size shall be ten thousand (10,000) square feet with septic tanks.

- ii) Minimum lot width shall be sixty feet (60') with central sewer at the front property line and eighty feet (80') with septic tank unless the lot is located on a cul-de- sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty percent (20%).

CITY OF FRUITLAND PARK
LPA AGENDA ITEM SUMMARY SHEET
Item Number: 6

ITEM TITLE: Public Hearing Ordinance 2023-019 LDR
Amendment Building Heights Restriction

MEETING DATE: Thursday, December 14, 2023

DATE SUBMITTED: Monday, December 4, 2023

SUBMITTED BY: City Attorney/City Manager/ Community
Development

BRIEF NARRATIVE: Ordinance 2023-019 amending Chapter 154 of the City's Land Development Regulations to restrict building heights within the city to a maximum of 35' (three stories).

FUNDS BUDGETED: None

ATTACHMENTS: Draft Ordinance 2023-019 (see Item 7k for advertising affidavit).

RECOMMENDATION: Approval

ACTION: Approve Ordinance 2023-019.

ORDINANCE 2023-019

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF GROVELAND LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fruitland Park desires to amend its land development code to amend the maximum number of stories allowed and maximum height of buildings within the City of Fruitland Park.

WHEREAS, the Planning and Zoning Board of the City of Fruitland Park held a public hearing on this ordinance which was advertised in accordance with law, and the Planning and Zoning Board made a recommendation to City Commission.

WHEREAS, the City Commission of the City of Fruitland Park at second reading held a public hearing for adoption of this ordinance at least 10 days after the date of advertisement.

WHEREAS, the City of Fruitland Park desires to amend the Land Development Code for the City of Fruitland Park as set forth below.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. The above recitals are true and correct and made an integral part of this ordinance.

Section 2. Section 154.030 d), Chapter 154 of the Land Development Regulations of the City of Fruitland Park, Florida, is hereby amended to read as set forth on **Exhibit A** attached hereto and incorporated herein

Section 3. Applicability. This ordinance shall be applicable to property located within the City of Fruitland Park municipal boundaries.

Section 4. Severability. If any section or phrase of this ordinance is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

Section 5. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

Section 6. Inclusion. It is the intention of the City Commission of the City of Fruitland Park that this ordinance shall become and be made a part of the Land Development Code for the City. Sections may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the Land Development Code as adopted.

Section 7. Effective Date. The effective date of this ordinance is upon adoption.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this ____ day of _____, 2024.

Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk, MMC

Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

First Reading _____
Second Reading _____

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

EXHIBIT A

CHAPTER 154

ZONING DISTRICT REGULATIONS

SECTION 154.030: ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP

d) Purpose and Intent of Zoning Districts

This section presents the basic purpose and intent of each zoning district.

1) R-2 "Single Family Low Density Residential"

This district is established to implement comprehensive plan policies for managing low-density, single-family residential development at a density not to exceed two (2) single-family dwelling units per acre. The R-2 district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments, natural features of the land, as well as existing and projected public services and facilities within the area.

A) The following uses shall be permitted:

- i) Single-family detached dwelling units.
- ii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage and maximum square footage pursuant to the zoning district.
- iii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code.
- iv) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.

B) Uses Permitted as Special Exception Use Upon Approval of the City Commission

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.

C) *Uses Expressly Prohibited*

- i) Single-family attached dwelling units.
- ii) Multi-family residential dwelling units.
- iii) Two family (duplex) dwelling units.
- iv) Commercial land uses.
- v) Industrial land uses.
- vi) Any use prohibited by City, State, or Federal law.
- vii) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as a conditional use pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty-five feet (25')
Garage setback from roadway: Twenty-five feet (25')
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred

(1,200) square feet exclusive of porches, garages or utility rooms.

- vii) The minimum open space shall be twenty-five percent (25%).

2) **R-4 "Single-Family Medium Density Residential"**

This district is established to implement comprehensive plan policies for managing traditional single-family residential development at a density not to exceed four (4) dwelling units per acre. This district is established to preserve the stability of existing and future residential neighborhoods, preserve open space, and manage future densities to assure a smooth transition between low-density residential and areas designed for more intense uses, natural features of the land, as well as existing and projected public services and facilities within the area.

A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- v) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.

B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.
- ii) Small Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.

- iii) Any use prohibited by City, State, or Federal law.
- iv) Multi-family dwelling unit.
- v) Two-family (duplex) dwelling units.
- vi) Single family attached dwelling units.
- vii) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
- ii) Minimum lot width shall be eighty feet (80') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25').
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20')
Garage setback from roadway: Twenty-five feet (25').
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility rooms.
- vii) The minimum open space shall be twenty-five percent (25%).

3) **R-8 "Multi-Family Low Density Residential"**

This district is established to provide for medium density residential development not restricted to single-family dwelling units. Density shall not exceed four (4) units per acre unless central sewer facilities are available at which time density is not allowed to exceed eight (8) dwelling units per acre. This zoning district will facilitate the transition between lower intensity and higher intensity residential uses.

A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Single-family attached residential dwelling units.
- iii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iv) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- vi) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- vii) Two family (duplex) dwelling units.
- viii) Multi-family dwelling units.
- ix) Mobile Home Subdivision Development Requirements. The developer shall prepare and submit plans in accordance with the Subdivision Regulations of Chapter 157 of the Land Development Code.
- x) Small and Medium Home Stay Bed and Breakfast Inn

B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of Land Development Code.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Any use prohibited by City, State, or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized. All lot widths are measured at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family,

duplex and triplex units:

- a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
- a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')

Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20').
Garage setback from roadway:
Twenty-five feet (25')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

4) **R-3A “High Density Residential/Neighborhood Commercial”**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. Buildings are limited to 3-story maximum and maximum height of 35-ft. It is intended to provide essential services

to residential areas without detrimental effects to residential neighborhoods. Any future request for commercial development in this category will require rezoning to Planned Unit Development consistent with Section 154.030(d)(10).

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures incidental to the principal use not to exceed 30% of living area of the principal dwelling unit, or 450 square feet, whichever is greater.
- vi) Home occupations pursuant to Section 156.020 of the Land Development Code.
- vii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- viii) Day Care Centers.
- ix) Offices for professional services.
- x) Personal services.
- xi) Commercial uses less than 25,000 square feet, when approved through the Planned Unit Development process in Section 154.030(d)(10).

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.
- iv) Small, medium, and large Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) Commercial land uses greater than 25,000 square feet.
- ii) Industrial land uses.

iii) Adult Entertainment.

iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

5) **R-10 "Multi-Family Medium Density"**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. It is intended to provide essential services to residential areas without detrimental effects to residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- vi) Accessory dwelling units for non-paying family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- vii) Home occupations pursuant to Section 156.020 of the Land Development Code.
- viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- ix) Small, medium, and large Homestay Bed and Breakfast Inn.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.

- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway - Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways - Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
 - a. Front yard: Thirty feet (30')
 - b. Front yard garage: Twenty-five feet (25')
 - c. Side yard: Fifteen feet (15')
 - d. Rear yard: Thirty feet (30')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

6) **R-15 "Multi-Family High Density Residential"**

This district is established to implement comprehensive plan policies for managing high density residential development at a density not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed (15) dwelling units per acres. This district is established to ensure that sufficient land is available for high density residential development.

- A) *The following uses shall be permitted:*
- i) Single-family attached residential dwelling units.
 - ii) Single-family detached residential dwelling units.
 - iii) Two-family (duplex) residential dwelling units.
 - iv) Multi-family residential dwelling units.
 - v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
 - vi) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling units may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
 - vii) Home Occupations pursuant to Section 156.020 of the Land Development Code.
 - viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
 - ix) Small, Medium, and Large Homestay Bed and Breakfast Inn.
- B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*
- i) Mobile home subdivisions/parks.
 - ii) Adult Congregate Living Facilities.
 - iii) Nursing Homes.
- C) *Uses Expressly Prohibited*
- i) General Commercial land uses.
 - ii) Industrial land uses.
 - iii) Uses prohibited by City, State, or Federal law.
- D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')

Another lot - Fifteen feet (15')
Garage setback from roadway: Twenty-five feet (25')

- c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20').
Garage setback from roadway: Twenty-five feet (25')

- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

7) **RP "Residential Professional"**

This district is established to implement comprehensive plan policies for managing transitional areas where existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. The density cannot exceed four (4) dwelling units per acre.

A) *The following uses shall be permitted:*

- i) Single Family Detached dwelling units
- ii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Business Services.
- v) Financial Services.
- vi) Personal Services.
- vii) Multi-family dwelling units.
- viii) Medical office/Clinic
- ix) Home occupations pursuant to Section 156.020 of the land Development Code.

- x) Small, Medium, and Large Homestay Bed and Breakfast Inn
- B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*
 - i) Banks.
 - ii) Day Care Centers.
 - iii) Health/Exercise Clubs.
 - iv) Office/Warehouse Facilities.
 - v) Veterinary Offices.
 - vi) Game Recreation Facility.
- C) *Uses Expressly Prohibited*
 - i) Commercial parking.
 - ii) Industrial land uses.
 - iii) Uses prohibited by City, State, or Federal law.
 - iv) Adult Entertainment.
- D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.
- E) *Design Standards*
 - i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
 - ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
 - iii) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire and Building Official.~~
 - iv) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')

- b. Front yard garage: Twenty-five feet (25')
- c. Side yard: Ten feet (10')
- d. Rear yard: Twenty feet (20').
- v) Maximum Impervious Surface Ratio: seventy percent (70%).
- vi) The minimum open space shall be twenty-five percent (25%).

8) **C-1 "Neighborhood Commercial"**

This district is established to implement comprehensive plan policies for managing transitional areas between residential land uses and more intense commercial and industrial uses. This district is established to provide sufficient land for both medium density residential at a density not to exceed six (6) units per acre and professional/light commercial uses.

A) *The following uses shall be permitted:*

- i) Offices for professional services.
- ii) Personal services.
- iii) Convenience stores without fuel operations.
- iv) Laundry and dry-cleaning retail stores.
- v) Day care centers.
- vi) Adult Congregate Living Facilities.
- vii) Licensed Community Residential Homes, Group Homes, Foster Care Facilities with more than six (6) residents.
- viii) Clubs, Lodges, and Fraternal Organizations.
- ix) Financial Services.
- x) Office Supply.
- xi) Retail Sales & Services.
- xii) Business Services.
- xiii) Small, Medium, and Large Homestay Bed & Breakfast Inn.
- xiv) Office Complex.
- xv) Maintenance General Contractor.

- xvi) Medical Office/Clinic.
- xvii) Family Amusement Arcade
- xviii) Adult Arcade Amusement Center/Internet Café as define in Chapter 116 of City Code of Ordinances
- xix) Licensed Medical Marijuana Treatment Centers as proved in s. 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Convenience stores with fuel operations.
- ii) Restaurants.
- iii) Banks.
- iv) Athletic/Sports Facility.
- v) Game/Recreation Facility.
- vi) Health/Exercise Club.
- vii) Mini-warehouses.
- viii) Veterinary Office.
- ix) Xerographic and Offset Printing.
- x) Office/Warehouse Facility.

C) *Uses Expressly Prohibited*

- i) Commercial Parking.
- ii) Wholesale commercial uses.
- iii) Industrial uses.
- iv) Uses prohibited by City, State, and Federal law.
- v) Adult Entertainment.
- vi) RV Parks.
- vii) Outside storage.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant

to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), and maximum floor area ratio of 0.5, ~~and a~~ The maximum building height is of thirty-five (35) feet and buildings are limited to 3-story maximum. ~~unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.~~

F) *Design Standards*

- i) Minimum lot size shall be fifteen thousand (15,000) square feet.
- ii) Minimum lot width shall be one hundred twenty-five feet (125') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

9) **C-2 "General Commercial"**

This district is established to implement comprehensive plan policies for managing commercial development. This district is designed to accommodate general retail sales and services.

A) *The following uses shall be permitted:*

- i) Adult/Vocational Education.
- ii) Appliance/Electronic Repair Shops.
- iii) Athletic/Sports Facility.
- iv) Auction Houses.
- v) Banks.
- vi) Bars, Lounges, and Night Clubs.

- vii) Boat Sales and Services.
- viii) Business Services.
- ix) Commercial/Industrial Equipment and Supplies.
- x) Convenience Stores with or without Fuel Operations.
- xi) Day Care Centers.
- xii) Equipment Rental.
- xiii) Financial Services.
- xiv) Furniture and Appliance Stores.
- xv) Game/Recreational Facilities.
- xvi) Health/Exercise Clubs.
- xvii) Hotels/Motels.
- xviii) Kennels.
- xix) Maintenance Contractors.
- xx) Medical Office/Clinic.
- xxi) Motor Vehicle Service Centers.
- xxii) Motor Vehicle Service Stations.
- xxiii) Offices.
- xxiv) Office Complex.
- xxv) Office Supplies.
- xxvi) Pawn Shops.
- xxvii) Personal Services.
- xxviii) Restaurants.
- xxvii) Retail Home Building Materials.
- xxviii) Retail Sales and Services.
- xxix) Shopping Center.
- xxx) Theaters.
- xxxi) Transportation Services.

- xxxii) Wholesalers and Distributors.
- xxxiii) Veterinary Clinic.
- xxxiv) Licensed Community residential homes, group homes and foster care facilities with more than six (6) residents.
- xxxv) One single family dwelling unit for owners/caretaker's residence.
- xxxvi) Motor Vehicle Repair Facility.
- xxxvii) Xerographic and Offset Printing.
- xxxviii) Commercial Parking.
- xxxix) Family Amusement Arcade.
- xl) Adult Arcade Amusement Center/Internet Cafes as defined in Chapter 116 of the City Code of Ordinances.
- xli) Licensed Medical Marijuana Treatment Centers as Provided in s, 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Gun & Archery Range.
- ii) Trucking Terminal.
- iii) Farmers/Flea Markets
- iv) Natural Gas/Propane Distribution Centers.
- v) Mobile Homes Sales.
- vi) Motor Vehicle and Boat Storage Facilities.
- vii) Motor Vehicle Dealer Sales.
- viii) Motor Vehicle Sales.

C) *Uses permitted as a Conditional Use Approval of the City Commission*

- i) Mini warehouses.

D) *Uses Expressly Prohibited*

- i) Residential uses, except as stated above in Section 154.030 (8)(A)(xxxvii) and (8)(A)(xxxviii).

- ii) Industrial uses.
- iii) Uses prohibited by City, State, and Federal law.
- iv) Adult Entertainment.
- v) Outside storage.

E) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant to Chapter 155 of the Code.

F) *Maximum Intensity Standard*

- i) The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), ~~and a maximum floor area ratio of .50, and a~~ The maximum building height of is thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.

G) *Design Standards*

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred fifty feet (150') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setback requirements:
 - a. Front yard: Fifty feet (50')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

10) **I "Industrial"**

This district is established to implement comprehensive plan policies for managing industrial development and to provide development for

limited industrial operations engaged in fabricating, repair or storage of manufactured goods, where no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to loading, unloading and handling of goods and materials) are noticeable beyond the lot on which the facility is located. No hazardous materials may be utilized by the industrial operations permitted in this district. The location of such districts shall take into consideration access to rail and terminal facilities, major arterial roadways, labor markets and necessary urban services. Such districts shall be accessible to major thoroughfares and buffered from residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Airport and related activities.
- ii) Agriculturally related industry.
- iii) Boat repair.
- iv) Commercial/Industrial Service.
- v) Construction Contractor's Yard and Storage.
- vi) Distribution Centers.
- vii) Laboratory/Research and Development.
- viii) Laundry/Dry Cleaning Plants.
- ix) Manufacturing: Craftsman Shops.
- x) Manufacturing: Fabrication.
- xi) Manufacturing: Processing.
- xii) Motor Vehicle Repair Facility.
- xiii) Motor Vehicle Towing and Impoundment.
- xiv) Trucking Terminal.
- xv) Warehousing.
- xvi) Wholesale Commercial Uses.
- xvii) Xerographic and Offset Printing.
- xviii) Appliance/Electronic Repair Shops.
- xix) Commercial Parking.
- xx) Maintenance Contractor.

- xxi) Motor Vehicle Service Center.
- xxii) Motor Vehicle Service Station.
- xxiii) Transportation Service.
- xxiv) Family Amusement Arcade.
- xxv) Adult Arcade Amusement Center/Internet Cafes.
- xxvi) Adult Entertainment.

a) Adult entertainment uses shall be permitted as long as they are not located nearer than five hundred (500) feet to any other adult entertainment establishment, or nearer than five hundred (500) feet to any place of worship, child care center, or educational center, except vocational and technical schools, colleges, and universities.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) One single-family residential dwelling unit on the site of a permitted use to be used exclusively by an owner/caretaker.
- ii) Used motor vehicle parts yard.
- iii) Natural Gas/Propane Distribution Centers.

C) *Uses Expressly Prohibited*

- i) Residential dwelling units except for Section 154.030(d)(7)(b)(I).
- ii) Uses prohibited by City, State, and Federal law.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy-five (75) percent impervious surface ratio (which included building coverage), a maximum floor area ratio of .50, ~~and a maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is-~~

~~provided and approved by the City Fire Inspector and Building Official.~~

F) *Design Standards*

- i) Minimum lot size shall be thirty thousand (30,000) square feet.
- ii) Minimum lot width shall be two hundred fifty feet (200') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Fifty feet (50')
 - b. Side yard: Twenty-five feet (25').
 - c. Rear yard: Twenty-five feet (25').
- iv) The minimum open space shall be twenty-five percent (25%).

11) **PUD "Planned Unit Development"**

The PUD district is established to implement comprehensive plan policies for encouraging affordable housing by allowing a variety of housing types with a broad range of housing costs. This district is designed to encourage innovative development concepts to provide design amenities and to manage natural features of the land. The location of such PUDs will be dictated by the type of development that will be provided. (Residential PUDs will be located in residentially designated areas of the Future Land Use Map of the comprehensive plan, commercial PUDs will be located in commercially designated areas of the Future Land Use Map, etc.) Densities and intensities cannot exceed those which are permitted in that area on the Future Land Use Map. Preliminary and/or Conceptual Development plans are required to be submitted along with the rezoning application. Buildings are limited to maximum of 3-story and building height of 35-ft.

A) *The following uses shall be permitted:*

- i) **Residential PUD** – Single- and Multi-family residential dwelling units provided, however, that the housing stock of PUDs located within the Single-family overlay district of the Future Land Use Map which utilize multi-family units must consist of a minimum of 51% single-family dwelling units. On-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use shall also be permitted.

- ii) **Mixed Use PUD** – All uses as permitted under the R-2, R-4, R-15, RP, PFD, and C-1 zoning districts and other uses deemed appropriate and incidental to the primary use by the City Commission.

The Mixed-Use PUD located within the Mixed Community land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 6 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	35%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed-Use PUD located within the General Mixed Use land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 12 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	25%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed- Use PUD shall incorporate the following principles:

- (1) The creation of an attractive and high-quality environment that is compatible with the scale and character of the surrounding community.
- (2) The development of commercial, residential, and mixed-use areas that is safe, comfortable and attractive to pedestrians.
- (3) The location of the commercial center so that it is easily accessible by pedestrians from as many of the residential areas as possible.
- (4) The maximization of shared parking.

- (5) To develop a network of parks, walkways, public art, and cultural facilities that encourage a sense of place and the overall health and well-being of the community.
- (6) To encourage a mix of housing types and styles that provides people with affordable housing choices that can accommodate changes in lifestyle.
- (7) Encourage alternative forms of transportation.

iii) **Commercial PUD** – Commercial uses as permitted under the C-1 zoning district and other uses deemed appropriate and incidental to the primary use by the City Commission.

iv) **Industrial PUD** – Industrial uses as permitted under the Industrial zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the City Commission.

a) **Maximum Density/Intensity**

The maximum density/intensity allowed within the PUD shall be as delineated by the land use districts on the Future Land Use Map. A density bonus may be permitted as outlined in Section 154.030(d)(8)(I), below.

b) **PUD Land Uses**

Land uses proposed within a PUD must conform to uses allowed within the land use designations of the Future Land Use Map of the Comprehensive Plan.

B) *Minimum Parcel Size*

The minimum size of any parcel shall be ten (10) acres. A lesser minimum area may be approved if the City Commission determines that the intent and purpose of the PUD district and expressed municipal development policy would be served in such case.

C) *Unified Ownership*

All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation or groups of individuals, partnerships or corporations.

D) *Setbacks and Buffering*

Setback requirements within the PUD shall be flexible however, in no case shall the setback be less than ten (10) feet between structures. Buffering requirements shall be established at the time of rezoning of

the property to a PUD.

E) *Pre-application Conference (Optional)*

It is recommended that a pre-application conference be held between the City Manager or designee and the developer or the developer's representatives, in order to verify the steps necessary for application and review, and discuss potential issues regarding the PUD proposal. Comments made during the pre-application conference are totally non-binding on the formal review of the preliminary development plan.

F) *Application for Rezoning*

Application for preliminary development plan and rezoning approval shall be made to the City utilizing the form provided by the City. The application shall be accompanied by one (1) hardcopy along with one (1) electronic copy of the preliminary plan prepared in accordance with the requirements of the Land Development Code.

G) *Preliminary Development Plan*

In order to implement the goals and policies of the Comprehensive Plan and to streamline the development review process, the applicant shall have the option of preparing the following types of submittals:

- i) **Conceptual Plan** – If the applicant so chooses, a conceptual plan may be submitted prior to the first rezoning hearing for review by the TRC. The conceptual plan shall include the following, which shall not be a bubble plan:
 - a) Boundary of subject property.
 - b) Major natural features such as lakes, streams, wetlands and natural communities.
 - c) Existing or proposed streets abutting the project.
 - d) Generalized location map and legal descriptions, including acreage.
 - e) Proposed land use types and their location including perimeter buffers and setbacks from perimeter boundary.
 - f) Gross densities.
 - g) Typical lot sizes showing setbacks and dimensions.
 - h) Number of units and type.
 - i) Floor area for commercial or industrial.
 - j) Adjacent zoning.

- k) Maximum building heights.
- l) Anticipated phasing plan.
- m) Proposed method of providing water service, including fire protection, sewage disposal, and stormwater management.
- n) Percentage of Open Space and location.
- o) Acreage of Parks/Recreation and location.
- p) Typical road section.
- q) Soils and 100-year flood prone areas.
- r) Project name.

- s) Existing topography at one-foot contours based on Lake County or St. Johns River Water Management District datum.
- t) Net living area for each type of dwelling unit.
- u) Preliminary Environmental Assessment per Chapter of the Land Development Code.
- v) Parking & Loading facilities.
- w) Any other information deemed pertinent by the TRC, Planning and Zoning Board or City Commission.

Upon approval of the Conceptual Plan and rezoning application by the TRC, the Planning and Zoning board and the City Commission, a preliminary development plan must be submitted for review and approval by the TRC prior to construction.

- ii) **Preliminary Development Plan** – In order to streamline the process, the applicant may elect to file a preliminary development plan for rezoning approval that meets the following requirements as outlined below. This plan can be submitted in lieu of the conceptual plan.
 - a) All items required for submittal of a Conceptual Plan outlined in 154.030 (d)(12)(g)(i).
 - b) Name and address of owner, surveyor, engineer, and any other professional consultants involved with the generation of the plan information. If the property is owned by a corporation or company, the name and address of its president and secretary, and state of incorporation shall be given.
 - c) Acreage of lots, drainage areas, common areas, and other uses; and the minimum lot size, average lot size and total number of lots, lot typical details including interior and corner lots, setbacks, phase lines, future land use, zoning, density and open space. Future land use and zoning information for adjacent properties.
 - d) Existing topography using one (1) foot contours based upon National Geodetic Vertical datum, and delineation of Flood Insurance Rate Map flood zones. All development located partially within or wholly within the Special Flood Hazard Area must be completed in accordance with Section 161.090.
 - e) Environmental assessment showing all wetlands, delineation of wooded areas and vegetative communities, if required threatened and endangered species information and a separate tree survey showing all specimen trees. See Chapter 165.

- f) All existing buildings, utilities, roads, easements or other improvements on the property, and all roads and lot lines within one hundred fifty (150) feet of the property boundary.
- g) Acreage and square feet open space, preservation areas and common areas.
- h) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- i) A soils report delineating the soils existing on the site to be developed.
- j) Proposed stormwater management plan and drainage control facilities.
- k) Utility sources, distribution and collection lines, if available, (including but not limited to water, sewer, electricity, cable television and telephone).
- l) Traffic Study/Traffic Statement. The traffic study shall follow the requirements of the Lake-Sumter Metropolitan Planning Organization (MPO) Transportation Concurrency Management System Traffic Impact Study Methodology Guidelines Document for Lake County.
- m) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

Should the developer elect to submit the preliminary plan with the rezoning application, and upon approval of the rezoning application, the applicant can proceed with final development plan approval as outlined below.

iii) Final Development Plan

- a) All items required for submittal of Preliminary Development Plan outlined in 154.030 (d)(12)(g)(ii).
- b) Acreage and square feet open space, preservation areas, and common areas.
- c) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- d) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

A minimum of twenty-five percent (25%) of the total project area shall be established and maintained as common open space or common facilities. No area shall be accepted as common open space unless it satisfies the following standards.

- i) Common open space shall be dedicated to and useable by all residents of the Planned Unit Development or specific phase thereof.
- ii) Common open space set aside for recreational use shall be suitably improved for its intended use. Such improvements may include aesthetic, amenities, buffering or recreational facilities.
- iii) Common open space set aside for the preservation of natural features or listed species habitats or for buffering purposes shall remain undisturbed and be protected by conservation easements dedicated to the property owner's/homeowner's association or State agency pursuant to Chapter 165 of the Land Development Code.
- iv) Common open space shall not be used for the construction of any structures other than recreational facilities and incidental maintenance buildings.
- v) Common open space shall be maintained by the Home Owner's Association or other legal entity of the Planned Unit Development or the specific phase thereof.

I) *Density Bonuses*

i) **Affordable Housing**

Residential developments may receive a density bonus not to exceed 20% of the density permitted by the applicable land use designation for the provision of affordable housing units.

An affordable dwelling unit shall be a dwelling unit which:

- a) has a market value less than two (2) times 80% of the median annual household income of Lake County or
- b) has a monthly rent less than or equal to $\frac{1}{12} \times 25\%$ of 80% of the median annual household income of Lake County.
- c) the affordable housing density bonus shall be determined as follows:

% of total units affordable	Bonus
20 – 30%	10%
31 – 50%	15%

51% +	20%
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ii) **Environmental Protection**

Residential developments may receive a density bonus of up to 100% of the number of units allowed by the underlying comprehensive land use designation for the transfer of units from onsite non-altered wetlands and upland habitat.

- a) The total number of units transferred shall not exceed the gross density as allowed on the Future Land Use Map.
- b) A conservation easement pursuant to Chapter 165 of the Land Development Code shall be recorded for the property from which the units are to be transferred. Such easement shall specify that no uses other than passive recreation uses shall be allowed on the property and shall state that the easement shall restrict such land in perpetuity. The easement shall be approved by the City Attorney and recorded in the public records of Lake County.

J) *Application Review Process*

- i) **Technical Review Committee (TRC).** All applications shall be reviewed by the TRC staff and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the TRC shall be transmitted in writing to the applicant no later than five (5) working days after the meeting. A formal staff report will be forwarded to the Planning and Zoning Board with staff recommendations.
- ii) **Resubmittal of the Revised Preliminary Development Plan.** Resubmittal of the preliminary development plan reflecting revisions required by TRC comments shall be made within five (5) days of the regularly scheduled TRC meeting.

K) *Approval of Application for Rezoning*

- i) **Planning and Zoning Board Action.** The Planning and Zoning Board shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the application meets the requirements of this code. Upon consideration of comments and recommendations of the TRC and public, the Board shall take one of the following actions:
 - a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
 - b) Recommend that the application be approved.

- c) Recommend that the application be approved with conditions.
 - d) Recommend that the application be denied.
- ii) **City Commission Approval.** The City Commission shall consider the submitted plan and rezoning application at a regularly scheduled meeting and determine if the application meets the requirements of the Land Development Code. Upon consideration of the comments of the TRC, the public, and the recommendation of the Planning and Zoning Board, the City Commission shall take one of the following actions:
- a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
 - b) Approve the application.
 - c) Approve the application with conditions.
 - d) Deny the application.

L) *Alterations to Preliminary Development Plan*

Alterations to the approved Preliminary Development Plan shall be classified as either substantial or non-substantial amendments. The following criteria shall constitute a substantial amendment.

- i) A change which would include a land use not previously permitted under the approved PUD zoning.
- ii) A change that would increase the land use intensity by ten percent (10%) within any development phase without a corresponding decrease in some other portion of the overall PUD.
- iii) A change that would require an amendment to the conditions approved by the City Commission.
- i) A change that would reduce the required open space by more than ten percent (10%).
- ii) Any change that would eliminate pedestrian facilities or multi-use trails.

A determination of a substantial or non-substantial alteration shall be made by the City Manager or designee.

Alterations to the preliminary development plan which are determined to be substantial must be submitted with plans and support data for review by the TRC, the Planning and Zoning Board and the City Commission.

All proposed alterations to an approved plan must be submitted to the City Manager or designee for a determination of whether the alteration is substantial or non-substantial.

M) *Execution of Master Development Agreement*

The second reading of the ordinance for rezoning any land to a PUD district shall not take place until the developer has provided an executed copy of the master development agreement to the City Manager or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised conceptual plan exhibits. If there are no additional requirements, corrections, or conditions attached by the City Commission at the second reading, the executed document shall be signed by the City Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the City Commission at the second reading, the applicant shall revise the agreement and conceptual plan and return the documents to the City Manager or designee within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the City Commission as a condition for approval of the rezoning.

N) *Failure to Provide Timely Resubmission*

Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees. However, the City Manager may extend the deadlines cited above, when warranted by unforeseeable events. A request for extension shall be filed in writing with the City explaining the circumstances justifying the extension.

O) *Final Development Plan Approval*

Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PUD shall be required in accordance with the general procedures established by this code. Conceptual plan exhibits of the master development agreement which fully satisfy the requirements for - preliminary subdivision plan submittal shall be considered as such.

P) *Expiration of Master Development Agreement*

Any master development executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, installation of physical improvements, and any other factors pertinent to the specific proposal. If the City should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall become null and void, and approval of any additional final development plans for the PUD shall not be permitted without resubmission and approval of a

new development agreement in accordance with the procedures established in the land development code.

12) **PFD "Public Facilities District"**

The PFD district is established to manage policies of the comprehensive plan for development of public facilities. This district is established to provide for the special or substantial public interest facilities that are so desired. Conceptual site plans are required to be submitted along with rezoning applications.

A) *Permitted Uses*

- i) Airports.
- ii) Auditoriums, stadiums, arenas, and expositions.
- iii) Broadcasting facilities.
- iv) Municipal/governmental buildings, structures, and uses.
- v) Cemeteries.
- vi) Houses of worship.
- vii) Educational institutions.
- viii) Day care centers.
- ix) Electric power substations and operation centers.
- x) Gas and water metering stations.
- xi) Hospitals, clinics, and medical facilities.
- xii) Public parks and recreational facilities.
- xiii) Post offices.
- xiv) Libraries.
- xv) Police and fire facilities.
- xvi) Sewage treatment facilities.
- xvii) Water supply operations.
- xviii) Adult care facility.
- xix) Clubs, lodges, and fraternal organizations.
- xx) Funeral homes.
- xxi) Crematorium.

- xxii) Any other use of a similar nature when approved by the City Commission.

B) *Locational Criteria for PFD Districts*

- i) The approved use shall front on an arterial or collector roadway. Sewage treatment facilities, water supply operations, electric power substations and operation centers and cemeteries are exempt from this requirement.
- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.
- iii) The site must be located in close proximity to the main user group.
- iv) The approved use must serve the majority of the population.

C) *Maximum Intensity Standard*

The maximum intensity standard shall be seventy (70) percent impervious surface ratio (which includes building coverage) ~~and a~~ maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum.

D) *Design Standards*

- i) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Fifteen feet (15').
 - c. Rear yard: Fifteen-five feet (15').
- ii) The minimum open space shall be twenty-five percent (25%).

E) *Site Plan Requirements*

- i) In order to establish "PFD" Public Facility District, the applicant must provide a Conceptual site plan as outlined in Section 154.030(d)(7)(G)(i) of the Land Development Code, with a zoning application.
- ii) After approval of the zoning, a final site plan meeting the requirements of Section 160.080 of the Land Development Code must be submitted and approved by the Technical Review Committee (TRC) before any building permits are issued or the start of operation of activity on the site.

13) **GB "Greenbelt District"**

This district is established to provide green, undeveloped areas and to protect floodplains, wetlands, other natural resources and agricultural uses. Areas of the city in which this category is most appropriate are designated as "conservation" on the future land use map of the comprehensive plan; however, this district is also permitted within all other land use designations.

A) *Permitted Uses*

- i) Groves and farms.
- ii) Single-family homes and customary accessory uses.
- iii) Swamps, wetlands, and forests.
- iv) Private and public gardens.
- v) Pastures.
- vi) Nature preserves.
- vii) Private and public parks.
- viii) Riding stables.

B) *Uses Permitted as Special Exception use Upon Approval by the City Commission*

- i) Golf courses.
- ii) Retail or wholesale plant production, nurseries, and greenhouses.
- iii) Fishing clubs and marinas.

C) *Uses Expressly Prohibited*

All uses not listed above are expressly prohibited.

D) *Site Development Standards*

- i) Minimum lot size (for buildings): One acre.
- ii) Minimum lot width at building line: 200 feet.
- iii) Minimum dwelling size: 1000 sq. feet.
- iv) Minimum street frontage: 50 feet.

- v) Minimum building setbacks:
 - Front yard: 50 feet.
 - Side yard: 25 feet.
 - Rear yard: 25 feet.
 - From any street: 50 feet.
- vi) Maximum building height: 35 feet and 3-story maximum.
- vii) Parking: See Section 162.040.
- viii) Landscaping and buffers: See Section 164.030.
- ix) Signs: See Chapter 163.
- x) Access: See Section 162.030.

14) **CBD "Central Business District Mixed Use"**

This district is established to encourage economic activity, living quarters and local employment opportunities within the central area of the City. Residential density shall not exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre.

A) *The following uses shall be permitted*

- i) Residential dwelling units on the 2nd or 3rd floor.
- ii) Bed and Breakfast Inn.
- iii) Convenience stores without fuel operations.
- iv) Business Services.
- v) Financial Services.
- vi) Retail sales and services.
- vii) Medical Office/Clinic.
- viii) Professional Services Office.
- ix) Office Supply.

x) Personal Services.

xi) Restaurants.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

i) Banks.

ii) Daycare Centers.

iii) Health/Exercise Clubs.

iv) Tattoo parlor.

v) Veterinary Offices.

vi) Game Recreation Facility.

C) *Uses Expressly Prohibited*

i) Commercial parking.

ii) Industrial land uses.

iii) Uses prohibited by City, State, or Federal law.

iv) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

Coverage shall be limited to eighty (80) percent impervious surface ratio (which includes building coverage), a maximum floor area ratio of 1.0, ~~and~~ a maximum building height of three stories and 35-ft.

F) *Design Standards*

i) Minimum lot size shall be six thousand (6,000) square feet with central sewer. Minimum lot size shall be ten thousand (10,000) square feet with septic tanks.

- ii) Minimum lot width shall be sixty feet (60') with central sewer at the front property line and eighty feet (80') with septic tank unless the lot is located on a cul-de- sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty percent (20%).

**CITY OF FRUITLAND PARK
LPA AGENDA ITEM SUMMARY SHEET
Item Number: 8**

ITEM TITLE: Public Comments

MEETING DATE: Thursday, December 14, 2023

DATE SUBMITTED: Monday, December 4, 2023

SUBMITTED BY: City Clerk

BRIEF NARRATIVE: This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the local planning agency at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the local planning agency. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the local planning agency addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

FUNDS BUDGETED: None

ATTACHMENTS:

RECOMMENDATION: None

ACTION: None