

LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE

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ARTICLE 2

REGULATIONS FOR SPECIFIC DISTRICTS

2.01.00 *General Provisions*

The purpose of this Section is to set forth the general provisions concerning land use. The provisions established herein shall regulate land use, density and intensity, establish building lot and yard requirements, establish land use districts that identify the location of land uses in the City of Lake Alfred, establish standards for land use in the City, and provide for a map locating the permitted land uses in the City. All land in Lake Alfred shall be subject to the provisions of this Section, and shall be shown on the Official Zoning Map as provided in Section 8.05.00. For development within the Green Swamp Area of Critical State Concern (ACSC) that has been annexed into the City, additional regulations have been adopted and are included in Article 3, Section 3.08.00. When a conflict arises between regulations, the more stringent regulation shall apply. More than one permitted use may be co-located on a single parcel of land in any zoning district within the City.

2.02.00 *General Regulations for All Zoning Districts*

2.02.01 *Regulations for Historic Districts*

- (A) *Criteria for Designation of Historic Sites.* The purpose of this Section is to establish criteria for identifying structures and sites of historical significance in the City of Lake Alfred, and to establish procedures to preserve them. The City Commission, after receiving recommendation(s) from the Planning Board, shall designate historic sites based on the following criteria:
- (1) The site or structure is associated with events that are significant to local, state, or national history; or the site or structure embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;
 - (2) The property is one that, by its location, design, setting, materials, workmanship, feeling and association adds to the City's sense of time and place and historical development;
 - (3) The property's design, setting, materials, workmanship, feeling and association have not been so altered that the overall integrity of the site has been irretrievably lost; and

- (4) The structure or site is more than 50 years old, unless there is a strong justification concerning its historical or architectural merit, or the historical attributes of the structure or site are considered to be less than 50 years old.

All properties listed in the National Register of Historic Places and/or the Florida Master Site File of Historic Places shall be presumed to meet the above criteria, and shall be classified as Designated Historic Sites. Any other property may be so classified by the City Commission upon a finding that it meets the above criteria. The Building Director may issue an official certificate of historic significance to the owners of Designated Historic Sites, and is authorized to issue and place official signs at such locations.

Structures and buildings classified as Designated Historic Sites shall be entitled to modified enforcement of the 1994 Standard Building Code as provided by Chapter 34, section 3401.5 published by Southern Standard Building Code Congress International, Inc.

- (B) *Criteria for Modification of Historic Structures.* No demolition, alteration, or relocation of a historic structure shall be permitted except as provided below:
 - (1) Work that does not require a construction permit and that is done to repair damage or prevent deterioration or decay of a structure or part thereof as nearly as possible to its condition prior to the damage, deterioration, or decay;
 - (2) Activity approved by the Building Director that restores the structure's original appearance, or a reasonable approximation; or
 - (3) Activity approved by the City Commission that will not preserve or re-create the structure's original appearance. The Planning and Zoning Board shall review the proposal and make a recommendation prior to the City Commission's vote.
- (C) *New Construction on Historic Sites:* All new construction within a Designated Historic Site shall be reviewed by the Planning and Zoning Board and approved by the City Commission. New structures, parking lots, drainage facilities, and other objects shall be depicted on a site development plan or sketch plan, that shall be submitted to the Building Director prior to review by the Planning and Zoning Board. All site alterations shall be consistent with the approved site plan.

In approving new structures or facilities on a historic site, the City Commission shall determine that the proposal would not hinder the use or enjoyment of the historic site or surrounding historic properties. Also, the Commission shall find that the new site feature(s) would be hidden to the greatest extent possible

and/or are appropriate and compatible with the balance of the site and adjacent historic sites. The Commission may place any conditions on approval that it determines are necessary to protect the integrity of the historic site or area.

2.02.01 Foster Home, Group Home, and Halfway House

- (A) Facility shall be licensed by the Florida Department of Health Rehabilitative Services.
- (B) No staff shall be employed on a full-time or live-in basis other than the owner/operator of the facility and his/her immediate family members.
- (C) The total number of residents shall not exceed 15, including the owner/operator and family members.
- (D) No sign indicating the purpose or nature of the facility shall be permitted.
- (E) In addition to parking spaces normally required for a residential dwelling unit, one (1) space shall be provided for each five (5) residents, excluding staff and family members.
- (F) Any violation of applicable state regulations shall be deemed a violation of this Code, and shall constitute grounds for termination of the Special Exception.

2.02.03 Adult Congregate Living Facility and Nursing Home

- (A) Facility shall be licensed by the Florida Department of Health & Rehabilitative Services.
- (B) Facility shall provide at least two (2) off-street parking spaces, plus one (1) additional space for each 200 square feet of floor area devoted to medical or therapeutic treatment activities, plus one (1) space for each five (5) residents, excluding staff and family members.
- (C) Any violation of applicable state regulations shall be deemed a violation of this Code, and shall constitute grounds for termination of the Special Exception.

2.02.04 Moving of Buildings

- (A) No structure shall be moved from one development site to another unless such structure shall, at the new location, comply with all applicable provisions of this Code. The building must be made to immediately conform to all building codes as if it was a newly constructed building.
- (B) A building permit is required, as well as the posting of a cash performance bond

with the City of Lake Alfred in the amount of one thousand dollars (\$1,000), conditioned upon the building being made to conform to all of the building and zoning regulations within six (6) months from the date of issuance of the building permit. The bond will be automatically forfeited to the City if the building is not in compliance at the end of the six (6) month period.

- (C) No residential or commercial building shall be moved onto any lot within the City without first obtaining the approval of the Board of Zoning Adjustment, whose jurisdiction is hereby enlarged to hear such application. The Board shall take into consideration the character of the neighborhood, the condition and value of the building to be moved, all other ordinance, rules and regulation of the City.
- (D) No residential or commercial building shall be on a lot unless said building is of equal or greater value than the average value of existing buildings in the neighborhood, as determined by the tax assessment figures for the current year, or the previous year, as stated by the latest ad valorem tax assessment roles of the City. The average value shall be determined by the building and zoning director from the assessed value of existing similar use building within five hundred feet (500') of the lot onto which the building is to be moved. The value of the building to be moved shall include the improvements that must be made to conform to all City codes and zoning ordinances.
- (E) Debris resulting from any building burned or demolished by any other cause shall be removed within thirty (30) days after the disaster, or without thirty (30) days after settlement of any pending insurance claims, not to exceed one hundred twenty (120) days from date of loss.

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

Where a single lot or parcel that has been recorded in the public records of Polk County under a unified legal description is divided by a public or private right-of-way, road, alley or easement, the following standards shall apply:

- (A) Where the land area on each side of the right-of-way meets the minimum size requirement of the applicable zoning district, the property shall be considered two (2) lots for the purposes of this Code.
- (B) Where the land area on one or both sides of the right-of-way fails to meet the minimum size requirement, then the property shall be considered one (1) lot for the purposes of this Code. The principal structure shall be located on the larger portion of the property.
- (C) No subdivision plat that includes a lot divided by a right-of-way shall be approved unless such lot meets the applicable size requirement on at least one side of the right-of-way.

2.02.06 *Alteration of Lot Size*

No existing lot shall be reduced in area or dimension below the minimum requirements applicable to such lot under the provisions of this Code, except that when a lot is reduced in dimension or total area by 20 percent or less by the voluntary dedication and acceptance of a portion of such lot for a public use, the lot shall be considered to contain the dimensions and area it contained prior to such dedication. However, for purposes of measuring compliance with setback requirements of this Code, the dimensions and area of such lot as it exists after the voluntary dedication shall apply.

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

- (A) No person shall breed or maintain farm animals, fowl, or other livestock within the City of Lake Alfred except in residential districts RR and RE with the restrictions outlined in (C) below. These shall include, but are not limited to cattle, chickens (including roosters), goats, horses, peacocks, pigeons, and pigs.
- (B) No person shall breed or maintain captive wildlife within the City of Lake Alfred without first obtaining a Captive Wildlife Permit from the Florida Fish and Wildlife Commission. Captive wildlife requiring a permit may include venomous reptiles, conditional reptiles, and Classes I, II and III Wildlife pursuant to 68A-6.002, 68A-6.0021 and 68A-6.002 Florida Administrative Code.
- (C) Property that was previously classified and zoned by Polk County for agricultural uses; and is used for a "Bona Fide Agricultural Purpose", as certified by the Polk County Property Appraiser; and qualifies for an agricultural tax exemption by the State of Florida under F.S. 193.461; may be annexed into the City with the Rural-Residential/Agriculture, Very Low Density Residential or Low Density Future Land use classification to allow the property owner to continue his agricultural (including farm animal) activity. These lots may only be zoned under an RR or RE district.

Lands that are surrounded by the city limits, and are known as "enclaves", may not be annexed in and zoned agricultural (including farm animal) activity unless the use is a limited agricultural use. For the health, safety and welfare of the citizens of Lake Alfred, this activity will only be permitted at the perimeter of the City, in areas that already support agricultural uses and have qualifying agricultural tax exemptions. At the time of development, or subdivision of the land for development, or when the agricultural tax exemption is removed, all rights to agricultural uses (including the keeping of farm animals) shall cease.

2.02.08 Fence Height Limitations

No fence or solid wall on any property shall exceed six feet in height in any residential zoning district, or eight feet in any commercial or industrial zoning district. No fence or other obstruction, including signs (having less than eight feet of ground clearance), walls, hedges, or other structures shall exceed four feet in height within 25 feet of a street intersection. In all zoning districts, fences or walls shall be limited to four feet in height within required front or side street setback areas.

On a through lot, other than a corner lot, a six foot fence may be placed on the rear property line adjacent to an arterial road, and in such instances, such lot shall not be treated as a through lot for setback purposes. If residential structures on abutting properties face or have access to the arterial road, this exception shall not apply.

Berms within the front setback, or within 25 feet of a street intersection, used in conjunction with fences or walls, shall be considered as included in the height restriction for such fences or walls. The height of a fence or wall shall be measured from finished grade prior to berming. Fences or walls that exceed the height limits established in this Section shall meet side and rear setback requirements applicable to accessory structures, and front setback requirements applicable to principal structures.

2.02.09 Special Needs Housing and Facilities

- (A) Special needs housing and facilities provide 24-hour care. These care facilities are subject to local zoning laws and may be located in residential areas but are generally confined to commercial areas.
- (B) They are licensed or registered by the State of Florida according to separate and specific provisions of the *Florida Statutes*. Article 9 of this Code defines each special needs housing facility. They are listed as a group in the Table of Land Uses, 2.04.01(A), and permitted in all commercial zoning districts and the R-2 district.
- (C) Any violation of applicable State regulations shall be deemed a violation of this Code, and shall constitute grounds for termination of the use.

2.02.10 Family Foster and Day Care Homes

- (A) Family Foster Homes, Family Day Care Homes and Adult Family-Care Homes are permitted in residential areas, in occupied homes only and are not subject to local zoning laws when so located. Licensing, registration, occupancy and other matters are regulated under specific provisions of the *Florida Statutes*. Article 9

of this Code defines each family care or foster home. They are included as a group in the Table of Land Uses, 2.04.01(A), and permitted in all residential zoning districts.

- (B) Where State Law permits such uses in residential zoning districts, no sign indicating the purpose or nature of the facility shall be permitted, except as is allowed for a home occupation.
- (C) Any violation of applicable State regulations shall be deemed a violation of this Code, and shall constitute grounds for termination of the use.

2.02.11 Flag Lots

- (A) Flag lots, as defined in Article 9, may be created or utilized as buildable lots in the City, where such lots make possible the best utilization of irregularly shaped properties, especially properties with exceptional depth, subject to complying with the following requirements.
- (B) The narrow extension (a/k/a stem) of a flag lot shall abut on a public street, or private street constructed to public street standards.
- (C) The stem portion of the flag lot must be under the same ownership as the buildable (flag) portion. An easement over an adjoining property not under the same ownership as the flag lot is not allowed as the sole means of providing access.
- (D) The minimum lot width for the stem of a flag lot, from the buildable area of the lot to the street, shall be no less than twenty (20) feet for one (1) dwelling and thirty (30) feet for two (2) dwellings.
- (E) The length of the stem from the street may not exceed two hundred fifty feet (250'), but may extend up to a distance of four hundred feet (400') where a utility easement is dedicated to the City on the owner's property in which the owner shall install, at his expense and subject to City specifications, a fire hydrant and water main. Said hydrant shall be located so as not to exceed two hundred fifty feet (250') of any structure on the lot.
- (F) Driveway along the stem from the street property line to the buildable (flag) area shall be constructed and surfaced by an acceptable paving material capable of supporting emergency vehicles. The width of a driveway shall be a minimum of twelve feet (12') for one-family residence access, and twenty-two feet (22') for a two family residential use.
- (G) Driveways shall be designed so as not to direct water runoff to an abutting property.

- (H) No more than two 92) flag lots may be located adjacent to each other.
- (I) The square footage of the stem may account for up to ten percent (10%) of the required minimum lot area of the zoning district.
- (J) The width of the flag lot of the buildable flag portion shall meet the minimum width of the zoning district.
- (K) In measuring the setbacks required for a structure on the lot, the requirements of the applicable zoning district shall apply based on the orientation of the residence to the public or private street, *provided however* that if adjoining property to the flag lot is in a zoning district with more restrictive setbacks than those of the zoning district of the flag lot, the flag lot's structure must comply with the more restrictive setback requirements applicable to the adjoining property.
- (L) Flag lots may not be created within new or existing recorded subdivision plats.

2.02.12 Model Homes

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

[RESERVED]

2.03.00 General Regulations for Commercial/Industrial Zoning Districts

2.03.01 Sale of Alcoholic Beverages

- (A) *Distance from church or school.* No beverages shall be sold or dispensed within the City at any place of business, location or establishment within six hundred feet (600') of any established school or church. Where a measurement must be taken to establish the distance from a church or school, the distance shall be measured:

By path of travel from main entrance of each facility.

The above shall not apply to any duly licensed grocery store selling such beverages in packages for consumption only off-premises.

- (B) *Exceptions.* The sale of alcoholic beverages for consumption on the premises where such beverages are sold is prohibited, except as provided in this subsection. "Bottle clubs" or other establishments where alcoholic beverages are consumed, but not sold, on the premises, shall be prohibited, except as provided below.

(1) *Private Clubs*

Private clubs, including country clubs and civic or fraternal organizations, may serve alcoholic beverages upon obtaining the necessary licenses and permits from the State of Florida, when such service is incidental to the main use of the property and is limited to the exclusive use of members and guests of the club.

- (2) *Restaurants.* The sale of alcoholic beverages in restaurants shall be permitted by Special Exception in C-2, C-3, M-1, I-1, and I-2 districts subject to the following standards:

- (a) More than 50% of the establishment's revenues are derived from the sale of food.
- (b) All public entrances of the establishment are located at least 600 feet from a church, day care center or public school.
- (c) All public entrances of the establishment are located at least 150 feet from any residentially zoned property. This measurement shall be taken from the main entrance of the business to the main entrance of the residence on such property, measured by the path of travel. This distance shall not apply to a vacant residential property.
- (d) Points of ingress/egress to the property connect to a road having a functional classification of "Collector" or higher.

2.03.02 *Adult Entertainment Establishments*

- (A) *New Establishments.* New adult entertainment establishments shall be permitted in C-2, C-3 and M-1 districts subject to the following standards:
- (1) No adult entertainment establishment shall be located within 500 feet of any property zoned RR, RE, R1AAA, R-1AA, R1AA-B, R-1A, R-1B, R-1, or R-2, or property within unincorporated Polk County zoned for agricultural or residential use.
 - (2) No adult entertainment establishment shall be located within 2,000 feet of any day care center or public recreation facility.
 - (3) No adult entertainment establishment shall be located within 2,500 feet of any church or school.
 - (4) No adult entertainment establishment shall be located within 1,000 feet of another adult entertainment establishment.
- (B) *Non-Conforming Establishments.* Adult entertainment establishments legally in operation prior to the effective date of this Code may continue to operate as a non-conforming use in accordance with Section 7.10.01.

Adult entertainment businesses established under paragraph (A) above shall not be rendered non-conforming by any of the following subsequent occurrences:

- (1) The rezoning of property within the City of Lake Alfred or unincorporated Polk County for agricultural or residential use.
 - (2) The placement of a day care center or public recreation facility within 2,000 feet.
 - (3) The establishment of a church or school within 2,500 feet.
- (C) *Measurement of Distances.* Distances shall be measured from property line to property line, along the shortest distance between property lines, without regard to the route of normal travel.
- (D) *Applicability of Other Laws and Ordinances.* Nothing in this subsection shall be construed to permit the operation of any business or the performance of any activity prohibited under any other section of this Code or other applicable law or regulation. Additionally, nothing in this Code shall be construed to authorize, allow, or permit the establishment of any business, the performance of any activity, or the possession of any item, which is obscene under the judicially established definition of obscenity.

2.03.03 Temporary Tents

Tents may be erected temporarily on property in a commercial district where a commercial structure is already established, and on property occupied by a church, regardless of its zoning district, subject to the following requirements:

- (A) Tents may not be erected more than two (2) times per year, for periods not exceeding two weeks.
- (B) No more than 10% of the existing parking area is used, and the tent does not block any point of ingress or egress to the development site.
- (C) All electrical connections must be inspected and approved by the Building Department.
- (D) The tent must be inspected and approved by the Lake Alfred Fire Department as being in compliance with all relevant Fire Code regulations.

2.03.04 Minimum Maintenance Requirements for Commercial Zoning Districts and Commercial Buildings

(A) Applicability

- (1) All commercial buildings located within the City, regardless of zoning, shall meet the following minimum requirements. In addition all buildings, whether used for commercial purposes or not, which are located in commercial zoning districts shall meeting the following minimum requirements. These regulations are in addition to any other requirements posed by law.
- (2) This section does not apply to single family residences used solely for that purpose in any zoning district. This article is not intended to apply to any existing duplex residential uses that may legally exist in residential zoning districts. However, mixed-use occupancies must meet requirements set forth herein.

(B) Windows, Glass, Signs, Miscellaneous

- (1) Every broken or missing window glass shall be repaired or replaced. It shall not be permitted to replace the glass with plywood or other non-translucent materials except on emergency basis. Plywood or other accepted materials may be used as a temporary covering to secure openings on vacated buildings or vacated portions of occupied buildings. The coverings must be painted to blend with the structure that is applied to and installed according to requirements of the building code. If windows

are eliminated on buildings, they shall be closed in with material that is of the same type as, or is compatible with, the construction used in the exterior wall of that building.

- (2) Display windows, entrances, signs, lighting, sun protection, awnings, porches, security grills, etc., shall be maintained and etc., and kept in good repair. Any elements that are in disrepair shall be brought into compliance by repair or removal. Awnings that are torn, badly faded, or structurally compromised shall be removed, repaired, or replaced. Existing nonfunctional elements on the building, such as empty electrical conduit, unused sign brackets, unused awning brackets, unsecured signs, etc., shall be removed and the building surface repaired or rebuilt.
- (C) *Walls and other structural elements.* The exterior of all structures shall be maintained in good repair. This shall include painted wood, masonry, or other building materials that are not designed to otherwise exist naturally without a weather proofing system. A structure shall be considered to be in violation of this section if more than ten percent of the painted surface or weather proofing system is exposed to the elements as a result of the wear, peeling, dirt, mold, mildew, or deterioration of the material.
- (D) *Temporary Coverings.* No temporary covering of any part of a structure may remain more than 30 days.

2.03.05 Sidewalk Cafés

- (A) *Declarations.*
- (1) There exists the need for outdoor eating establishments (sidewalk cafés) in the pedestrian oriented areas of Downtown Lake Alfred's Commercial Zoning Districts (C2 and C3) to provide a unique environment for relaxation and food consumption.
 - (2) Because of the high density of development in zoning districts C2 and C3, the lack of adequate vacant land, and the desire to encourage redevelopment of existing structures, there exists a need to provide an opportunity for sidewalk cafés to be located on sidewalks in the publicly owned right-of-way.
 - (3) That the existence of sidewalk cafés would encourage additional pedestrian traffic to downtown and encourage more activity in pedestrian oriented areas.
 - (4) That the presence of sidewalk cafés may impede the flow of pedestrian traffic.

- (5) That there is a need for regulations and standards for the existence and operation of sidewalk cafés to facilitate and ensure a safe downtown environment.
- (6) That the establishment of permit conditions and safety standards for sidewalk cafés is necessary to promote the general health, safety, and welfare of the residents of the City of Lake Alfred.
- (7) That the issuance of any permit under this Section does not constitute nor shall it be construed to constitute a vacation or abandonment by the City of its interest in the right-of-way easements contained therein.

(B) *Definitions.*

For the purpose of this section, the following terms shall have the meanings set forth below:

Conditional Permit shall mean a valid permit to operate a sidewalk café for a period of thirty (30) days, in which the permittee must bring the establishment into compliance with outstanding conditions noted on the conditional permit document before final approval by the City Building Department.

Permittee shall mean the holder of a valid sidewalk café permit under the terms and conditions of this section.

Sidewalk means the portion of a public street right-of-way between the curb line or the lateral line of a road way and the adjacent property lines which is improved for use by pedestrians.

Sidewalk Café means a use, located on a sidewalk, which is associated with a business establishment which receives 50% of their revenue from the sale of food or beverage products, and is located in the abutting building. Sidewalk cafés may use awnings, canopies, or umbrellas for shade, provided that the awnings, canopies or umbrellas comply with all other applicable laws.

(C) *Permit Required*

It shall be unlawful for any person to operate a sidewalk café on any sidewalk or public right-of-way without a permit as provided by this Section. Sidewalk cafés shall be permitted only within the C2 and C3 zoning designation. Receipt of a sidewalk café shall exempt the permittee from obtaining an easement from the City for any fixture or structure approved by the permit. A sidewalk café permit shall be license to use the sidewalk or public right-of-way and shall not grant nor shall it be construed or considered to grant any person any property right or

interest in the sidewalk or public right-of-way.

(D) *Sidewalk Café Permit Fee*

- (1) Each permit shall be effective for one year from October 1 until September 30 and must be annually renewed by the City.
- (2) The annual permit fee for establishing and maintaining a sidewalk café shall be \$24.00.
- (3) The permit fee shall be paid on or before October 1 and shall cover the time period from October 1 through September 30 of the following calendar year. For a permit issued after October and before September 30, the permit fee will be prorated on a per month basis. Any portion of a month shall be considered a full month for the purpose of calculating the prorated permit fee.

(E) *Sidewalk Café Permit & Permit Application; Review by the Chief Planning Official; Conditional Permit.*

- (1) Applications form permits for sidewalk cafés may be obtained from the City's Building Department. Such application must contain, but is not limited to, the following:
 - (a) Name, address, and telephone number of the applicant;
 - (b) Name and address of the abutting, permitted business establishment;
 - (c) A copy of a valid Lake Alfred business tax receipt to operate the business establishment abutting the proposed sidewalk café.
 - (d) A copy of the current certificate of insurance in the amounts and categories as required by this Section;
 - (e) A drawing (drawn to scale) showing the layout and dimensions of the sidewalk, sidewalk café area and adjacent private property, proposed location, size and number of tables, chairs, steps, umbrellas, awnings, receptacles, railings, decorative chains and any other fixture, structure, or obstruction, either existing or proposed, within the sidewalk café. This drawing must readily identify any object to be permanently anchored within the sidewalk café;

- (2) Completed applications will be forwarded to the City's Chief Planning Official for initial comments and recommendations. Applicants must provide the Chief Planning Official with any additional information upon its request.
- (3) After Development review, the Chief Planning Official shall forward the application with recommendations to the City Manager's office for final evaluation. Applicants must provide the City Manager's office with any additional information upon its request. A determination from the City Manager's office will be given within thirty (30) days of the application submittal. After thirty (30) days, the application shall be deemed denied. The City Manager, after final evaluation, shall either:
 - (a) Direct the City Building Department to issue the permit and place the approved drawing on file with the City Building Department;
 - (b) Direct the City Building Department to issue a conditional permit, noting outstanding conditions that must be met before final approval, and place tentatively approved drawing on file with the City Building Department. The conditional permit is only valid for thirty (30) days; or
 - (c) Direct the City Building Department to deny the permit, noting specific reasons for the denial.
- (4) *Sidewalk Café Permit.* A sidewalk café permit allows the holder to construct a sidewalk café per the approved drawing on file with the City Building Department.
- (5) *Conditional Permit.* A permittee may construct and operate a sidewalk café with a Conditional Permit, but shall be given a period of thirty (30) days from the date of permit issuance to bring the permitted abutting business establishment or conditionally permitted sidewalk café into compliance before final approval. The City Building Department shall be responsible for inspecting the permittee's sidewalk café for compliance with the noted outstanding conditions.
- (6) *Denial.* An applicant must bring the permitted abutting business establishment into compliance or bring the sidewalk café drawing into compliance with any specific reasons notated on the prior denial of an application before reapplying for a permit under this Section. In no event shall a previous applicant reapply for a permit under this Section for a period of sixty (60) days after denial by the City Building Department.

(F) *Standards and Criteria for Application Review; Initial Conditions of Permit*

- (1) Only a holder of a valid Lake Alfred business tax receipt for a business establishment who wishes to provide outdoor tables and chairs on the sidewalk frontage abutting the establishment for use by the general public may be issued a permit.
- (2) Sidewalk cafés are restricted to the sidewalk frontage of the abutting business establishment to which a permit has been issued.
- (3) Sidewalk cafés shall be located in a manner that promotes efficient and direct pedestrian movement. A minimum unobstructed pedestrian path of at least five (5) feet, measured from the curb line to the edge of the café, shall be maintained at all times. In areas of congested pedestrian activity, or if the public health, safety, and welfare should require it, either the Chief Planning Official or the City Manager may require a wider unobstructed pedestrian path before issuance of a permit. A narrower unobstructed pedestrian path may be allowed by the Chief Planning Official or the City Manager only upon a showing by the applicant, by competent substantial evidence, of the following:
 - (a) A narrower path would not endanger the health, safety, and welfare of the general public;
 - (b) A narrower path would add to the design, character, and environment of the downtown area; and
 - (c) An unusual circumstance, including, but not limited to, lack of future significant pedestrian activity or unusual and unique locale justifies a narrower unobstructed pedestrian path.
- (4) Sidewalk cafés shall not interfere with any driveways, public non-pedestrian alleys, streets, or building entrances, and must comply with all local ordinances, state and federal laws.
- (5) Sidewalk cafés must have at least one outdoor trash receptacle.
- (6) The perimeter around the sidewalk café may be delineated using nonpermanent fixtures such as railings, potted plants, decorative chains, or other approved items. Permanent anchoring of tables, chairs, umbrellas, awnings, canopies, railings, or other fixtures may be approved by the Chief Planning Official or the City Manager provided such anchoring meets all other applicable laws. Permanent anchoring of items by a permittee requires the permittee to repair the sidewalk or public right-of-way consistent with City requirements for sidewalk repair in the event anchored items are removed.

- (7) No furnishing or fixture may extend beyond the delineated boundaries of sidewalk cafés.
- (8) Only items authorized in the approved drawing on file with the City Building Department may be placed in sidewalk cafés. Furniture and other items placed in sidewalk cafés must be durable and sufficiently stable to prevent removal by winds. All furniture and objects shall compliment and add to the design, character, and environment of the downtown areas.
- (9) Sidewalk cafés may only display one folding movable menu or display board, not exceeding four (4) square feet of display space on either side. The menu or display board must not be located in any designated pedestrian path and must comply with all laws local, state, and federal laws regulating signage.
- (10) Sidewalk café permits and design constraints apply only to uses on public sidewalks or public right-of-way. Other laws and regulations govern related uses on private property.

(G) Liability and Insurance

- (1) By use of any permit granted in accordance with this Section, the permittee agrees to indemnify, defend, save, and hold harmless the City, its officers, agents and employees for any and all claims, liability, lawsuits, damages and causes of action which may arise out of the permit or the permittee's activity regarding the sidewalk café. The permittee shall enter into a written agreement with the City to evidence this indemnification in considerations of grant of license or permit under this Section before the permit is issued.
- (2) Permit holders shall maintain public liability, food products liability, and property liability insurance as will protect the permittee and the City from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than the municipal tort liability under Florida Tort Claims Act. Such insurance shall be without prejudice to coverage otherwise extending, and shall name the City, its officers and employees as additional insured, and shall further provide that the policy shall not terminate or be canceled prior to the expiration of the permit without thirty (30) days written notice to the City Manager.

(H) Additional Conditions of Sidewalk Café Permit

Sidewalk cafés permitted under this Section shall be subject to the following additional conditions:

- (1) Unanchored furnishings and objects must be removed from the sidewalk café during the hours in which the abutting business establishment is closed for business.
- (2) Sidewalk cafés, sidewalk café furniture and fixtures, and the sidewalk frontage from the edge of the café to the curb line shall be kept clean and free of litter by the permittee.
- (3) Upon reasonable written notice, the City may require the temporary removal of sidewalk cafés by the permittee. The permittee shall be responsible for removing all sidewalk café items within twenty-four (24) hours prior to the date identified in writing by the City. The City shall not be responsible for any costs associated with the removal or return and installation of any sidewalk café fixtures.
- (4) The City may cause the immediate removal or relocation of all or any part of any sidewalk café or sidewalk café fixtures in emergency situations. The City, its officers, employees, and agents shall not be responsible for any damages or loss of sidewalk café fixtures relocated during emergency situations and shall not be responsible for any costs associated with the removal or return and installation of any sidewalk café fixtures.
- (5) The sidewalk café shall be limited specifically to the sidewalk café shown in the issued permit or drawing on file at the City Building Department.
- (6) The permittee must ensure the sidewalk café does not interfere with the unobstructed pedestrian path shown in the issued permit or drawing on file at the City Building Department.
- (7) No fixtures of sidewalk café may be attached to or affixed in any manner to a sign, tree, post, or other fixtures.
- (8) The hours of operation of the sidewalk café are limited to the legal hours of operation of the business holding the sidewalk café permit or from 7:00 a.m. to 10:00 p.m., Monday through Sunday, whichever is more restrictive. The City Manager or designee may authorize expanded hours for the sidewalk café for holidays including New Year's Eve and specific City-sponsored or City-co-sponsored special events.
- (9) No food preparation shall be allowed on the sidewalk. No cooking, cooling, storage, refrigeration, or other equipment shall be located on the sidewalk.

- (10) No signs shall be permitted outside of the sidewalk café area.
- (11) Permittee shall meet all City, County, State, and Federal Laws.

(I) Revocation or Suspension of Permit

- (1) The City Manager, or designee, may revoke any sidewalk café permit for any sidewalk café, upon thirty (30) days written notice, for: repeated violation of this code, serious public safety concerns, or redemption of the public right-of-way. The permittee shall be responsible for all expenses incurred in removal of the sidewalk café, whether removal is performed by the City or by the permittee. Additionally, the permittee shall be responsible for restoring the sidewalk or right-of-way to its original or improved condition.
- (2) The City Manager, or designee, may suspend any sidewalk café permit for any sidewalk café for violation of this or any other City ordinance. Upon issuance of a citation of violation, the sidewalk café shall have forty-eight (48) hours to correct any violation of this or any other City ordinance. If the violation is not corrected within forty-eight (48) hours, the sidewalk café permit shall be suspended and the sidewalk café shall cease to operate until such time as the violation may be remedied.

(J) Appeal

The decision to deny a permit, suspend a permit, or revoke a permit may be appealed to the Circuit Court in accordance with applicable law. Additionally conditional permit holders may appeal to the Circuit Court for additional time to comply with conditions found written in the permit beyond the time limit specified in the this ordinance.

[RESERVED]

2.04.00 Establishment of Districts

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

Table 2.04.00 (A) Base Zoning Districts

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

NOTE: C denotes cluster subdivision districts

The City of Lake Alfred establishes the overlay districts set out in Table 2.04.00(B). These impose additional requirements on certain properties within

one or more underlying base zoning districts. Information on overlay districts is provided in Section 2.04.03.

Table 2.04.00 (B) Overlay Districts

Map ID*	Name of Overlay District
(DOD)	Downtown Overlay

**Map ID added behind the base zoning district map ID, for example C-3(DOD)*

2.04.01 Zoning District Summary Tables

(A) The tables on the following pages present, in a quick-reference form, information regarding permitted and special exception land uses, and development standards for all base zoning districts. These tables must be read in conjunction with the regulations for specific zoning districts in Section 2.04.02 and regulations for specific overlay districts in Section 2.04.03.

(B) All proposed uses in the Green Swamp Area of Critical State Concern (GSACSC) require a Site Development Plan Review, review by the Planning Board, and approval by the City Commission. Specific development regulations are contained in Article 3, Section 3.08.00 Specific regulations for Site Development Plan submittal and review are contained in Article 7, Section 7.05.00, of this Code.

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

P = Permitted Use

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

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

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

Table of Land Uses, Table 2.04.01(A)

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA**	R-1 A**	R-1B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PB	PR	CN	
** Uses also apply to districts with C (cluster subdivision) suffix This table must be read with Sections 2.04.02 and Section 2.04.03 for specific information on base zoning and overlay districts																				
Agricultural Uses																				
Groves, orchards, row crops, pasturing of livestock	P	P	P	P	P	P														
Ranching or farming	P																			
Limited agricultural uses	P	P	P	P	P	P														
Stables	P	P																P		
Horticulture with no wholesale or retail sales	P	P	P	P	P	P	P	P	P											
Horticulture with wholesale or retail sales	P									P	P	P		P	P	P				
Roadside stands to sell ag products grown on the site	P																			
Single Family Residential Uses																				
Single family, conventional construction	P	P	P	P	P	P	P	P	P											
Single family, manufactured	P	P	P	P	P	P	P	P	P											
Mobile home subdivision									D											
RV park									D	D	D									
Docks, piers and boathouses as a principal use																		P	P	P
Multi-Family Residential Use																				
Apartment building									P	P	P					P				
Boarding house									P	P						P				
Duplex(2 units)									P	P	P					P				
Dwelling unit in commercial										P	P	P		P	P					
Garage apartment									P	P	P	P			P					

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA**	R-1 A**	R-1B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PB	PR	CN
** Uses also apply to districts with C (cluster subdivision) suffix																			
This table must be read with Sections 2.04.02 and Section 2.04.03 for specific information on base zoning and overlay districts																			
Residential Cluster Development	D	D	D	D					P	P	P					P			
Small Lot Subdivision	D	D	D	D					P	P	P					P			
Townhouse									P	P	P					P			
Group Homes/ Lodging																			
Adult Family Care Home, Family Day Care Home, Family Foster Home	P	P	P	P	P	P	P	P	P										
Child Care Facility, Adult Day Care Center, Assisted Living Facility, Foster Care Facility, Group Home Facility, Hospice Residential Unit									P	P	P	P				P			
Nursing home										D	D	D				D		D	
Bed & breakfast						D	D	D	P	P	P	P				P			
Hotel/motel										D	D	D				D			
RV campground										D	D					D			
Retail Sales, No Outdoor Storage																			
Adult Entertainment Facility											P	P		P					
Appliance repair											P	P	D	P	P	P			
Barber shops											P	P	P	P	P	P			
Beauty shops											P	P	P	P	P	P			
Convenience store											P	P	P	D	P	P	P		
Convenience store with gasoline sales											P	P	P	C	P	P	P		
Funeral homes											D	P	P		P	P	P		
Indoor amusement enterprise												P	P		P	P	P		

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA**	R-1 A**	R-1B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PB	PR	CN
** Uses also apply to districts with C (cluster subdivision) suffix																			
This table must be read with Sections 2.04.02 and Section 2.04.03 for specific information on base zoning and overlay districts																			
Mini-warehouse												D		D	D	D			
Minor automotive repairs											P	P		P	P	P			
Nursery and Greenhouse, Retail															P	P			
Personal Services										P	P	P	P	P	P	P			
Recycling center (indoor)										P	P	P		P	P	P	P		
Retail Sales - general										P	P	P	P		P	P			
Restaurant											P	P	C	P	P	P			
Restaurant with Drive Thru											P	P	C	P	P				
Sale of alcoholic beverages											P	P	C	P	P	P			
Shopping center <50,000 sq. ft.										D	D	D	C						
Shopping center 50,000 sq. ft. to 150,000 sq. ft.										D	D	D	C						
Shopping center >150,000 sq. ft.		C								C	C	C		C	C	C			
Theaters											P	P		P	P	P			
Retail Sales, Outdoor Storage and Exhibits Permitted																			
Auto sales												P		P	P	P			
Boat sales												P		P	P	P			
Building supply sales												P		P	P	P			
Flea market												D		D	C	C			
Machine shop, indoor												P		P	P	P			
Major automotive repairs												P		P	P	P			
Mobile home sales												P		P	P	C			
Outdoor amusement enterprise												D		D	C	C			
Plant nursery		P										P		P	P	P			

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA**	R-1 A**	R-1B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PB	PR	CN
** Uses also apply to districts with C (cluster subdivision) suffix																			
This table must be read with Sections 2.04.02 and Section 2.04.03 for specific information on base zoning and overlay districts																			
Recycling center (outdoor)														P	P	P			
RV sales												P		P	D	D			
Service Station											D	D		D	D	P			
Truck stop												D		D	D	P			
Truck Storage Lot											D	P		P	D	D			
Office/ Financial/ Medical Services																			
Bank										P	P	P	C	P	P	P			
Clinic										P	P	P		D	D	D	P		
Hospital										P	P	P		D	D	D	P		
Medical laboratory											P	P		D	P	P	P		
Office Park														D	D	D			
Professional office										P	P	P	C	D	D	D			
Real estate/business office										P	P	P	C		D	D			
Nonretail Service Commercial																			
Boat repair, no sales												P		P	P	P			
Contractor storage yard														P	D	P			
Equipment Repair Major																P			
Kennels, outdoor												P		P	P	P			
Sales/repair of heavy equipment												P		P		P			
Veterinary clinics										P	P	P		P	P	P			
Warehouse												P		P	P	P	P		
Wholesale distributor												P		P	D	P			
Light Industrial Use																			
Airports/aviation uses		C												C	C	C	C		

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA**	R-1 A**	R-1B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PB	PR	CN
** Uses also apply to districts with C (cluster subdivision) suffix																			
This table must be read with Sections 2.04.02 and Section 2.04.03 for specific information on base zoning and overlay districts																			
Bottling plant/bakery														P	C	D			
Food processing/packaging														P	C	D			
Freight/trucking terminal														P	D	P			
Heliport / Helistop																D			
Landfill, Construction Debris																D			
Manufacturing, Light												D		P	D	P			
Manufacturing, General														P		D			
Printing/publishing												P		P	D	D			
Railroad Yard															D	D			
Recycled materials processing														D	C	D			
Sales/minor storage of propane gas														P	D	D			
Heavy Industrial Use																			
Bulk storage of chemicals & explosive gases														C		C			
Citrus processing plant														P		D			
Junkyard/storage area														C		D			
Storage of sand/gravel/blocks														P	D	D	P		
Public Service Use																			
Auto license/tag facility																	P		
City hall/municipal building																	P		
Communications tower/antenna														D	D	D	D		
Correctional facility		C															P		
Electric power plant		C												C	C	D	C		
Fire station																	P		

Category/Use	RR	RE	R-1 AAA **	R-1 AA-B	R-1 AA**	R-1 A**	R-1B	R-1 **	R-2 **	C-1	C-2	C-3	C-4	M-1	I-1	I-2	PB	PR	CN	
** Uses also apply to districts with C (cluster subdivision) suffix																				
This table must be read with Sections 2.04.02 and Section 2.04.03 for specific information on base zoning and overlay districts																				
Jail		C																P		
Police station																		P		
Post office																		P		
Power substation		D	D	D	D	D	D	D	D	P	P	P		P	P	P	P	P	P	P
Public wellfield w/no treatment																		P		P
Sewage disposal facility		C												C	C	C	C			
Sewer lift station		P	D	D	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P
Sewer/water plant (Municipal)														P	P	P	P	P	P	P
Telephone switching station		D	D	D	D	D	D	D	D	P	P	P		P	P	P	P	P	P	P
Educational/ Cultural Use																				
Church		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		
Civic center/auditorium																		P		
College/university											D	D			P	D	D			
Community center																		P		
Museum										P	P	P		P	D	D	P			
Public library																		P		
School (grades K-12)		D	D	D	D	D	D	D	D	D	D	D			C	C	D			
Vocational/technical school											D	D		D	D	D	D			
Recreation/ Conservation Uses																				
Docks, piers and boathouses as a principal use																		P	P	P
Park		P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P
Clubs, private									P	P	P	P							P	P
Recreation, outdoor, public																			P	P

Table 2.04.01(B), Table of Development Standards

		Zoning District	Max. Density (residential units per acre)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
								Front	Rear	Side			
1	*	RR*	1 du/ 10 ac	10 acres	200	1,500	--	50	100	50	25,000 s.f.	15,000 s.f.	35 except farm buildings
2	*	RE*	1.0	1 acre	100	2,000	--	30	20	10	40%	30%	35 except farm buildings
3	*	RE-C* SF detached See Article 7, Section 7.07.00	1.0	10,000	80	1,600	--	20	20	10	45%	35%	35 except farm buildings
4	*	R-1AAA *	3	14,000	100	1,900	--	30	20	10	40%	30%	35
5	*	R-1AAA-C* SF detached See Article 7, Section 7.07.00/ For Green Swamp See Section 3.08.02.02 and 3.08.02.03	5 net/ 3 gross	8,000	70	1,200	--	20	20	10	40%	30%	35
6		R-1AA-B	3	14,000	100	1,400	--	30	20	10	45%	35%	35
7		R-1AA	3.6	12,000	90	1,500	--	30	20	10	40%	30%	35
8		R-1AA-C SF detached See Article 7, Section 7.07.00	3.6	8,000	70	1,500	--	20	20	10	45%	35%	35
9		R-1A	4.2	10,000	80	1,200	--	30	15	10	40%	30%	35
10		R-1A-C SF detached See Article 7, Section 7.07.00	4.2	7,000	60	1,200	--	20	15	10	50%	40%	35
11		R-1B	6.0	--	50	960	--	20	20	5	40%	30%	35

	Zoning District	Max. Density (residential units per acre)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
							Front	Rear	Side			
12	R-1	6.0	7,500	80	960	--	25	15	8	40%	30%	35
13	R-1-C SF detached See Article 7, Section 7.07.00	6.0	6,000	60	960	--	20	15	8	55%	45%	35
14	R-2	12.0				--	20	20	10	60%	50%	35
15	R-2-C SF detached See Article 7, Section 7.07.00	12.0	4,500	40	960	--	20	20	10	60%	50%	35
16	R-2: duplex	4 buildings/ac	8,000	80	720/unit	--	20	20	10	60%	50%	35
17	R-2: MF 3-4 units	12.0	8,000	80	450/unit	--	20	20	10	60%	50%	35
18	R-2: MF 5-12 units	12.0	9,400	100	450/unit	--	20	20	10	60%	50%	35
19	R-2: RV Campground Tract See Article 3, Section 3.09.02	Min. 5 ac	30,000	15 x 200		--	25	15	15/25	60%	50%	35
20	R-2: RV Campground Per Space See Article 3, Section 3.09.02	10.0	1,200	20 x 40		--	20	5	5	60%	50%	35
21	R-2: RV Campground Pull Thru Space See Article 3, Section 3.09.02	10.0	1,200	36 x 70		--	22	5	15	60%	50%	35

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

	Zoning District	Max. Density (residential units per acre)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
							Front	Rear	Side			
28	C-1 For residential, use standards for R-1A, R-1B or R1 for single family; and R-2 for multi family	6 12	--	--	--	2.5	20	--	--	--	--	35
29	C-2 For residential, use standards for R-1A, R-1B or R1 for single family; and R-2 for multi family	6 12	--	--	--	2.5	20	--	--	--	--	35
30	C-3	0	--	--	--	2.5	50	10	10	--	--	35
31	* C-4 (Area inside the Green Swamp ACSC) -- (Maximum 10 acres in size)	0	--	--	--	0.25	50	10	10	--	--	35
32	C-4 (Area outside the Green Swamp ACSC) -- (Maximum 10 acres in size)	0	--	--	--	0.35	20	10	10	--	--	35
33	M-1	0	--	--	--	1.5	20	--	--	--	--	--
34	I-1	0	--	--	--	2.5	20	--	--	0.75	--	--
35	I-2	0	--	--	--	2.5	25	20	15	0.75	--	100

		Zoning District	Max. Density (residential units per acre)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Floor Area Ratio	Setback (feet)			Max. Impervious Surface (% of lot)	Max. Lot Coverage (% of lot)	Max. Building Height (feet)
								Front	Rear	Side			
36	*	Public Buildings and Grounds	0	7,000	70	300	2.0	25	20	10		30%	45%
37	*	Public Recreation	0	7,000	70	300	0.01	25	20	10		40%	35
38	*	Conservation	0	NA	NA	NA	0.001	100	100	100		NA	20
39	*	Preservation	0	NDA	NDA	NDA	NDA	NDA	NDA	NDA		NDA	NDA

Key:

ac	Acres	NA	Not applicable
du	Dwelling unit	NDA	No development allowed
Max	Maximum	SF	Single Family unit
Min	Minimum	MF	Multi Family unit

Notes to Table:

- A complete set of development regulations are located in Articles 3 & 7 for those uses noted.
- Those districts marked with an * may be used in the Green Swamp ACSC but with limits. For a complete set of regulations, see Article 3, Section 3.08.00.
- Max. Impervious Surface is the total area that may be covered by buildings, swimming pools and anything paved with asphalt, concrete, & other similar surfaces.
- Max. Lot Coverage is the total area that may be covered by the principal building plus all accessory buildings.
- Min. Floor Area is the minimum size building required and is measured from the footprint of the principal dwelling unit, excluding any attached garage, and excluding, in general, any space not air-conditioned, such as a screened-in porch or carport.

2.04.02 Establishment of Base Zoning Districts

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

2.04.02.01 RR Rural Residential

- (A) FLUM Designations: Very Low Density Residential Classification (VLD) and Rural-Residential/Agricultural.
- (B) Purpose: The purpose of this district to provide for the lowest residential densities and all agricultural uses. The district is restricted to single family dwelling uses with necessary and incidental accessory uses for agriculture and residential structures; and to allow for agricultural uses on property without a dwelling unit; and public uses compatible with residential uses. The VLD future land use classification allows a density of three units per acre and the Rural-Residential/Agricultural FLU classification allows a density of one (1) unit per ten (10) acres; however, the density in the RR zoning district shall not exceed one unit per ten acres where paved roads, municipal water and sanitary sewer service are not available to the site.
- (C) Permitted Principal Uses & Structures: Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
 - (1) Limited agricultural uses (see Article 9 for definition of Limited Agricultural Uses) are allowed so long as there are no infrastructure improvements installed for approved development.
 - (2) Also permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(A)) The agricultural use is permitted to continue so long as there are no infrastructure improvements installed for approved development.
 - (3) Also permitted in this district are roadside stands. The following apply to all roadside stands:
 - (a) Roadside stands may sell only agricultural products grown on-site;

- (b) No parking or structures shall be located in any right-of-ways;
- (c) Structures must be temporary;
- (d) Structures must be well-maintained and in good repair;
- (e) The stand must not cause a public nuisance in any way;
- (f) Structures must be set back a minimum of 20 feet from the property line that fronts on the road; and, structures must be set back at least 100 feet from all other property lines.

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

- (1) Barns, stables, sheds and similar structures used to house livestock shall be a minimum of 50 feet from all property lines.
- (2) Private boat ramps, docks, boat houses and fishing piers are permitted, subject to the provisions of Article 5.

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

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

(G) *Other Requirements:*

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

2.04.02.02 RE and RE-C Residential Estate District

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

- (B) Purpose: The purpose of this district to provide for the lowest residential densities and limited agricultural uses. The district is restricted to single family dwelling uses with necessary and incidental accessory uses for agriculture and residential structures; and limited agricultural uses on property with a dwelling unit; and public uses compatible with residential uses.
- (C) Permitted Principal Uses & Structures: Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (1) Limited agricultural uses (see Article 9 for definition of Limited Agricultural Uses) are allowed so long as there are no infrastructure improvements installed for approved development.
 - (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(C)) The agricultural use is permitted to continue so long as there are no infrastructure improvements installed for approved development.
- (D) Accessory Uses: Permitted are accessory uses and structures customarily incidental to residential uses and agricultural uses. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Private boat ramps, docks, boat houses and fishing piers, subject to the provisions of Article 5.
- (E) Special Exception Uses: Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) Development Standards: Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio

(as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) Other Requirements:

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

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

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

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

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

- (1) Limited agricultural uses (see Article 9 for definition of Limited Agricultural Uses) are allowed so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.

- (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(C)) The agricultural use is permitted to continue so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.

(D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the

principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

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

2.04.02.04 R-1AA-B Single Family Dwelling District

- (A) *FLUM Designation:* Very Low Density Residential Classification (VLD)
- (B) *Purpose:* The purpose of this district is to provide areas for very low density residential development on 14,000 square foot lots or more, with necessary and incidental accessory uses, and public uses compatible with residential uses.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (1) Limited agricultural uses (see Article 9 for definition of Limited Agricultural Uses) are allowed so long as there are no infrastructure improvements

installed for approved development and no primary residential use has been established.

- (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(C)) The agricultural use is permitted to continue so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

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

- (A) *FLUM Designation:* Low Density Residential (LD) Classification
- (B) *Purpose:* The purpose of this district is to provide areas for low density residential development, with necessary and incidental accessory uses, and public uses compatible with residential uses.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
 - (1) Limited agricultural uses (see Article 9 for definition of Limited Agricultural Uses) are allowed so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.
 - (2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(C)) The agricultural use is permitted to continue so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
 - (1) Private boat ramps, docks, boat houses, and piers, subject to the Provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B).

Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) *Other Requirements:*

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

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

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

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

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

(1) Limited agricultural uses (see Article 9 for definition of Limited Agricultural Uses) are allowed so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.

(2) Permitted in this district are newly annexed parcels with agricultural uses that have been previously qualified for the agricultural tax exemption as defined by F.S. 193.461, "which includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee, pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products and farm production." (See 2.02.07(C)) The agricultural use is permitted to continue so long as there are no infrastructure improvements installed for approved development and no primary residential use has been established.

(D) *Accessory Uses:* Permitted are accessory uses and structures customarily

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

- (1) Private boat ramps, docks, boat houses, and piers, subject to the provisions of Article 5.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent. This use requires the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
 - (2) **Home Occupation:** An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.07 R-1B Single Family Dwelling District

- (A) *FLUM Designation:* Low Density Residential (LD) Classification
- (B) *Purpose:* The purpose of this district is to provide for a higher density, less restrictive residential development, along with the necessary and incidental accessory uses, and uses characteristic and accepted with, but not detrimental

to, the principal uses.

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

being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

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

- (A) *FLUM Designation:* Low Density Residential (LD) Classification
- (B) *Purpose:* The purpose of this district is to provide for a higher density, less restrictive residential development areas, along with the necessary and incidental accessory uses, and uses characteristic and accepted with, but not detrimental to, the principal uses.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
 - (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.

- (2) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.
- (3) Renting of up to three (3) rooms in a principal building, provided adequate parking is provided and no "for rent" signs are used.

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

- (A) *FLUM Designation:* Medium Density Residential (MD) Classification
- (B) *Purpose:* The purpose of this district is to provide areas for single-family, duplex, and multiple-family development areas with a higher density standard and less restrictive regulations than single-family districts, along with the necessary and incidental accessory uses, and uses characteristic with, but not detrimental to, the principal use. In no case shall density in R-2 exceed twelve (12) dwelling units per net acre; provided however, that such limitation shall not be applicable in any other zoning district within the City solely by reference to this section of the zoning ordinance.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size;

Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.

(G) *Other Requirements:*

- (1) **Bed and Breakfast:** Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.
- (2) **Home Occupation:** An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.
- (3) **Renting of up to three (3) rooms in a principal building,** provided adequate parking is provided and no "for rent" signs are used.

2.04.02.10 C-1 Limited Commercial District

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

- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7. Special Exception Uses include:
- (1) Mobile home structures for temporary offices, not to exceed six (6) months in any eighteen (18) month period.
 - (2) Tents and temporary buildings, not to exceed six (6) months in any eighteen (18) month period.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) Bed and Breakfast: Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.
 - (2) Home Occupation: An activity conducted in a residential dwelling unit that employs only members of the immediate family residing there. The activity may not occupy more than 500 square feet of the dwelling nor may it display anything that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Specific regulations are contained in Section 7.10.00 of this Code.

2.04.02.11 C-2 Retail Commercial District

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

by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

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

2.04.02.12 C-3 General Commercial District

- (A) *FLUM Designation:* Commercial or Industrial Classification
- (B) *Purpose:* The purpose of this district is to provide areas for development of a variety of commercial uses, including retail commercial uses, highway business uses and other business establishments that are clean, quiet and free of hazardous or objectionable elements, such as noise, odor, dust, smoke or glare. Such establishments, except for those being used as described in paragraph

(H)(1)(e) hereof, shall operate entirely within enclosed structures and generate little industrial-type traffic.

- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (1) Caretakers' cottages are permitted as an accessory use in this district.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) *Bed and Breakfast:* Property shall front on a collector or arterial roadway. Primary points of ingress-egress shall connect to such roadway. Signs shall be in accordance with regulations in Article 4. Parking requirements shall be one space per unit available for rent.

2.04.02.13 C-4 Neighborhood Convenience Center District

- (A) *FLUM Designation:* Neighborhood Convenience Center Classification.
- (B) *Purpose:* The purpose of this district is to provide areas for low impact, low intensity commercial, office, and institutional uses to serve the residents of the City and the Green Swamp Area of Critical State Concern.

- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) Area. Neighborhood Convenience Centers shall not exceed 10 acres in size.
 - (2) Separation Requirements. Neighborhood Convenience Centers shall not be located closer than one (1) mile from another Neighborhood Convenience Center or from a City Commercial Future Land Use designation.
 - (3) Location. Neighborhood Convenience Centers shall be located at the intersections of arterials and/or collector roads.
 - (4) Utilities. Neighborhood Convenience Centers shall be served by central water and wastewater services.
 - (5) Floor Area Ratio. The maximum Floor Area Ratio (FAR) shall be 0.25 for property located within the Green Swamp Area of Critical State Concern.
 - (a) The maximum Floor Area Ratio (FAR) shall be 0.35 for property located outside of the Green Swamp Area of Critical State Concern.

- (b) The Neighborhood Convenience Center FAR may be increased for a Planned Unit Development (PUD).
- (c) The FAR for property granted Special Approval as a PUD, located within the Green Swamp Area of Critical State Concern, shall not exceed 0.35.
- (d) The FAR for property granted Special Approval as a PUD, located outside of the Green Swamp Area of Critical State Concern, shall not exceed 0.50.

2.04.02.14 [Reserved]

2.04.02.15 M-1 Industrial District

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

Exception is governed by Article 7.

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

2.04.02.16 I-1 Light Industrial District

- (A) *FLUM Designation:* Industrial Classification
- (B) *Purpose:* This district is intended for light manufacturing, processing, storage and warehousing, wholesaling, and distribution not involving the use of any materials, processes or machinery likely with required buffering to cause undesirable impacts beyond the property line. Service and commercial activities relating to the character of the district are permitted. Regulations are intended to prevent or reduce friction between uses in this district and also to protect nearby residential districts.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Use in Section 2.04.01(A). Permitted uses are designated

by the letter “P”. Uses designated by the letter “D” are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7. Uses designated by the letter “C” are also permitted, but require the submission and approval of a Conditional Use application, which governed by Article 7.

- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses. Typical accessory uses commonly included but are not limited to the following:
- (1) Caretakers’ cottages are permitted as an accessory use in this district.
 - (2) Financial Institution (Drive Through Allowed)
 - (3) Convenience Store
 - (4) Gas Station
 - (5) Retail
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter “S”. Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special exception is governed by Article 7.
- (F) *Development Standards:* Development Standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:*
- (1) Sales/Minor Storage of Propane Gas: No more than 500 gallons shall be present on the development site at any time.
 - (2) Bulk Storage of Explosive Gases: Storage tanks shall be located at least 75 feet from all property lines.
 - (3) Storage of Sand/Gravel/Blocks:

- (a) Minimum lot size shall be one (1) acre.
 - (b) Stored materials shall be completely screened from view by an opaque fence no less than eight feet (8') in height. Said fence may be constructed along property lines, but shall be set back no less than 25 feet from the right-of-way of any abutting public roads.
 - (c) All lights shall be shielded to focus and direct light onto the uses established, and away from adjacent property, but may be of sufficient intensity to discourage vandalism and theft. Reference Section 3.06.00, Performance Standards, for applicable glare and lighting standards.
- (4) All permitted manufacturing uses shall conform to the following additional standards:
- (a) Development site shall be large enough to accommodate all required parking, stormwater management as required by all appropriate permitting agencies and regulations, and other standards and facilities.
 - (b) Night operations, including loading and unloading, are prohibited within 50 feet of the property line if any residential zoning district or area which is shown for residential use on the Future Land Use Map of the comprehensive plan, unless conducted within a completely enclosed building which has no openings other than stationary windows or required fire exits within the 50 foot area. Night operations are those conducted between the hours of 9:00 p.m. and 6:00 a.m. This prohibition shall not apply to night watchmen or other security operations or in the event residential development subsequently develops adjacent to an existing use.

2.04.02.17 I-2 Heavy Industrial District

- (A) *FLUM Designation:* Industrial Classification
- (B) *Purpose:* This district is intended primarily for heavy manufacturing and closely related uses that may involve potential nuisances in terms of noise, odor, emissions of particulate matter, lighting, and other potential nuisance factors or undesirable effects upon nearby residential or business property. To avoid burdensome regulations on heavy manufacturing, requirements in this district are intended to provide protection principally against effects harmful to other districts.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated

by the letter “P”. Uses designated by the letter “D” are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7. Uses designated by the letter “C” are also permitted, but require the submission and approval of a Conditional Use application, which is governed by Article 7.

- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses. Typical accessory uses commonly include but are not limited to the following:
 - (1) Caretakers’ cottages are permitted as an accessory use in this district.
 - (2) Financial Institution (Drive Through Allowed)
 - (3) Convenience Store
 - (4) Gas Station
 - (5) Retail

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

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

- (G) *Other Requirements:*
 - (1) Sales/Minor Storage of Propane Gas: No more than 500 gallons shall be present on the development site without adhering to the American Society of Mechanical Engineers (ASME) standards and specifications and receipt of a Special Exception Permit.
 - (2) Bulk Storage of Explosive Gases: Storage tanks shall be located at least 75 feet from all property lines.

- (3) Storage of Sand/Gravel/Blocks:
 - (a) Minimum lot size shall be one (1) acre.
 - (b) Stored materials shall be completely screened from view by an opaque fence no less than eight feet (8') in height. Said fence may be constructed along property lines, but shall be set back no less than 25 feet from the right-of-way of any abutting public roads.
 - (c) All lights shall be shielded to focus and direct light onto the uses established, and away from adjacent property, but may be of sufficient intensity to discourage vandalism and theft. Reference Section 3.06.00, Performance Standards, for applicable glare and lighting standards.
- (4) All permitted manufacturing uses shall conform to the following additional standards:
 - (a) Development site shall be large enough to accommodate all required parking, stormwater management as required by all appropriate permitting agencies and regulations, and other standards and facilities.
 - (b) Night operations, including loading and unloading, are prohibited within 100 feet of the property line if any residential zoning district or area which is shown for residential use on the Future Land Use Map of the comprehensive plan, unless conducted within a completely enclosed building which has no openings other than stationary windows or required fire exits within the 100 foot area. Night operations are conducted between the hours of 9:00 p.m. and 6:00 a.m. This prohibition shall not apply to night watchmen or other security operations or in the event residential development subsequently develops adjacent to an existing use.

2.04.02.18 P-B Public Buildings and Grounds

- (A) *FLUM Designation:* Public Buildings and Grounds Classification
- (B) *Purpose:* To establish locations for properties and/or facilities owned by government and used for purposes related to the public health, safety and welfare.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a

Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

- (D) *Accessory Uses:* Permitted are accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
 - (1) Permitted are caretakers' residences, dining facilities, and playing fields and other recreational facilities located on school grounds. Minimum building spacing shall be 15 feet.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01(A). Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:* None.

2.04.02.19 P-R Public Recreation

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

that on which the principal structure is located. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.

- (1) Permitted are bathhouses, caretakers' residences, pavilions, and boat docks. Minimum building spacing shall be 15 feet.
- (E) *Special Exception Uses:* None.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01(B). Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:* None.

2.04.02.20 CN Conservation

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

(E) *Other Requirements: None.*

2.04.02.21 PRES Preservation

(A) *FLUM Designation: Preservation Classification*

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

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

(D) *Accessory Uses:* None allowed.

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

(F) *Other Requirements: None.*

2.04.02.22 UNIV University

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

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

(C) *Permitted Principal Uses & Structures:* Permitted uses include activities conducted by a public or private university or college in order to conduct classes, undertake research, and house students and faculty. Uses may include research facilities, recreation facilities, commercial facilities to serve the students, such as, book stores, cafés, and the like; dormitory facilities; industrial uses as part of research or classroom facilities; agricultural uses as part of research or classroom facilities; publicly-owned and privately-owned properties that are open to recreational use by the general public, such as: public parks; public and private golf courses; tennis and racquetball centers and facilities; playgrounds; softball, baseball, football, soccer fields and stadiums and associated concessions, parking and facilities; walking paths and trails; water sports facilities; jogging and bike trails with exclusive right-of-way; and other similar facilities and uses. The map symbol shall be "UNIV" and shall be so designated on the Official Zoning Map. The Floor Area Ratio shall not exceed 2.0 and the residential density shall not exceed 12

units per acre.

- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures. Customary uses that are secondary and incidental to principal uses, including restrooms, caretakers' residences, pavilions, boardwalks, and pedestrian/bicycle paths. Section 2.05.00 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Other Requirements:* None.

2.04.02.23 PUD Planned Unit Development District

- (A) *FLUM Designations:* Residential, Commercial, Neighborhood Convenience Center, Specialty Center, and Industrial Classifications.
 - (1) *Relationship of PUD Regulations to the Comprehensive Plan, Land Development Code, or Other Regulations.* The development of land uses within a PUD shall be consistent with the pattern of land use designations established on the Future Land Use Map of the Comprehensive Plan. Residential densities in a PUD shall not exceed the permitted densities established in the Comprehensive Plan. Where there are conflicts between these special PUD provisions and other regulations in this Code, these special regulations shall apply. Where no standard is designated in this Section for a particular element of a PUD, appropriate regulations set forth in other sections of this Code shall apply. In a unique situation where no standard is specified, the City Commission shall determine the appropriate standard.
- (B) *Purpose:* Planned Unit Development (PUD) districts are intended to be established for: specialized purposes, where a proposed project warrants greater flexibility than a standard district provides; when the Comprehensive Plan requires a Planned Unit Development review process; or when the ability to attach conditions to a site plan is warranted.

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

Within Planned Unit Development districts, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning

and other applicable regulations to an equivalent or higher degree than where such regulations are intended to control unscheduled development on individual lots; to promote economical and efficient land use; improve levels of amenities for harmonious, creative design, and a better environment.

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

- (C) The Planned Unit Development (PUD) district is established to provide for well-planned and/or orderly mixed-use development in any area of the City. Further, PUDs may:
- (1) Promote flexibility in development design;
 - (2) Promote the efficient use of land;
 - (3) Preserve, as much as possible, existing landscape features and amenities;
 - (4) Provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided;
 - (5) Combine and coordinate architectural styles, building forms and building relationships within the planned development;
 - (6) Lessen the burden of traffic conflict on streets and highways;
 - (7) Provide for a balanced land use mixture.
- (D) *Permitted Principal Uses & Structures:* All development within a PUD district shall comply strictly with its approved Master Development Plan, the Land Development Code and the Comprehensive Plan. Platting of property for residential or non-residential uses shall be carried out according to the requirements of Section 7.06.00. Development on individual sites, other than single family development, shall be reviewed and approved according to the requirements of Section 7.05.00, Site Development Plans. Development may occur in stages consistent with Section 7.04.05.
- (E) *Planned Unit Development Districts:* Five Planned Unit Development Districts are provided within the City and include:
- Planned Unit Development – Residential (PUD-R)
 - Planned Unit Development – Office (PUD-O)
 - Planned Unit Development – Commercial (PUD-C)
 - Planned Unit Development – Industrial (PUD-I)
 - Planned Unit Development – Mixed Use (PUD-MU)
- (F) *Density.* The total number of permitted dwelling units within a PUD shall be based on the gross acreage of the overall development site, including all open space, recreation areas, drainage facilities, road rights-of-way, and areas proposed for commercial use. These units may be clustered or otherwise

arranged according to sound planning principles throughout the PUD site, providing a mixture of housing types, densities, and price ranges in a creative development design that is appealing to residents and beneficial to the City as a whole.

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

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

(G) *Common Properties.*

(1) *Designated Open Space:* The developer shall establish a property owner's association or similar legal entity for the perpetual ownership and maintenance of open space, drainage facilities and other community facilities designated on the Master Development Plan and subdivision or site development plans for individual tracts. Designated open space shall be defined as the total area within the PUD that has been set aside for recreational use, stormwater management, or for preservation in its natural condition, for the benefit of the residents of the development. Open space shall be shown on the Master Development Plan.

(a) The minimum open space required in a PUD shall be 30 percent of the gross site area, and may include, but shall not be limited to, the following:

- (1) Common Recreation Areas, as defined below in Section B Common Recreation Area.
- (2) Areas equivalent to no more than 50 percent of the total acreage of wetlands, lakes, drainage retention/detention areas, and other permanent or semi-permanent water bodies.
- (3) Scrub or other natural areas to be set aside for the preservation of endangered plant or animal species.

- (4) Golf courses.
- (5) Stormwater retention/detention areas, but not ditches and swales.

(b) Designated open space shall not include the following:

- (1) Lands designated for residential or commercial use (regardless of density or intensity of these uses).
- (2) Parking areas, except those that are accessory to recreational uses.
- (3) Utility easements and road rights-of-way.
- (4) Perimeter setback areas, unless developed with bicycle or pedestrian trails.
- (5) Sewer and/or water treatment plant sites.
- (6) Land that has been or is to be conveyed to a public agency for public use via a purchase agreement or dedication for schools, parks, community buildings, or other public facilities (excluding drainage facilities).

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

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

(a) Common Recreation Area may include the following uses and associated facilities:

- (1) Swimming pools, tennis courts and playing fields.
- (2) Playgrounds.
- (3) Picnic areas and pavilions (up to 20 percent of total required Common Recreation Area acreage).
- (4) Golf courses (up to 50 percent of total required Common Recreation Area acreage).
- (5) Rights-of-way for nature trails, jogging/bicycle paths, or other pedestrian facilities, up to 15 feet in width (excluding sidewalks in residential or commercial areas).

(b) The following shall not be included in Common Recreation Areas:

- (1) Streets, road right-of-way, and parking areas.
- (2) All easements.

- (3) Water bodies and wetlands, except within designated right of-way for nature trails.
 - (4) Ditches, swales, retention areas and other stormwater management facilities.
 - (5) Areas of less than 50 feet in width and 5,000 square feet in size, unless incorporated into a pedestrian or bicycle circulation system.

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

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

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

- (K) *Other Requirements:*
 - (1) *Unified Control.* All land included for the purpose of development within a Planned Unit Development shall be owned or under the control of the applicant, whether that applicant is an individual, partnership or corporation, or a group of individuals, partnerships or corporations.
 - (2) *Subdivision of Property.* Property in a Planned Unit Development shall be platted in accordance with Section 7.06.00 prior to the issuance of building permits. In the case of lands that have been platted prior to the adoption of this Code, the landowner shall be required to vacate the previous plat or pre-platted lands before any rezoning and Master Development Plan approval will be considered. In addition, all payments,

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

- (3) *Private Roads.* Internal roads serving the PUD may remain in the private ownership of the developer or may be conveyed to a property owner's association or similar entity created under the provisions of Article 7, "Ownership and Maintenance of Common Property". However, such roads must be designed and constructed to meet all standards applicable to a public road serving the same function, including right-of-way widths. No private road that constitutes the primary access to residential or commercial properties within a PUD shall be built on an easement.
- (L) *Requirements for PUD Approval within the Neighborhood Convenience Center Future Land Use designation.* Planned Unit Development approvals for land designated with the Neighborhood Convenience Center Future Land Use shall require:
- (1) The site to be reviewed for environmental suitability and evidence to show that environmental impacts have been avoided.
 - (2) Central potable water and wastewater are provided to the site.
 - (3) There is adequate roadway capacity to sustain the development.
 - (4) Capital improvements required to support the development are committed within the Five Year Schedule of Capital Improvements.
 - (5) A maximum of ten (10) acres in size and shall not be located closer than 1 mile from other property with the Neighborhood Convenience Center or City Commercial Future Land Use designation.
 - (6) Must be located at the intersections of arterials and/or major collector roads and must be served by central water and wastewater services.
 - (7) A maximum Floor Area Ratio of 0.50 for property located outside the Green Swamp and 0.35 for property located inside the Green Swamp.
- (M) *Requirements for PUD Approval within the Specialty Center Future Land Use.* Planned Unit Development approvals for land designated with the Specialty Center Future Land Use shall provide for:
- (1) Residential Uses not exceeding 3 dwelling units per acre unless developed through the Conservation Development Program.

- (2) Must be located at the intersections of arterials and/or major collector roads and must be served by central water and wastewater services.
 - (3) A minimum of 30 percent open space shall be provided.
 - (4) A maximum Floor Area Ratio of 1.00 for property located outside the Green Swamp and 0.75 for property located inside the Green Swamp.
- (N) *Requirements for PUD Approval within the Green Swamp ACSC.* Planned Unit Developments shall be allowed in the Green Swamp ACSC consistent with Section 3.08.00 of the LDRs. Prior to applying for a Planned Unit Development designation, owners must file for an amendment to the Future Land Use Map of the City and undergo review by both the City and the DEO, and be found in compliance by the DEO. The following requirements must be met, as applicable:
- (1) If the property is designated as Specialty Center Future Land Use, the Floor Area Ratio (FAR) shall not exceed 0.75.
 - (2) If the property is designated as Neighborhood Convenience Center Future Land Use, the Floor Area Ratio (FAR) shall not exceed 0.35 and is limited to a maximum of 10 acres.

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

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

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

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

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

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

- (B) *Location:* PUD-C districts shall be located where they will facilitate ease and convenience of use; where negative impacts on the surrounding transportation systems, public services, and surrounding land uses will be minimized; where the use is compatible with surrounding land uses will be minimized; where the development will not encourage the expansion of office or commercial strip development along adjacent streets; and where the intensity of the project is consistent with the use that it provides.
- (C) *Permitted Uses:* Uses in PUD-C districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria, and other applicable Comprehensive Plan criteria. Uses and structures which are customarily and clearly incidental to permitted principal uses and structures shall be also permitted.
- (D) *Intensity:* PUD-C districts shall be permitted at a range of floor area ratios consistent with the Comprehensive Plan intensity requirements. In evaluating proposals, the criteria contained in Articles 2 and 7 shall provide a basis for intensity determinations (floor area ratio, height, square footage, and setbacks).

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

- (A) *Purpose:* It is intended that PUD-I districts shall encourage concentration of complimentary uses grouped adjacent to major streets or streets serving industrial areas, providing well planned development on sites with adequate frontage and depth to permit controlled access to streets and reduce marginal traffic friction; serve as an alternative to further extensions of industrial zoning allowing disorderly strip development; protect stability and property values in surrounding neighborhoods; and to establish complimentary groupings of related manufacturing, processing, assembly, research activities, distribution activities, offices and associated uses. Uses must be consistent with the Comprehensive Plan permitted uses, locational criteria, project size, intensity and other criteria.
- (B) *Location:* PUD-I districts shall be located where they will facilitate ease and convenience of use; where negative impacts on the surrounding transportation systems, public services, and surrounding land uses will be minimized; where the use is compatible with surrounding land uses; and where the intensity of the project is consistent with the use that it provides.
- (C) *Permitted Uses:* Uses in PUD-I districts shall be consistent with Comprehensive Plan requirements regarding use, type, locational criteria, and other applicable Comprehensive Plan criteria. Uses and structures which are customarily and clearly incidental to permitted principal uses and structures shall be also permitted.

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

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

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

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

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

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

- (a) Provide appropriate areas for and facilitate quality mixed use development in activity centers that are consistent with the Comprehensive Plan's land use and transportation goals, objectives, policies and strategies;

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

[RESERVED]

2.04.03 Establishment of Overlay Districts

- (A) Overlay districts provide a means to incorporate various development regulations across a specified area. Overlay districts address special siting, use, and compatibility issues that require use and development regulations in addition to those found in the underlying base zoning districts. These districts are special zones that lie on top of existing base zoning categories to supplement or supersede existing regulations. They usually provide a higher level of regulation than that required by the existing zoning classification, but they can also permit exceptions or require a less-restrictive guideline. In cases where conflicting standards are given by an overlay district and the underlying base zoning district, those of the overlay district take priority. The boundaries of an overlay district may or may not coincide with the boundaries of the underlying base zone, and an overlay district may contain parts of more than one existing zone.

The zoning designation of property located within an overlay district shall consist of the base zoning district acronym and the overlay district symbol as a suffix. For example, if a parcel is zoned “C-3” (General Commercial District) and is also located within a “DOD” (Downtown) overlay district, the zoning designation of the property is “C-3(DOD).”

- (B) Relationship to Underlying Zoning District Provisions. The land use regulations applicable to the underlying zone remain in full force and effect except where superseded herein. Where there is a provision not expressed in the underlying zone, or where a provision hereof is in conflict with the underlying zone, the provision of the overlay district shall be controlling.

2.04.03.01 Downtown Overlay District (DOD)

The City of Lake Alfred establishes a Downtown Overlay District (DOD), for the general purpose of implementing the Lake Alfred 2030 Comprehensive Plan and the Lake Alfred Downtown Master Plan (hereinafter referred to collectively as the "Master Plan").

2.04.03.01.01 Purpose and Intent

The purpose of the Downtown Overlay District (“DOD”) is to encourage infill development, redevelopment, and reinvestment in areas with existing infrastructure investments as a means of achieving balanced growth, efficient land use, and cost-effective delivery of public services. The provisions of this district recognize the economic challenges inherent in developing successful infill properties and provide an alternative zoning option to promote private re-investment within the downtown area. The specific objectives of the Downtown Overlay District are:

- (A) Provide development regulations and design standards that will set the downtown area apart from other commercial areas within the city, consistent with the vision expressed in the Lake Alfred Downtown Vision Plan;

- (B) Accommodate growth within the downtown area by encouraging and facilitating new development on vacant and underutilized land within areas that already have infrastructure, utilities, and public facilities;
- (C) Allow and encourage a mixed-use pattern of development in the downtown area;
- (D) Provide development standards and incentives that stimulate infill and redevelopment within the downtown area;
- (E) Create a compact mixture of land uses, including shops, workplaces, civic buildings, entertainment uses, and residences that satisfy market demand within the downtown area;
- (F) Provide an environment that promotes safe pedestrian access and connections between developments, more pedestrian-scale amenities and an identifiable downtown core area;
- (G) Create the opportunity to improve the quality of development and retail services within the downtown area;
- (H) Create the opportunity to enhance property values and increase economic and financial benefits to the city, business owners, and property owners;
- (I) Provide clear, understandable, predictable, and consistent development standards that promote compatibility between existing and future development;
- (J) Encourage development of needed housing in close proximity to downtown employment and services;
- (K) Promote downtown preservation and enhancement through redevelopment of blighted, distressed, and underutilized properties;
- (L) Encourage the development of flexible space for small and emerging businesses;
- (M) Facilitate development proposals that are responsive to current and future market conditions.

2.04.03.01.02 Zones and Boundaries

The Downtown Overlay District is comprised of three zones. Figure 2.04.03.01.02(A) depicts the three zones as they exist at the establishment of the DOD. The current DOD boundaries are depicted on the Official Zoning Map. The Downtown Core and Downtown Transitional zones represent the developable properties within the downtown district, while the Downtown Gateway zone represents the entrances into the Transitional and Core areas along right-of-way corridors.

The three zones differ in the mix of uses, development character, and development intensity. Each zone has a unique focus and role within the Downtown Overlay District. Together the zones are intended to create a diverse and vibrant business, commercial, and residential district within the heart of Lake Alfred. The areas described below and shown in Figure 2.04.03.01.02(A) provide for development that is consistent with the adopted City of Lake Alfred Downtown Master Plan.

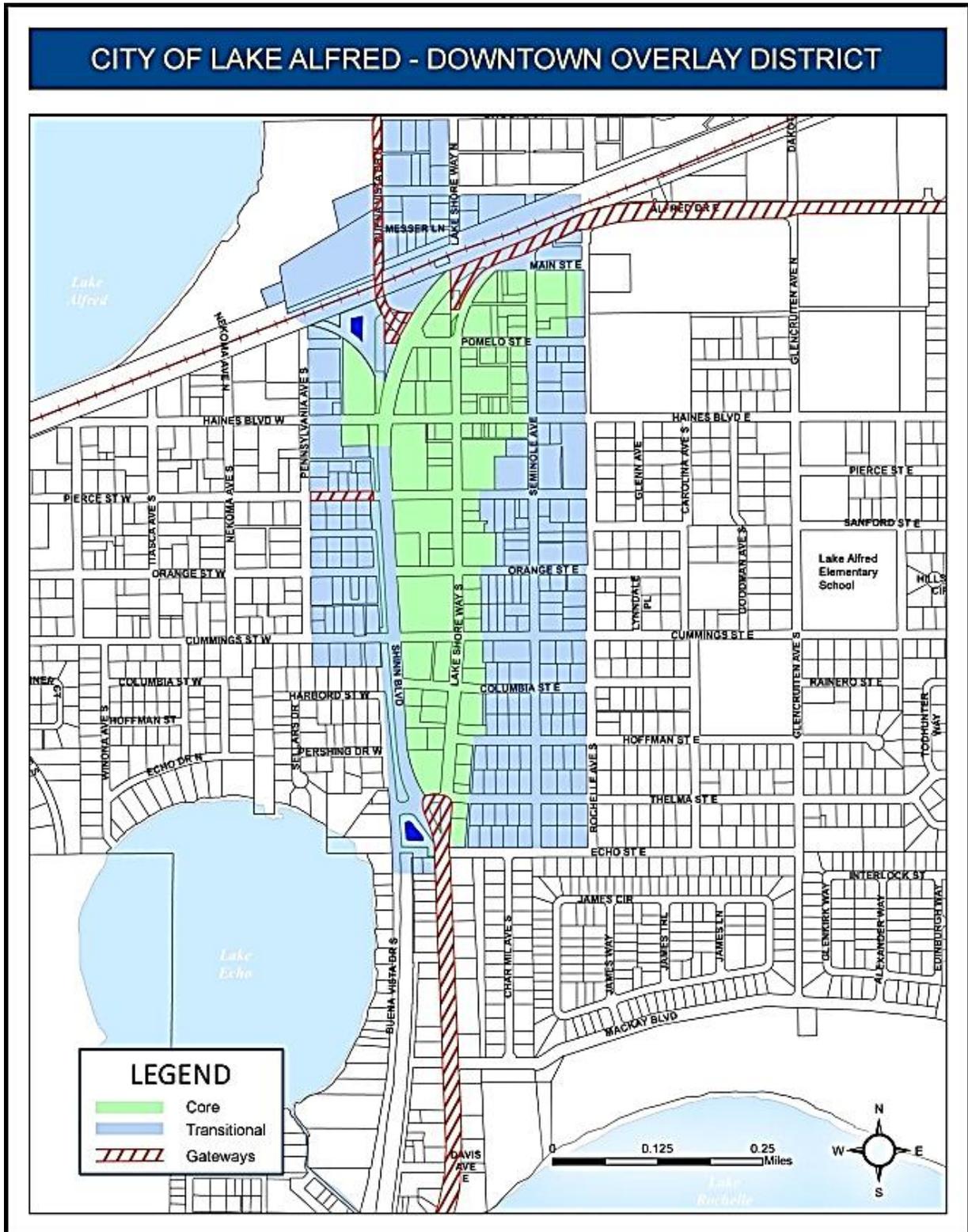
- (A) *Downtown Core (DC) Zone:* The Downtown Core (DC) zone may be described as the central core of the City where the greatest concentration of businesses, infrastructure, and public services is located. A mix of uses and services including commercial retail and professional offices, governmental and civic facilities, and an emerging multi-modal transportation corridor characterize the Downtown Core zone. The overlay district and design standards for this zone provide for an urban pattern of development, facilitating a more vibrant, walkable district supported by a continued mix of land uses and public service amenities. To foster compact, pedestrian oriented growth that will support downtown businesses, the City encourages mixed use development that includes higher density residential development than permitted in other parts of the city.

- (B) *Downtown Transitional (DT) Zone:* The Downtown Transitional (DT) zone is where complementary Downtown Core uses may be located. This zone is primarily contained within established residential neighborhoods surrounding the Downtown Core. A mix of existing single-family and multi-family residential uses and some commercial uses characterize the Transition area. The Transition zone includes other uses such as small business establishments and professional offices located within retrofitted residential structures. Businesses that are oriented toward serving the local neighborhood, as opposed to a regional area, are encouraged. The intention of the overlay district and design standards for this zone are to provide for a mix of land uses, compatible with the characteristics of the transition area, while supporting future growth of the Downtown Core.

- (C) *Downtown Gateway (DG) Zone:* The Downtown Gateway Zones identify the four main transportation corridors that serve as entranceways into the Downtown Transitional and Core zones. Identifiable streetscaping patterns and enhanced development standards provide a first impression of the Downtown Area and serve as the greeting to let visitors know they are arriving at a destination.

Figure 2.04.03.01.02(A) shown on next page

Figure 2.04.03.01.02(A)



2.04.03.01.03 Administration and Enforcement of DOD

- (A) *Applicability and Effective Date.* Commencing the date of the adoption of this Downtown Overlay District on October 21, 2013, the Downtown Overlay District provisions shall apply to the development of all land therein whether publicly or privately held. No development shall be undertaken without prior authorization pursuant to the Downtown Overlay Zone. Within each of the development zones, the regulations of the underlying zoning district shall continue to apply, except as expressly supplemented or modified under the provisions of these design guidelines. The Downtown Overlay District standards apply to the following:
- (1) All new construction of buildings or structures.
 - (2) All exterior building improvements requiring a building permit.
 - (3) All new or reconstructed parking areas with five or more spaces.
 - (4) Any building, structure, or parking area that lawfully exists at the time the Downtown Overlay District is enacted, which would not otherwise be permitted under the Downtown Overlay District, may be continued in the same manner as it existed before the effective date of the Downtown Overlay District. Any future construction, additions, reconstruction, or renovation shall be subject to the requirements of the Downtown Overlay District.
- (B) *Compliance with Overlay District Standards.* At the time of application for any building permit and/or site development plan, the applicant shall demonstrate the proposed building, structure, improvement, or renovation, complies with the requirements of this Downtown Overlay District. No building permit shall be issued until the requirements of this Downtown Overlay District have been met. It is the applicant's responsibility to provide the necessary information to the City staff to determine compliance with this section of the Ordinance.

The Development Services Director or his or her designee shall apply the DOD standards and guidelines to all development activity within the downtown overlay district, including new construction, minor exterior renovations, and substantial exterior renovations in keeping with Table 2.04.03.01.03(A). Redevelopment of sites will be provided flexibility as long as the improved site meets the intent of these regulations, see (D) below.

- (1) New Construction refers to site preparation for and construction of entirely new structures whether or not the site was previously occupied. The area of development shall be the area of the site containing buildings, additions, structures, facilities or improvements proposed by the applicant or required to serve those items proposed by the applicant.
- (2) Minor Exterior Improvements include the exterior improvement, expansion, and/or replacement of structures where the value of such work is less than 50 percent of the assessed value of all buildings on the parcel

at the time. This value shall include the value of other such work performed within the previous 24 months, but not before the effective date of this Overlay District.

- (3) Substantial Exterior Improvements include the exterior improvement, expansion, and/or replacement of structures including parking lots and stormwater facilities where the value of such work is 50 percent or more of the assessed value of all buildings on the parcel at the time or exceeds 50 percent of the existing structure's floor area. The value shall include the value of other such work performed within the previous 24 months, but not before the effective date of this Overlay District.

For parcels with multiple structures, the structure(s) receiving the substantial improvement must meet the requirements for substantial improvements, and the remaining structure(s), must apply at least one (1) of the established architectural treatments listed in Section 2.04.03.01.05(C)(2)(b). The term "substantial improvement" does not include the following:

- (a) Improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living and/or working conditions; or
- (b) If there is no alteration in the exterior appearance, maintenance items such as roof repair or replacement, HVAC repair and replacement, electrical and plumbing repair, foundation stabilization, masonry repair, replacement of rotten wood, and repair of existing windows and doors that do not significantly change the architectural character of a building shall not, in and of themselves, be considered substantial renovation.

- (C) *Required and Encouraged Design Standards:* The list of Development Design Standards is provided in Table 2.04.03.01.03(A). The standards are designed to be rigid, yet flexible with consideration given to the magnitude of development type and individual site constraints. These standards shall apply to all property within the DC and DT zones except for those uses that are exempt as explained in Section 2.04.03.01.03(D). The description of the design standards and the options available to meet the requirements of the design standards are included in Section 2.04.03.05.

Table 2.04.03.01.03(A) shown on next page

Table 2.04.03.01.03(A)
Required (R) and Encouraged (E) Design Standards
(Read in Conjunction with Section 2.04.03.01.05)

Design Standards	Type of Development Activity						Design Guidelines
	Minor Improvement		Substantial Improvement		New Construction		
	R	E	R	E	R	E	
Building Setbacks	N/A		X		X		2.04.03.01.05(C)(1)
Architectural Treatments	X		X		X		2.04.03.01.05(C)(2)
Façade Articulation	N/A		X		X		2.04.03.01.05(C)(3)
Connections and Cross-Access							2.04.03.01.05(C)(4)
Pedestrian access	X		X		X		2.04.03.01.05(C)(4)(a)
Vehicular access		X	X		X		2.04.03.01.05(C)(4)(b)
Parking*							2.04.03.01.05(C)(5)
Off-street parking	X		X		X		2.04.03.01.05(C)(5)(b)
Shared Off-street Parking		X		X		X	2.04.03.01.05(C)(5)(c)
Screening	X		X		X		2.04.03.01.05(C)(6)
Landscaping	X		X		X		2.04.03.01.05(C)(7)
Low Impact Development		X		X		X	2.04.03.01.05(C)(8)
Pedestrian Walkway Enhancements		X		X		X	2.04.03.01.05(C)(9)
Furnishing Zone Enhancements		X	X		X		2.04.03.01.05(C)(10)
Public Open Space and Amenities**		X	X		X		2.04.03.01.05(C)(11)
Long-Term Bicycle Parking		X		X		X	2.04.03.01.05(C)(12)

*Where applicable, on-street parking and/or a parking in-lieu fee may be pursued. See Section 2.04.03.01.05(C)(5)(d) for the regulation of *On-Street Parking* and Section 2.04.03.01.05(C)(5)(e) regarding the requirements for the *Parking In-Lieu Fee*.

**Site constraints may limit the ability to accommodate public open space requirements.

(D) *Flexibility and Alternate Design Considerations.*

- (1) The City recognizes that specific sites and proposed uses may have different needs and requirements. The City will work with applicants to provide flexibility through alternate design considerations as long as the improved site meets the intent of these regulations. Alternate design considerations may be sought for standards that are identified as Required or Encouraged. Design departures are not for development standards (i.e. floor area ratio, building height, sidewalks, etc.). Unless otherwise determined in this Code, the Development Director shall determine whether a proposed alternate design consideration is a major or minor alternate design consideration.
 - (a) *Major Alternate Design Considerations.*
 1. Major alternate design considerations include design considerations that extend beyond the scope of the design standards as included in Section 2.04.03.01.05.
 2. Major alternate design considerations require approval by the Planning Board. The Planning Board may approve the major alternate design considerations if they are consistent with the stated purpose and intent of the DOD and meet the criteria as outlined in (3) below.
 - (b) *Minor Alternate Design Considerations.*
 1. Minor alternate design considerations are design considerations similar in nature to those included in Section 2.04.03.01.05. An Applicant may request to utilize differing levels of included design standards to best suit the property, project, or use as long as the outcome is consistent with the stated purpose and intent of the DOD.
 2. Minor alternate design considerations may be considered and approved by the City Manager or his designee if consistent with the stated purpose and intent of the DOD, the design standards as included in Section 2.04.03.01.05, and meet the criteria as outlined in (3) below.
- (2) The Development Director, at his discretion, may forward any request for alternate design consideration to the Planning Board for consideration.
- (3) Alternate design considerations may be approved through the following criteria:
 - (a) Has the applicant thoroughly determined how the options included as required could be applied as written?
 - (b) Does the proposal meet the intent and the general direction set forth by the Requirement?

- (c) Is the specific change superior in design quality to that potentially achieved by the Requirement?
 - (d) Is the proposed alternative necessary to better address aspects of the site, the use, or its surroundings?
 - (e) Is the proposed alternative part of an overall, thoughtful and comprehensive approach to the design of the project as a whole or to the vision of the adopted Downtown Master Plan?
- (E) *Standards Conflict:* The provisions of the Downtown Overlay District shall prevail in case of conflicts between the standards of the Downtown Overlay District and standards of the underlying base district, other requirements of the Development Code, or other applicable rules, regulations, covenants, and agreements.
- (F) *Exemptions and Waivers:* All single-family residential uses are exempt from the provisions of the Downtown Overlay District, except for landscape buffering provisions. Buildings may receive a Requirement waiver from the City if the building has met items under either the Requirements or Encouragements within the last 24 months.
- (G) *Relationship to Subdivision Regulations:* The character of proposed development within the Downtown Overlay District may require that standards for lot size, shape, and frontage be subject to modification from standards established in adopted subdivision regulations. An application for a final development plan for a site within the Downtown Overlay District shall be deemed to be an application for preliminary subdivision approval, with no separate filing required.
- (H) *Incentives:* These provisions make available incentives for private sector participation in pursuing revitalization of downtown properties. In addition to the modified zoning standards provided in the Downtown Overlay District, development and redevelopment within the Downtown Overlay District may take advantage of the incentives provided in this Section or other incentives that may be established or approved by the City Commission.
- (1) *Staff Level Approval:* Applications for development within the Downtown Overlay District that conform to the requirements of the DOD and do not otherwise require Planning Board or City Commission approval may be approved at staff level, thereby reducing the amount of time involved in development approval.
- (2) *Floor Area Ratio Bonus:*
- (a) The Development Director may approve a bonus of up to 0.5 floor area ratio when it is demonstrated that:
 - 1. All existing structures on the property are renovated or remodeled at a substantial improvement level in conjunction with the new buildings, remodel, or building area expansion.
 - 2. The applicant is providing Encouraged design standards.

- (b) This bonus shall be available on a cumulative basis. The application for bonus floor area ratio after the first application, and any subsequent application thereafter, shall contain the documentation of any previous approvals and shall include analysis of how the cumulative total 0.5 bonus FAR is not being exceeded.
 - (c) Floor Area Ratio bonuses larger than 0.5 FAR must be approved by the City Commission.
 - (3) *Parking Reductions:* The Development Director may approve an off-street parking reduction as a bonus to an applicant who provide Encouraged design standards.
 - (4) *Sidewalk Café Regulation Reduction:* Section 2.03.05 includes requirements for the establishment of a sidewalk café within the C2 and C3 zoning districts. The Development Director may waive requirements of the sidewalk café including annual fee, location requirements, and additional conditions requirements, if the applicant provides Encouraged design standards, especially as they relate to public open space and amenities.
 - (5) *Other Incentives as Established/Approved by City Commission:* The City Commission may adopt other incentives including financial or advertising incentives. In addition, an applicant may request a specific incentive that the Development Director will forward to the City Commission for their approval.
- (l) *Review and Approval Process:* To ensure that development, redevelopment, and improvements made to property located within the Downtown Overlay District are consistent with the goals of this Article, the following reviews and reports will be required prior to the issuance of building permits and/or approval of site plans by the City.
- (1) Application process
 - (a) *Pre-Application Meeting:* A pre-application meeting is required if the proposal includes new construction or has been determined to be a substantial improvement. The intent of this meeting is to discuss early and informally the purpose and effect of the Overlay District and the criteria and standards contained herein. It will also give the applicant the opportunity to become familiar with zoning regulations and procedures as well as the benefit of any comments on the specific proposal by City staff. Upon agreement of the Development Director and the Applicant, the pre-application meeting may be waived.

It is recommended that the applicant provide a site analysis map at the pre-application meeting for discussion. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design. The site analysis map, which may be developed as a sketch, shall include the following features:

1. Property boundaries.
2. Representation of adjacent lots, existing buildings, adjacent streets, and opportunities for connectivity.
3. Location of proposed uses and buildings on the lot.

(b) *Application:* The applicant shall submit a Certificate of Appropriateness application to the City for review and approval with the appropriate application fees as established by the City. The following items as determined by the Development Director must be submitted with the application:

1. Sketch of site including proposed changes
2. Site plan meeting the requirements of Section 7.05.03 of the Code.
3. Statement of how the plan meets the requirements of the Code.
4. Proposed Alternative Design considerations, if any, with a statement as to how they meet the intent of the requirements and why the requirements cannot be met.
5. Encouraged design standards being proposed
6. Requested incentives.
7. Any applicable studies required by the Development Design and Guidelines Standards, Section 2.04.03.01.05.

(c) *Application Fees:* Application fees associated with plan review and approval of development or redevelopment projects in the Downtown Overlay Districts shall be set by the City Commission.

(2) *Approval Process*

(a) *Staff Level Approval:* The Development Director has the authority to approve applications on behalf of the City. The Development Director and/or the City Manager may approve requests for incentives as established in the Code or adopted by the City Commission in exchange for provisions of Encouraged items, unless specifically stated elsewhere in the Code. At the Development Director's discretion, any development that may have compatibility concerns may be sent to the Planning Board for approval.

(b) *Review by Planning Board/City Commission:* The City Commission must approve applicant requests for special incentives not

specifically listed in this Code or otherwise established by the City Commission or designs that require easements or dedications with the City. The Planning Board must approve major alternate design considerations.

- (3) *Appeals:* Decisions made by the Development Director may be appealed to the City Commission.

2.04.03.01.04 Land Use Standards

The following Land Use Matrix Tables specify Permitted Uses (P) and Conditional Uses (C) for the base zoning districts as they are located in the Core and Transitional zones. Permitted land uses of the existing base zone shall continue to apply to areas outside of the Downtown Overlay District. The uses included in the Downtown Overlay District must respect the property’s associated Future Land Use district.

Permitted Uses (P) indicate that the use is allowed in the specified zone consistent with review and approval process outlined in Section 2.04.03.01.03(J). Conditional Uses (C) indicate that the use is allowed with the approval of a Conditional Use application. Accessory uses/structures mean a use or a structure subordinate to the principal use of a building on the same lot, and serving a purpose customarily incidental to the use of the principal structure. Uses not specifically listed in the Land Use Matrix may be considered by the City Staff if determined to be of the same general character of those uses listed in the Land Use Matrix. City staff may forward a determination request to the Planning Board for decision.

**Table 2.04.03.01.04(A)
Downtown Overlay District (DOD) Table of Land Uses**

P = Permitted C = Conditional Use	Downtown Core (DC) Zone		Downtown Transitional (DT) Zone*				
	C-1, C-2, and C-3	PB	R-1A, R-1, and R-2	C-1 and C-2	M-1	PB	PR
RESIDENTIAL							
Single Family Residential			P				
Apartment Buildings			P	P			
Duplex (2 units)			P	P			
Dwelling unit in commercial	P			P			
Garage Apartment			P	P			
Townhouse				P			
Adult Family Care Home, Family Day Care Home, Family Foster Home			P				
Nursing Home			P	P			
Bed & Breakfast			P	P			
Hotel/Motel	C						

**Table 2.04.03.01.04(A)
Downtown Overlay District (DOD) Table of Land Uses**

P = Permitted C = Conditional Use	Downtown Core (DC) Zone		Downtown Transitional (DT) Zone*				
	C-1, C-2, and C-3	PB	R-1A, R-1, and R-2	C-1 and C-2	M-1	PB	PR
RETAIL SALES, NO OUTDOOR STORAGE							
Appliance Repair	P			P			
Personal Services	P			P			
Convenience Store with gas sales	C			C			
Convenience Store without gas sales	P			P			
Recreation Uses – Indoor Commercial	P			P			
Minor Automotive Repair	P			P			
Retail Sales – General	P			P			
Restaurant with drive thru	P			P			
Sale of Alcoholic Beverages	P			P			
Shopping Center (<50,000 sq ft)	P			C			
Shopping Center (>50,000 sq ft)	C						
Theaters	P			C			
RETAIL SALES, OUTDOOR STORAGE PROHIBITED							
Indoor Machine Shop	P			P			
Building Supply Sales	P			P			
Plant Nursery – Retail Sales	P			P			
Bank	P			P			
Clinic	P			P			
Hospital	C						
Medical Laboratory	P			C			
EDUCATIONAL/CULTURAL USE & RECREATION/CONSERVATION							
Professional Office”	P		P	P			
Real Estate/Business Office	P		P	P			
Veterinary Clinic				P			
Printing/Publishing	P			P			
Church				P			
College/University	C			C			
Museum	C			C		P	
School (k-12)						P	
Park	C					P	P
Private Clubs				P		P	P

*Existing residential structures may be utilized for office use so long as it does not adversely affect adjacent property owners or traffic patterns. Such uses are promoted adjacent to commercial areas to provide a transition to adjacent residential areas.

2.04.03.01.05 Development Design Guidelines and Standards

- (A) *DOD – General Design Principles:* The following design principles highlight important concepts in the establishment of the Lake Alfred Downtown Overlay District. These principles provide the foundation for the specific design standards and guidelines which have been established to actualize the City’s vision.
- (1) *Design for the Human Scale:* Create a sense of place that is interesting, safe, walkable, comfortable, and attractive to residents, businesses, shoppers, and other visitors to the Lake Alfred downtown area.
 - (2) *Design Character:* The Guidelines are designed to provide guidance for property owners, architects, and developers that result in a unique and harmonious physical downtown area. The Guidelines reflect a dense, urban pattern of development in the Downtown Core, while the Transitional area provides a mix of development types intended to support future growth of the entire downtown area.
 - (3) *Mixed Uses:* The Guidelines support the downtown overlay district regulations which provide for a mix of residential, commercial, and professional land uses which aim to vitalize the community and encourage people to live, work, shop, and play within the downtown area.
 - (4) *Property Values and Investment:* The Guidelines provide elements of design that are aimed at encouraging business development, attracting residents and visitors, and protect the overall value and investment of property in the downtown area.
 - (5) *Design and Development Flexibility:* While the design criterion of these Guidelines establishes the City’s desired architectural character for the Downtown Overlay District, the review process encourages reasonable architectural expression in each individual business and property owner. These Guidelines were designed to be specific enough to provide direction for quality development, but at the same time, provide flexibility to foster creative design meeting individual site conditions for each property in the downtown area.
- (B) *DOD – General Site and Building Design Guidelines:* The design and functionality of buildings and spaces within the DOD shall meet, as best as feasibly possible, the following general site and building design guidelines.
- (1) Site design should be organized to respect the arrangement of buildings, open space, accessibility, and landscape elements on adjacent lots in the DOD. As best as feasibly possible, buildings and open spaces should be designed to provide mutual benefits of natural light, accessibility, circulation, and views.

- (2) Multi-story buildings shall be designed to minimize overall building massing. This can be accomplished through upper story setbacks, façade articulation, and other architectural treatment methods.
 - (3) Flexibility in building orientation shall be provided to promote an interesting visual environment. A building's orientation may vary depending on site constraints and the need to meet other design guidelines and/or regulations.
 - (4) Building orientation with a primary operable entrance on the street-side of a lot is encouraged to help create an active street frontage.
 - (5) Site and building designs should support active modes of transport, such as walking and bicycling rather than driving. It is highly encouraged, that the planned-use of land support walkability between destinations within and around the DOD.
 - (6) Building designs should be responsive to climate patterns of the Central Florida region in order to minimize unnecessary heat gain from sun exposure and provide protection for pedestrians from inclement weather conditions.
 - (7) Buildings within the same development envelope are encouraged to utilize similar architectural treatments consistent with other buildings on the same lot.
 - (8) Pre-fabricated metal buildings or buildings with exposed corrugated metal siding are not permitted.
 - (9) Building exteriors shall be architecturally finished with stucco, wood, brick, stone, or other approved material. Paint shall not constitute an architectural finish.
- (C) *DOD – Development Design Guidelines:* The development design guidelines established in this section are applicable to all properties located within the DC zone and commercially zoned properties within the DT zone. Different development activity types (i.e., minor building improvements vs. substantial building improvements) require different sets of design standards to be met. Required design standards are provided in Table 2.04.03.01.03(A) and should be read in conjunction with the development design guidelines provided in this section.

Figure 2.04.03.01.05(A) illustrates some of the architectural terms and design requirements which are described throughout this section.

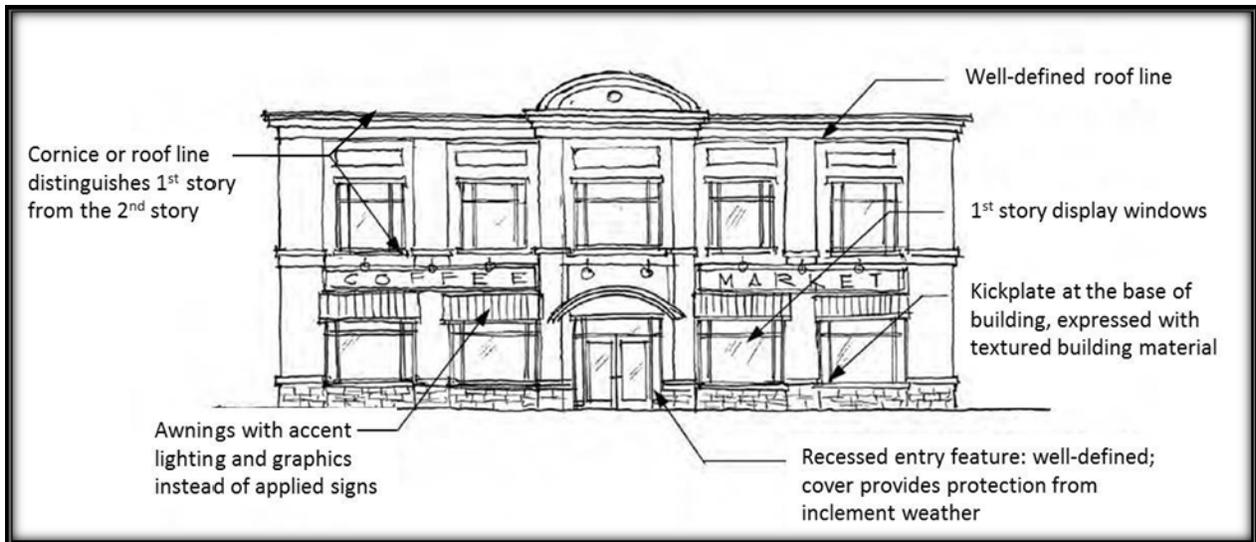


Figure 2.04.03.01.05(A)
Architectural Terms

(1) *Building Setbacks*

(a) *Front Yard:*

1. No minimum front yard building setbacks are required.
2. Front yard building setbacks shall respect the front yard building setbacks of structures on adjacent lots. Proposed buildings directly fronting a street shall not exceed the average front yard depths of the nearest lots directly abutting either side of the subject lot or a maximum of 15-feet, whichever is less. See Figure 2.04.03.01.05(B).
3. A portion of a building along a street front may be setback farther than the maximum setback in order to accommodate outdoor seating areas. In order to preserve the continuity of the street wall, at least 40 percent of the building façade shall be located within the maximum setback line. The total area of an outdoor seating area located between a public sidewalk and the building façade shall not exceed 15 times the building's street frontage in linear feet. See Figure 2.04.03.01.05(C).

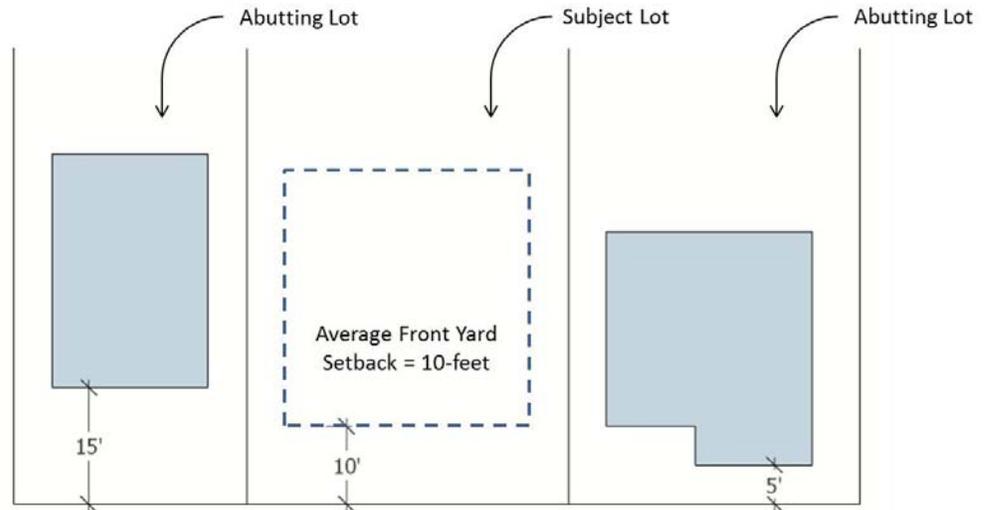
(b) *Rear Yard:*

1. No minimum rear yard building setbacks are required, unless otherwise provided in this section.
2. A lot which abuts a residential lot shall maintain a rear yard building setback for all structures, providing for the necessary space to accommodate any required landscape buffer in accordance with Article 3, Section 3.07.04, *Buffer Yards*, of this Code.

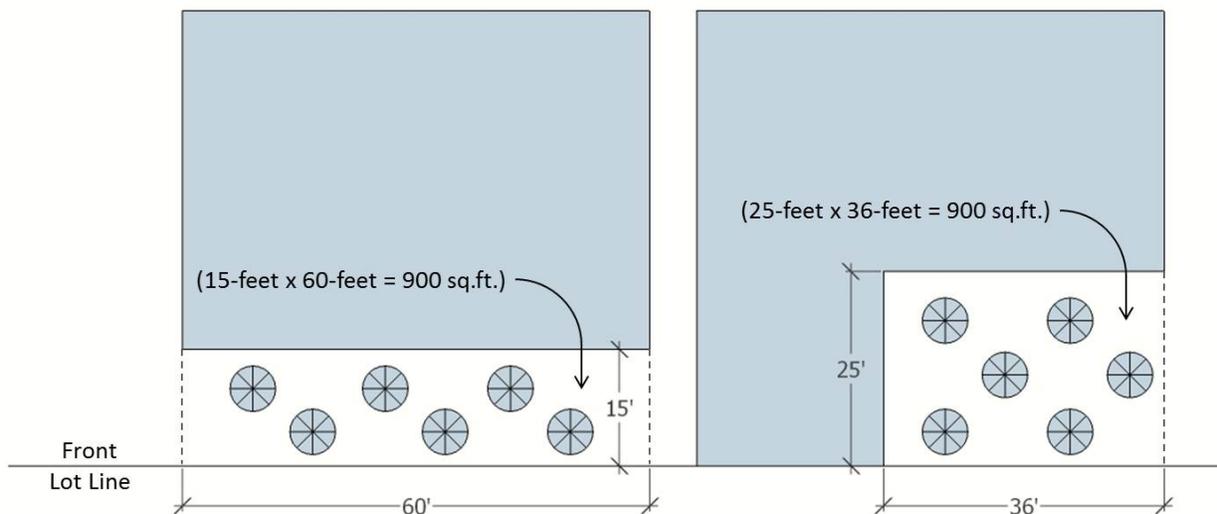
(c) *Side Yard:*

1. No minimum side yard building setbacks are required, unless otherwise provided in this section.
2. A lot which abuts a residential lot shall maintain a side yard building setback for all structures, providing for the necessary space to accommodate any required landscape buffer in accordance with Article 3, Section 3.07.04, *Buffer Yards*, of this Code.

Example: $(15\text{-feet} + 5\text{-feet}) / 2 = 10\text{-feet}$



**2.04.03.01.05(B)
Calculating Front Yard Setbacks**



**2.04.03.01.05(C)
Exception to Front Yard Setbacks**

- (2) *Architectural Treatments*
- (a) *General Requirements*
1. A building or structure undergoing any minor improvement(s) shall be required to apply a minimum of one (1) of the established architectural treatments listed in this section
 2. For a proposed development involving a Substantial Improvement, any additional buildings on the development site, not directly involved in the Substantial Improvement, shall be required to apply at least one (1) of the established architectural treatments listed in this section.
- (b) *Applicability:* Architectural treatments shall be applied in a consistent manner across all building façades. Such treatments include but are not limited to the following:
1. Painting of the exterior façade.
 2. Horizontal banding or belt course (shall have a minimum vertical dimension of 12 inches and be projected outward from wall 2 inches).
 3. Architectural moulding. This may be decorative framing around windows and doors, decorative caps on columns, or other architectural expression on wall surfaces.
 4. Decorative cornice (shall have a minimum vertical dimension of 12 inches and be projected outward from wall 2 inches).
 5. Other similar architectural treatments as approved by the Development Director or his or her designee.
 6. Proposed architectural treatments that differ from those described in 1 through 4 above must be approved by the Planning Board.
- (3) *Façade Articulation:* Façade articulation primarily applies to the street-side and/or pedestrian oriented side of a building's façade. The following shall be required for all buildings or structures located on the development site.
- (a) The first floor shall be designed so that 45 percent of the total surface area of the first floor façade facing a street and 30 percent of the total surface area not facing a street is comprised of transparent windows, doors, and other openings to provide visual interest and compliment pedestrian activity at the ground level.
 - (b) Buildings with a primary operable entrance on the street-side of a building shall provide a recessed entranceway. For corner lots, the primary operable entrance may be located at the corner.
 - (c) Buildings whose primary operable entrance is not located on the street-side of the building shall provide a minimum of 45 percent transparency across the total surface area of the façade in which the primary operable entrance is located.

- (d) Buildings designed for multiple tenant spaces at the ground level, particularly, retail storefronts, shall provide visible articulations between such spaces and include well-defined entranceways.
- (e) Upper stories shall provide transparent windows, doors, and other openings along 30 percent of the total surface area of all upper floor façade.
- (f) Simulated or opaque windows may be used to provide visual interest, but shall not constitute the fulfillment of meeting any required minimum transparency or other opening requirements.
- (g) Clearly identifiable separation lines between the first floor and upper floors shall be expressed thru the use of decorative cornice lines or other architectural treatments. Such lines shall be coordinated with buildings on adjacent lots to provide visual linkages. Where adjacent buildings do not provide such elements, a separation line shall have a minimum vertical dimension of 12 inches, projected outward from the wall 2 inches.
- (h) Varying roof heights and wall planes are encouraged to provide additional visual interest. Architectural rhythm should be considered in the design of roof heights and wall planes, and should be coordinated with those of existing buildings on adjacent lots.
- (i) Requirements for architectural treatments, as established in Section 2.04.03.01.05(C)(2), shall be applied to provide additional architectural character and visual interest. The application of architectural treatments alone shall not constitute fulfillment of the requirements for meeting façade articulation.
- (j) A kickplate shall be applied to create a visual transition between the base of the building and pedestrian walkways. Kickplates shall be coordinated with adjacent buildings to provide visual linkages. Where a kickplate is not provided on adjacent buildings, the kickplate shall have a minimum vertical dimension of 12 inches and be projected outward from wall 2 inches.

(4) *Connections and Cross-Access*

(a) *Pedestrian Access*

1. Direct ADA-compliant pedestrian access shall be provided from the public sidewalk to the primary operable entrance of the business with a minimum of 5-foot sidewalk or by clearly delineated crosswalks through any vehicular parking areas.
2. All sites shall provide cross-access connectivity between adjacent lots for future pedestrian interconnectivity. Such connections shall be constructed of a paved or other approved hard surface material.
3. All crosswalks, direct-access, and cross-access pedestrian walkways within vehicular parking areas shall be constructed of a different surface material than the general parking area and associated driveways. The materials used shall clearly

delineate such access-ways from the surrounding parking area and driveway surface.

(b) *Vehicular Access*

1. Driveway improvements shall be provided to facilitate existing and future interconnection of parking areas with adjacent lots.
2. Continuous drive aisles between adjacent lots are encouraged. Drive aisle widths shall meet the standard minimum requirements as provided in Article 3, Section 3.03.04 of this Code.
3. Driveway stub-outs shall be extended to adjacent property lines to provide future interconnectivity. Stub-outs providing shared access across property lines may be utilized and shall require a property owner agreement.
4. All access/easement agreements shall be recorded with the Polk County Clerk of Courts prior to final approval of a site development plan.

(5) *Parking*

(a) *General Requirements*

1. Parking requirements for all development in the DOD shall respect the parking standards of Article 3, Section 3.03.00 of this Code, except as expressly supplemented or modified in this section.
2. Parking areas for motor vehicles shall be located to the sides and rear of buildings, in order to shield and minimize the overall appearance of parking areas and to promote a safe and inviting pedestrian environment.
3. Off-street parking areas shall include internal landscaped islands to help visually soften the impact of paved surfaces. Curbing shall be installed at the edges of all landscape islands within parking areas.
4. Parking areas for corner lots shall be located to the interior corner of the lot, as best as feasibly possible. Where a parking area for a corner lot, or any other lot, encroaches on a street, screening shall be provided as established in Section 2.04.03.01.05(C)(6)(g).
5. Any adjustments or alternatives to parking requirements not expressly provided in this Code must be submitted to the Planning Board for consideration and approval. A parking study shall be required to support such adjustments as established in Section 2.04.03.01.05(C)(5)(f).

(b) *Off-street Parking*

1. Off-street parking, as required by this section, shall be provided on the same lot as the building and use(s) for which parking is required.
2. On-street parking, parking located in the public right-of-way, and parking located in public parking facilities may only be used to satisfy off-street parking requirements, as provided in Sections 2.04.03.01.05(C)(5)(d) and 04.03.01.05(C)(5)(e).
3. The maximum allowable number of off-street parking spaces for a given development site shall be as set forth in Table 2.04.03.01.05(A).

Table 2.04.03.01.05(A) shown on next page

Table 2.04.03.01.05(A)
Maximum Allowable Number of Off-Street Parking Spaces

Land Use Type	Per Unit	Per 1,000 SFGFA* or SFGLA*	Per Student/Member/Seat/Employee/Etc.
2nd floor residential above retail	1.0		
Hotel or Motel	1.0		
Office and banks without drive-through		1.8	
Small office (less than 3,000 SFGFA)		2.2	
Bank with drive-through		2.2	
Medical, dental, optical, chiropractor office		2.2	
Medical clinic and professional buildings		2.8	
Shopping center		3.0	
General retail sales		3.0	
Supermarket and discount store		2.6	
Bowling alley, per lane			2.8
Theaters, freestanding, per seat			0.2
Restaurant, per seat			0.3
Restaurant with lounge, per seat			0.4
Fast food restaurant with drive-in, per seat			0.4
High school, per student			0.3
Elementary / Middle school, per teacher			0.9
University or college, per daytime student			0.7
Church, per seat in sanctuary			0.2
Hospital, per bed			1.5
Light industry		1.3	
Lodges and assembly, per seat			0.2

*Square Feet, Gross Floor Area (SFGFA) is defined as the total floor area of a building from its outside dimensions.

** Square Feet, Gross Leasable Area (SFGLA) is defined as the floor area of a building, less administrative, public and similar areas.

- (c) *Shared Off-Street Parking:* Notwithstanding any other parking requirements set forth in this Section for individual land uses, when any land or building is used for two (2) or more distinguishable

purposes (i.e. joint or mixed use development), the minimum number of parking spaces required to serve the combination of all uses shall be determined in the following manner. Multiply the maximum allowable parking requirement for each individual use (as set forth in Table 2.04.03.01.05(A) for each use) by the appropriate percentage (as set forth in Table 2.04.03.01.05(B), Parking Credit Schedule) for each of the five (5) designated time periods and then add the resulting sums from each vertical column. Where the computation results in a fractional number, a fraction over one-half (1/2) shall require one space. The column total having the highest total value is the maximum shared parking space requirement for that combination of land uses.

**Table 2.04.03.01.05(B)
Shared-Use Parking Credit Schedule**

	Weekday			Weekend	
	<u>Night</u> Midnight to 7:00 a.m. (percent)	<u>Day</u> 7:00 a.m. to 5:00 p.m. (percent)	<u>Evening</u> 5:00 p.m. to Midnight (percent)	<u>Day</u> 6:00 a.m. to 6:00 p.m. (percent)	<u>Evening</u> Midnight to 7:00 a.m. (percent)
Residential	100%	60%	90%	80%	80%
Office	5%	100%	10%	10%	5%
Commercial/Retail	5%	80%	90%	100%	70%
Hotel	70%	70%	100%	70%	100%
Restaurant	10%	50%	100%	50%	100%
Entertainment/Recreation (theatre, bowling alley, bar)	10%	40%	100%	80%	100%
All Other	100%	100%	100%	100%	100%

(d) *On-Street Parking*

1. On-street public parking may be provided where adequate right-of-way exists. The construction of on-street parking spaces, directly and wholly abutting the lot, may be provided and counted towards the off-street parking requirement of the development site it is intended to serve, provided that:
 - i. The adjacent right-of-way has not been previously utilized for parking or, in cases where the adjacent right-of-way has been used for parking only those spaces in addition to the number of existing spaces shall be counted;
 - ii. Such parking spaces are clearly identified on the final site development plan and designed in accordance with appropriate City, County and/or State standards, as applicable; and
 - iii. Such parking spaces shall be publicly accessible and cannot be reserved or restricted by the owner(s) or tenant(s) of the lot, unless approved by the City Commission for special events or valet parking purposes.
 - iv. One parking space credit shall be given for each on-street public space constructed.
 - v. No part of an on-street parking space shall extend past a side property line of the lot it serves.
 - vi. In the event the City, County or State removes the parking spaces at any time for a public purpose, the property shall be considered lawfully nonconforming with respect to parking.
 - vii. The construction of on-street public parking spaces may reduce the number of in-lieu public parking spaces required, where a parking in-lieu fee is sought to meet additional parking requirements. (See Section 2.04.03.01.05(C)(5)(e).

e) *Parking In-Lieu Fee*

1. Subject to the limitations of this Section, new development, changes of use, building additions and/or other improvements, that result in the requirement to provide new parking or additional parking, have the option of requesting some of the parking spaces to be approved by the City Commission through the payment in-lieu of parking program. Required parking for residential components of mixed use developments are not eligible for this in-lieu option. A maximum limit of 30% of eligible required parking can be provided under this option, except for changes of use, for

which there is no maximum. Before granting such approvals, the City Commission must find that adequate public parking options are available and that the request is consistent with the City's Land Development Regulations and the Comprehensive Plan.

2. Payment of a fee in-lieu of required parking shall satisfy off-street parking requirements and shall be made pursuant to the following provisions.
 - i. The in-lieu fee is authorized only for property located within the DOD, in compliance with the supplemental overlay district regulations provided herein.
 - ii. Arrangements for payment shall be approved by the City Commission at the time of the approval of the in-lieu fee. The fee amount shall be as established in the adopted fee schedule for the City of Lake Alfred.
 - iii. All proceeds from such fee shall be used for parking facility purposes.
 - iv. Parking in-lieu fees may be either paid in full upon issuance of a building permit, or may be paid in installments as provided below:

Payments in full. Property owners, or lessees of properties, opting to pay in full, shall make full payment of the in-lieu fee to the City of Lake Alfred upon issuance of a building permit.

Payment in Installments. Applicants, who choose to pay in-lieu fees in installments, must enter into an In-lieu of Parking Fee Agreement with the City of Lake Alfred prior to or upon issuance of a building permit. Such agreement shall be recorded with the Polk County Clerk of Courts. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a three-year time period in three installments. The first installment shall be 50% of the total fee and is to be paid upon signing the agreement. The second installment shall be 25% of the total fee and is due on the second anniversary date of the signing of the agreement. The third and final payment of 25% of the total fee is due on

the third anniversary date of the signing of the agreement. There shall be no interest due under this payment schedule.

3. In addition to in-lieu fees due, where adequate right-of-way exists adjacent to a proposed project for which an in-lieu parking fee has been approved, the applicant must construct additional on-street parking, not to exceed the total amount of spaces subject to in-lieu fees unless authorized by the City Commission. The applicant will be credited up to one-half of a parking space for each full parking space constructed within public right-of-way. (For example, the applicant requests to pay the in-lieu fee on 4 spaces; the applicant constructs 4 spaces in the right-of-way; the applicant must only pay the in-lieu fee for 2 spaces). Crediting of spaces constructed in the right-of-way resulting in a fraction shall be rounded down.

f) *Parking Study Requirements*

1. *Applicability:* A parking study, in addition to the application for site development approval, shall be submitted for proposed developments requesting a waiver or reduction of the total number of required off-street parking spaces.
2. *Contents of the Parking Study:* The parking study shall be designed to provide evidence supporting the requested waiver of the required number of parking spaces. The study shall be prepared, signed, and sealed by a certified professional traffic engineer and shall consider the following:
 - i. Estimates of parking requirements shall be based on recommendations in studies such as those from the Urban Land Institute (ULI) or the Institute of Transportation Engineers (ITE) based on data collected from uses or combinations of uses that are the same or comparable to the proposed use; comparability shall be determined by density, scale, area, type of activity and location; the study shall document the source of data used to develop recommendations;
 - ii. The extent to which a transportation system management program and use of alternative forms of transportation lessen the parking requirement.

(6) *Screening*

- (a) Dumpsters shall be fully screened from view. A dumpster enclosure shall be constructed at a height of 7-feet using durable building

materials and colors coordinated with the overall building design as illustrated in Figure 2.04.03.01.05(D).

- (b) Utility service cabinets and mechanical equipment installed at the ground level shall be located, as best as feasibly possible, where such equipment can be screened from view. Utility equipment shall not be located within a landscaping island in a parking area. Consideration should be given to accessibility for required service and maintenance of such facilities.
- (c) Ground-level utilities and mechanical equipment shall be screened using decorative elements like lattice or other constructed features coordinated with the look and character of the building. Landscaping may also be used to screen such equipment. (See Figure 2.04.03.01.05(E).
- (d) Rooftop utilities and mechanical equipment shall be screened by architectural features like a parapet roof and/or painted to match the color of the building or roof. Figure 2.04.03.01.05(F) provides an illustration of what is desired and what is prohibited.
- e) Loading and service areas shall not be visible from public roadways and shall be shielded from parking areas, as best as feasibly possible.
- f) Outdoor storage areas shall be located behind or on the side of buildings and shall not be visible from public roadways or pedestrian activity areas.
- g) Parking areas abutting a street shall be screened to visually shield the parking area from view of the street. Screening shall be accomplished by one or more of, but not limited to, the following:
 - 1. A landscape buffer meeting the design standards of a "Type A" buffer shall be provided as established in Article 3, Section 3.07.04 of this Code.
 - 2. Installation of furnishing zone enhancements. (See Section 2.04.03.01.05(C)(10)).
 - 3. Designation of a public open space area. (See Section 2.04.03.01.05(C)(11)).



Figure 2.04.03.01.05(D)
Dumpster Enclosure



Figure 2.04.03.01.05(E)
Desired Ground-Level Utilities Screening

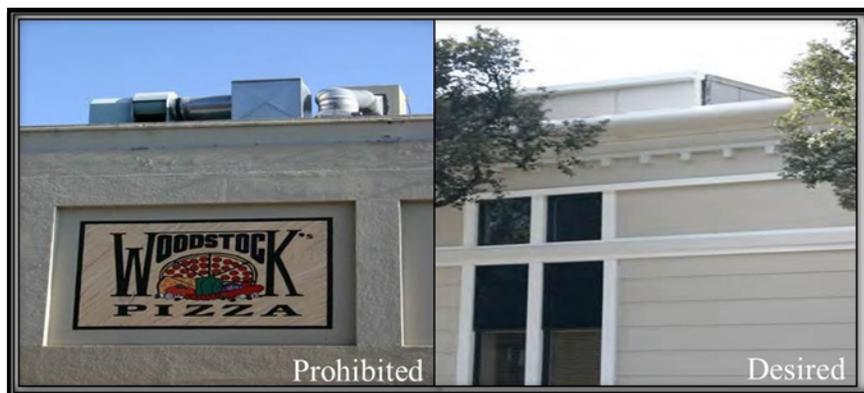


Figure 2.04.03.01.05(F)
Rooftop Utilities Screening

(7) *Landscaping*

(a) General Requirements.

1. Landscaping requirements for all development in the DOD shall respect the landscaping standards of Article 3, Section 3.07.00 of this Code, except as expressly supplemented or modified in this section.
2. Canopy trees or other small to medium-sized trees are encouraged to be planted along street edges. Buildings with a primary operable entrance on the street-side of the building are encouraged to coordinate such plantings with the placement of pedestrian walkway enhancements, signage, entranceways, and storefront windows.
3. All landscaping shall meet the standards of approved plantings established by the City of Lake Alfred.

(b) Landscape Buffers.

1. Landscape buffers are not required within the DC zone, except as otherwise provided in this section.
2. Landscape buffers shall be required between uses in both DC and DT zones which directly abut residentially zoned properties. Landscape buffers shall be installed in accordance with the buffering standards provided in Article 3, Section 3.07.04 of this Code.
3. A landscape buffer or other means of screening shall be provided for parking areas abutting a street as provided in Section 2.04.03.01.05(C)(6)(g).

(8) *Low Impact Development*

(a) *General:* Developments within the DC zone are encouraged to incorporate Low Impact Development (LID) practices into design proposals, in order to provide mutual environmental, stormwater management, and aesthetic benefits. The primary objective of LID is to increase the developable area of a site by decreasing the size of traditional stormwater retention and detention areas. Examples of LID strategies include, but are not limited to the following.

1. *Permeable pavement:* a hard, yet penetrable surface which reduces surface water run-off by allowing water to move thru the pavement surface and directly into the ground below.
2. *Vegetated swales and landscape islands:* An alternative to traditional curb and gutter systems, where surface water run-off is purposely directed to landscaped infiltration points/areas along streets and within parking areas.
3. *Green/Eco-roof systems:* These systems can significantly reduce the rate and quantity of stormwater run-off from a roof and provide buildings with thermal insulation and enhanced aesthetics.

4. *Bio-retention basins and Rain gardens:* Small vegetative depressions in the landscape which collect and filter stormwater directly into the ground.
 5. *Stormwater reuse:* Engineered surface ponds and other catchment devices which store rainfall for future irrigation purposes. Small scale systems can include cisterns and rain barrels.
- (b) *Application:* Developments wishing to incorporate LID practices into a site design shall be required to coordinate with the Development Director or his or her designee. Additional coordination may be required with the State of Florida and the Southwest Florida Water Management District to meet engineering and permitting requirements.
- (9) *Pedestrian Walkway Enhancements*
- (a) Awnings and canopies shall meet the following requirements:
 1. Shall consist of opaque materials.
 2. Shall be uniform in design pattern and color.
 3. Shall not be back lit or internally illuminated.
 4. Shall be hung above display windows, or other openings providing a minimum of 8-foot vertical clearance above any pedestrian walkway.
 - 5) Sign lettering and/or logos shall comprise no more than 30% of the total display surface of any awning or canopy, and shall be included in the calculation of the allowable sign area.
 - 6) Examples of permitted types of awnings and canopies are provided in Figure 2.04.03.01.05(G).
 - (b) Cantilevered Roofs, Arcades, and Colonnades, including columns or other supporting structures associated with such elements, shall meet the following requirements:
 1. Shall be constructed with a minimum vertical clearance of 9-feet above any pedestrian walkway.
 2. Shall not encroach on the right-of-way line of any State or County designated roadway.
 3. May be constructed up to the curb-line within the right-of-way of any local roadway. A legal agreement between the City and the property owner shall be established acknowledging any encroachments on a right-of-way. The agreement shall be approved as to form by the City Attorney and recorded with the Polk County Clerk of Courts prior to final approval of a site development plan.
 4. Examples of a colonnade/arcade and a cantilevered roof are provided in Figure 2.04.03.01.05(H).



**Figure 2.04.03.01.05(G)
Permitted Awnings and Canopies**



**Figure 2.04.03.01.05(H)
Colonnade, Arcade, Cantilevered Roof**

(10) *Furnishing Zone Enhancements*

- (a) *Street Furniture:* Benches, trash cans, pedestrian level lighting, and other street furniture elements shall be provided in accordance with approved City of Lake Alfred design standards for public street furnishings. A fee, for such elements, shall be paid to the City and deposited into an account, whereby proceeds shall be used to purchase, install, and maintain such features. The fee amount shall be as established in the adopted fee schedule for the City of Lake Alfred.
- (b) *Pedestrian Walkway Transition Elements:* A paved or other hard surface material shall be installed between the edge of the public pedestrian walkway (sidewalk) and the base of a building. The use of differing colors and textures, coordinated with the look and character of the building, are highly encouraged to help differentiate between general public and public/private spaces.
- (c) *Landscape Elements:* Raised planter boxes, planting beds, and potted plants are encouraged enhancement features. These elements can help accentuate façade articulations, architectural treatments, contribute to pedestrian spaces, and serve as safety elements.
- (d) Examples of Furnishing Zone Enhancements are provided in Figure 2.04.03.01.05(I).



Figure 2.04.03.01.05(I)
Furnishing Zone Enhancements

- (11) *Public Open Space and Amenities:* Public open spaces, including hardscape plazas, open green spaces, water features, public seating areas, and play areas are desirable elements which help contribute to the character of the DOD, and should be treated as visual and functional focal points. Public open spaces shall meet the following requirements.
- (a) Public open space(s) on a development site shall constitute, at a minimum, five percent (5%) of the total gross square footage of building area on the site.
 - (b) Integration of public art is encouraged.
- (12) *Long-Term Bicycle Parking*
- (a) **General**
 - 1. Long-term bicycle parking provides employees, residents, commuters, and others who generally stay at a site for several hours, a secure and weather-protected place to park bicycles. Long-term bicycle parking is not required, but is highly encouraged.
 - 2. Racks for all bicycle parking shall meet the design standards as provided in Section 3.03.02(E)(1) of this Code.
 - (b) **Design Standards**
 - 1. Long-term bicycle parking must be located on site or within 300 feet of the site as measured along the nearest pedestrian walkway;
 - 2. Areas devoted to long-term bicycle parking shall be paved of a hard surface material.
 - 3. Long-term bicycle parking shall be provided in racks or in lockers.
 - 4. Where lockers are provided, such lockers shall be securely anchored and installed per the manufacture's design standards.
 - 5. At least 50 percent of required long-term bicycle parking must be covered and meet the following standards:
 - 6. Provided inside buildings, under roof overhangs, awnings, or canopies, within bicycle lockers, or within or under other approved structures.
 - 7. For covered spaces not located in a building or within a locker, the cover shall be:
 - i. Constructed as a permanent structure;
 - ii. Designed to protect the bicycle from rainfall; and
 - iii. Constructed at a height of at least 7-feet above the finish grade of the paved surface.

[RESERVED]

2.05.00 General Regulations for Accessory Uses and Structures

Accessory uses, as defined in Article 9, are those that are incidental and secondary to a principal use that is permitted within a given zoning district. It is the purpose of this Section to regulate accessory uses and structures for construction, placement, and use, in order to ensure that they do not adversely affect nearby residents and/or surrounding properties. In addition to the standards provided below, accessory structures shall meet all requirements set forth in individual zoning districts and other applicable provisions of this Code.

One or more accessory structures may be permitted on a development site, provided that the following requirements are met:

- (A) There shall be a maximum of 2 detached accessory structures permitted on any one group of contiguous lots or parcels, in all residential zoning districts, not to exceed the total accessory structure maximum square footage allowed in the group's designated zoning district.
- (B) For all lots in a residential zoning district, the following conditions will apply:
 - (1) Height - Accessory buildings which are located on, or adjacent to, property within a residential zoning district or a residential use within a commercial zoning district shall be limited to 20 feet in wall height; provided however, where said accessory building(s) is also located within 10 feet of the rear or side property line, the accessory building(s) shall be limited to 12 feet in wall height.
 - (2) Setbacks – Street side setback shall be a minimum of 15 feet and interior/rear/side setbacks shall be a minimum of 5 feet.
 - (3) Size – Accessory buildings shall occupy not more than 30 percent of the rear yard of a residential lot.
- (C) Accessory structures shall not be constructed prior to the principal structure.
- (D) All accessory structures shall comply with the Florida Building Code and all standards of this Code pertaining to the principal use.
- (E) Accessory structures shall not be located in a required landscape buffer or minimum building setback area.
- (F) Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.
- (G) All accessory structures shall be shown on a site development plan when required under Section 7.05.00 of this Code.
- (H) In residential districts, accessory structures shall not be located forward of the principal building line or, on a corner lot, within the required side street setback

area. Within such districts, bathroom facilities in an accessory structure shall not include tubs or showers.

- (I) Accessory structures shall not be served by an electrical meter separate from that of the principal use.
- (J) Except where otherwise provided, accessory structures shall be separated from each other and from the principal structure by no less than 5 feet.
- (K) No mobile home, trailer, or vehicle of any kind shall be permitted as an accessory structure on any development site.
- (L) Erection of an accessory structure known as a temporary/moveable storage unit requires a building permit in all zoning districts. A temporary/moveable storage unit is defined as a single piece unit, constructed of either metal or wood, that is delivered to its owner or lessee in one piece. The unit must be designated and built for temporary or portable storage of personal property. No built, modified or rebuilt sections of trucks or trailers, nor any similar type of unit, including a unit that, at one time, had wheels or was utilized on roadways, may be permitted. Temporary/movable storage units may only be erected for a maximum of one hundred twenty (120) contiguous days from the date of issuance of a building permit. Further, only one temporary/movable storage building permit may be issued per property within any given twelve (12) month period. All temporary/movable storage units shall meet the Florida Building Code wind velocity capacity of 110 m.p.h. and certification must be filed with the permit application. All temporary/movable storage units must meet the minimum setback criteria for accessory structures pursuant to law.

2.05.01 Swimming Pools and Screen Enclosures

Swimming pools and screen enclosures are permitted in all residential districts as accessory structures and shall meet the following requirements:

- (A) Swimming pools shall be permitted accessory to a residential use only, and shall be at least 5 feet from any lot line or building, as measured from the edge of the water.
- (B) Swimming pools, including all decking and screen enclosures, shall be located to the rear of the front building line, and shall not encroach into side street setback areas.
- (C) Screen enclosures with and without swimming pools shall be erected so as to conform to setback requirements for accessory buildings; however, such enclosures may be attached to the principal building. Lighting for pools and screen enclosures shall be located and installed such that no direct light nor reflected light is visible on adjoining property.

- (D) Swimming pools and screen enclosures shall not be located within public utility or drainage easements alongside and rear lot lines. For purposes of setback measurement, the term "swimming pool" shall include all surrounding decking and vertical supports for screen enclosures.
- (E) All swimming pools shall be completely enclosed by a fence or a wall not less than four (4) feet high.
- (F) No pool in Residential districts may be used for commercial purposes.
- (G) All new swimming pools, spas and hot tubs shall comply with the Florida Building Code.

2.05.02 Docks, Piers and Boathouses

Docks, piers, and boathouses are permitted in all Residential Districts as an accessory structure incidental to a residence. Docks, piers and boathouses are also permitted in R-2, C-1 and C-2 Districts when directly associated with apartments, condominiums, townhouses and private clubs.

When proposed as an accessory use with a hotel or motel, docks, piers and boathouses are permitted in C-1, C-2 and C-3 Districts. When proposed as an accessory use with a restaurant, docks, piers and boathouses are permitted in C-2, C-3, M-1, I-1, and I-2 Districts. All such facilities are considered private and may be constructed by the owner on any lot bordering a lake; provided they comply with the following minimum requirements pertaining to docks, piers and boathouses. These requirements shall not preclude the applicability of laws, rules, standards and criteria adopted by the State of Florida and other regulating authorities.

- (A) Dock, piers and boathouses shall only be constructed in the center one-third of the waterfront of the property. Bait houses, storage shelters, wet bars, living quarters and other "non-water dependent" structures and uses are prohibited on or in connection with a dock, pier or boathouse. No person shall occupy any water craft as a residence.
- (B) A permit issued by the City is required for the construction of all docks, piers and boathouses, in accordance with permitting procedures set forth in the Building Regulations at Chapter 5, Code of Ordinances, City of Lake Alfred.
- (C) A permit is required when: (1) both the lakefront property from which the structure is extended and the lake lie within the City Limits, (2) when the lakefront property is in the City, but the lake is outside the City Limits, and (3) when the lakefront property is outside the City, but the lake is within the City Limits.
- (D) It shall be the responsibility of the owner of the property from which the dock, pier

or boathouse is extended to obtain all approvals, verifications, exemptions, surveys, and permits for construction and maintenance of said structure. The contractor and/or builder shall be equally responsible, with the owner, for construction in accordance with this Article and the Building Regulations of the City; and is therefore equally subject to any applicable fines or penalties.

2.05.02.01 Boathouse Application

The application for a permit shall include a site plan and construction plans, drawn at a scale to indicate the nature and character of the proposed structure, or structures, and shall contain all information required by the Building Official, in order that said Official may determine compliance with these regulations.

- (A) Each application shall, at a minimum, contain the following information displayed on a site plan map:
 - (1) The name of the water body in which the structure will be located,
 - (2) An arrow indicating the northerly direction,
 - (3) The boundaries, with dimensions, of the subject property, which shall include a lake level survey and a boundary survey prepared by a qualified land surveyor,
 - (4) The location of the structure within the property, with dimensions,
 - (5) The distance between the existing shoreline and the residence, at the point where the structure is to be constructed, and
 - (6) Setbacks to structures on adjacent property.

- (B) Construction drawings shall accompany the application, and shall be drawn in sufficient detail to locate vertical and horizontal elements of the proposed structure that show beginning and terminating points on the shoreline and the lake bottom. Copies of all environmental management evaluations conducted by the applicant, local, State and Federal officials, and engineers and consultants retained by the applicant shall be attached. A permit or an exemption letter from the Florida Department of Environmental Protection (DEP) shall also accompany the application for a permit.

2.05.02.02 Docks and Piers Standards

- (A) Docks and piers shall not extend into a lake for a distance greater than seventy-five (75) feet measured from the Minimum Low Water Elevation established by the Southwest Florida Water Management district (SWFWMD) for lakes in the Chain of Lakes, the water levels that may be established by the City Commission on any other lake in the City.
 - (1) Where the depth of water at the lakeward end of a dock or pier is less than thirty (30) inches, a floating dock of not more than twenty (20) feet in length may be attached to the permanent seventy-five (75) foot dock or pier.
 - (2) Should the depth of water be less than thirty (30) inches after a floating

dock has been permitted and installed, the owner shall make application for a variance, in accordance with Article 7.11.00 of this Code, and gain specific approval for any further construction that would add length to the dock or pier.

- (B) The surface area of a dock, pier, boathouse or combination thereof, shall not exceed 1,000 square feet, which shall include all platforms, walkways and roof area, as measured on a horizontal plane. The terminal platform may not exceed 250 square feet in area. The total roof area of the structure may not exceed 500 square feet, including the boathouse.
- (C) The main access pier from the shore to the dock, boathouse or terminal platform shall not exceed six feet in width. A handrail is required on one side of any part of a dock or pier that is less than four feet in width.
- (D) All docks and piers shall be equipped with structural member or a warning device that is clearly visible a minimum of six feet above the surface of the water. Such devices may be flags, reflectors or standard warning shapes painted International Orange, or some other bright color. Such devices shall be installed at the lakeward end of the structure, and shall be installed at intervals of not more than 25 feet along the structure to the shoreline.
- (E) The overall height of the structure shall not exceed 24 feet above the deck of the dock or pier. The vertical distance between the eaves of any roof and the deck of a dock or pier shall be at least six feet. The sides of any structure, including a boathouse, shall remain open. The open sides may be covered by screen material that permits visibility.
- (F) In the case of a dock, pier or boathouse constructed on a single family lot, no more than two water craft may be moored over night at any dock, pier or boathouse. For multi-family, hotel/motel, and private clubs the following limitations apply:
 - (1) One boat slip for each ten dwelling units or hotel/motel rooms, or 30 club members, on lakes of 100 or more acres.
 - (2) One boat slip for each 20 dwelling units or hotel/motel rooms, or 60 club members, on lakes of less than 100 acres.
- (G) The applicant shall post a cash or surety bond in the amount of one hundred percent (100%) of the estimated construction cost to assure that the work proposed will be completed in a manner not inconsistent with the public interest.

2.05.02.03 Maintenance and Removal

- (A) All docks, piers and boathouses shall be maintained as safe and structurally sound facilities. Substandard structures are identified as those having deteriorated or damaged structural components, and those in a dilapidated

condition that present a hazard to pedestrians and persons in boats. Structural components include, but are not limited to; pilings, stringers, joists, beams and decking, and any component hanging loose or no longer connected to the structure.

- (B) It shall be the responsibility of the owner to repair any substandard dock, pier or boathouse, in accordance with the Building Regulations of the City, or to remove it.

2.05.03 Satellite Dishes

- (A) Satellite dish antennas shall be considered structures and shall be installed in accordance with all applicable provisions of this Code and any other relevant regulations. No satellite dish antenna shall exceed 12 feet in diameter and 18 feet in height, as measured from the ground to the highest projection of the antenna or supporting structure. All satellite dishes must be wind-resistant: that has the ability to withstand winds up to 100 miles per hour.
- (B) No satellite dish antenna shall be placed forward of the front building line, and shall be set back from all property lines a distance at least equal to its height. On a corner lot, it shall meet required side street setbacks for accessory structures. Setbacks shall be measured from the outermost projection of the antenna or supporting structure.
- (C) Where the satellite dish antenna is not mounted on a building, the supporting structure holding the antenna shall not elevate the lower edge of the antenna dish more than 18 inches above the elevation of the eaves of the roof of the principal structure. Where mounted on a building, the combined height of the building and the satellite dish antenna shall not exceed the maximum permitted building height in the applicable zoning district.
- (D) The following regulations apply to satellite dish antennas in specific districts:

RR, RE, R-1AAA, R-1AA-B, R-1AA, R-1A, R-1B, R-1 Districts

- (1) A satellite dish antenna shall be permitted only as an accessory use to a single family detached dwelling unit.
- (2) A dish of less than 24 inches in diameter may be roof-mounted.
- (3) No more than one satellite dish antenna shall be placed on any one lot or development site.

R2 District

- (1) A satellite dish antenna shall be permitted as an accessory use to a single family detached dwelling unit, or for the common use of the residents of a multiple-family structure or mobile home park.
- (2) Roof-mounted satellite dish antennas less than 24 inches in diameter shall be permitted. Roof-mounted satellite dishes larger than 24 inches in

diameter shall be permitted in multi-family developments and mobile home parks only. Roof-mounted dish antennas in mobile home parks shall be affixed only to buildings of conventional construction.

- (3) No more than one satellite dish antenna shall be placed on any one lot or development site.

C-1, C-2, C-3, M-1, I-1, I-2 and P-I Districts

- (1) A satellite dish antenna shall be permitted either as an accessory use or, if permissible in the zoning district, a principal use. However, the dish antenna shall not be installed prior to construction of a building at least 300 s.f. in size.
- (2) Roof-mounted satellite dish antennas less than 24 inches in diameter shall be permitted.
- (3) No more than two satellite dish antennas larger than 24 inches in diameter, either ground- or roof-mounted, shall be placed on any one lot or development site, except at schools, colleges and broadcast studios.

2.05.04 Antennas

- (A) An antenna shall be an accessory use only, and shall not be the principal use of the property.
- (B) Antennas shall not exceed 30 feet in height. All antennas must be wind resistant: that has the ability to withstand winds up to 100 miles per hour.
- (C) Antennas shall not be located forward of the front building line or within a required side street setback area.
- (D) An antenna not mounted on or affixed to a principal structure shall be set back from all property lines a distance equal to its height.
- (E) No more than one antenna shall be permitted for each lot or development site.
- (F) An Antenna Installation Permit shall be required for all antennas exceeding 25 feet and four (4) feet in diameter. Applications for this permit shall include a site plan, sketch plan or other scaled drawing showing all structures on the property and the location, height and size of the proposed antenna.

[RESERVED]