

**ORDINANCE NO. 1393-17**

**AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA, RELATING TO AIRPORT ZONING REGULATIONS; AMENDING THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE, ARTICLE 2, CREATING NEW SECTION 2.02.13 ADDRESSING POLK COUNTY AIRPORT ZONING REGULATIONS; AND AMENDING TABLE 2.04.01(B), TABLE OF DEVELOPMENT STANDARDS TO ADD A NOTE TO TABLE 2.04.01(B) SPECIFIC TO THE POLK COUNTY AIRPORT ZONING REGULATIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 333, Florida Statutes requires local governments to adopt airport zoning regulations or participate in a joint airport and zoning board that has adopted and administers such regulations; and

**WHEREAS**, the City of Lake Alfred is a member of the Polk County Joint Zoning Airport Zoning Board (JAZB) which administers the Polk County Airport Zoning Regulations (City Resolution adopted July 10, 1978); and

**WHEREAS**, Winter Haven Municipal Airport at Gilbert Field and Brown Seaplane Base, are both located just south of Lake Alfred; and

**WHEREAS**, the existence of these airports and/or aeronautical facilities requires City coordination with the JAZB as development is reviewed and approved to ensure public safety and preservation of master plans for said facilities; and

**WHEREAS**, the amendments as shown in Exhibit "A", provide consistency between the requirements of Chapter 333, Florida Statutes and the City's participation in the Polk County Joint Airport Zoning Board; and

**WHEREAS**, the City Commission of the City of Lake Alfred finds that this ordinance promotes the general health, safety, and welfare of the citizens and residents of the City of Lake Alfred; and

**WHEREAS**, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting, at which time interested parties and citizens had the opportunity to be heard and such regulations were recommended to the City Commission for adoption; and

**WHEREAS**, the City Commission, after taking into consideration the recommendations of the Planning Board and the City Staff, and the comments received during the public hearing process, finds that the proposed revisions and amendments are appropriate, desirable, and in the best interests of the City.

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Lake Alfred, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Lake Alfred, and that:

**SECTION 1. RECITALS.**

The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

**SECTION 2. UNIFIED LAND DEVELOPMENT CODE.**

The Unified Land Development Code (ULDC) of the City of Lake Alfred is hereby amended as shown in Exhibit "A", which is attached and made a part hereof (deleted provisions are shown in ~~striketrough~~ format and new provisions are shown in underlined format).

**SECTION 3. CONFLICTS.**

All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

**SECTION 4. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 5. CODIFICATION.**

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

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon passage after second reading/public hearing

**INTRODUCED AND PASSED** on first reading at a regular meeting of the Lake Alfred City Commission held this 16<sup>th</sup> day of October, 2017.

**PASSED AND FINALLY ADOPTED** on second reading/public hearing at the meeting of the Lake Alfred City Commission assembled on the 6<sup>th</sup> day of November, 2017.

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



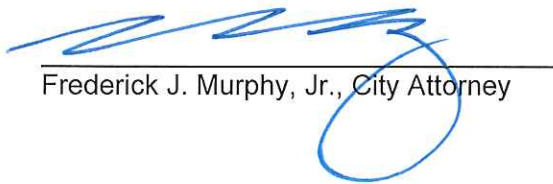
\_\_\_\_\_  
Charles O. Lake, Mayor

ATTEST:



\_\_\_\_\_  
Amée Bailey-Speck, City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Frederick J. Murphy, Jr., City Attorney

**Exhibit “A”**  
**Ordinance No. 1393-17**  
**Amendments to the Unified Land Development Code**

Language stricken is shown in ~~strikethrough~~ format; language added is shown in underlined format.

**2.02.00      *General Regulations for All Zoning Districts***

**2.02.13      *Polk County Airport Zoning Regulations***

To ensure that land uses, activities and structures are compatible with the operations of Winter Haven Municipal Airport at Gilbert Field and Brown Seaplane Base, development shall conform to the standards set forth in the Polk County Airport Zoning Regulations, established by the Polk County Airport Board pursuant to Chapter 333, Florida Statutes. The regulations establish certain limits and requirements pertaining to structure height, noise-sensitive land uses, land uses within overflight zones, educational facilities, and land uses or activities that may induce a bird strike hazard or visual or electronic interference with aircraft.

**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
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

	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			
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
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

	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			
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
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

	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			
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
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.
- All structures are subject to compliance with the Polk County Airport Zoning Regulations, adopted and administered by the Joint Airport Zoning Board (JAZB).