

CHAPTER 6. SPECIAL PROVISIONS

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CHAPTER 6. SPECIAL PROVISIONS

ARTICLE 1. PLANNED DEVELOPMENT

Sec. 6.1.1. GENERAL.

The special districts for which regulations are established in this Article are (a) of a nature involving a regulatory form not adapted to presentation in the Zoning Ordinance Schedule of District Regulations, and/or (b) intended for future application as the need and opportunity arises. Boundaries for these districts will be established on the Official Zoning Map by amending action. Until such action, it is intended to leave lands which might in the future be encompassed by such Planned Development boundaries in more traditional classifications indicated on the Official Zoning Map, since the boundaries of such Planned Development districts are not intended to be fixed as to location in advance of petition and amendment.

6.1.1.1. INTENT.

6.1.1.1.1. Within districts now existing or which may hereafter be created, it is intended to permit, on application and on approval of required site, use, building and development plans, establishment of new Planned Developed (PD) districts for specialized purposes where tracts suitable in location, area and character for the uses and structures proposed are to be planned and developed as units. Suitability of such tracts for the plans and development proposed for the PD district shall be determined by consistency with the City Comprehensive Plan and the existing and prospective character of surrounding development.

6.1.1.1.2. Within PD districts, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to the same degree as in districts in which regulations are intended to control development on a lot-by-lot rather than a unified basis, and to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety in physical development, creative design, and a better urban environment.

6.1.1.1.3. In view of the substantial public advantages of planned development, it is the intent of these regulations to promote and encourage development in this form, where appropriate in location and character, and to further the purposes of the Comprehensive Plan.

6.1.1.2. RELATION OF PD REGULATIONS TO GENERAL ZONING, SUBDIVISION OR OTHER LAND DEVELOPMENT REGULATIONS.

6.1.1.2.1. The provisions which follow shall apply generally to the creation and regulation of all Planned Development districts. Where there are conflicts between the special PD provisions herein and general zoning, subdivision or other Land Development Regulations or requirements, these special regulations shall apply in PD districts unless the governing body shall find, in the particular case:

6.1.1.2.1.1. That provisions herein do not serve public purposes to a degree at least equivalent to such general zoning, subdivision or other Land Development Regulations or requirements, or

6.1.1.2.1.2. That actions, designs, or solutions proposed by the petitioner, although not literally in accord with these special regulations or general regulations, satisfy public purposes to at least an equivalent degree. It is specifically provided, however, that where land use intensity ratings, densities or floor area and similar ratios have been established by this Chapter, the City Commission shall not act in a particular case to increase the land use intensity rating of property, or similar ratios nor increase the established maximum permitted densities.

6.1.1.2.2. Except as indicated above, procedures and requirements generally in effect, those set forth herein, and in guides and standards adopted as part of these regulations for particular classes of PD districts, shall apply in PD districts and to amendments for such districts and issuance of development orders, building permits and certificates of occupancy therein.

6.1.1.3. PLANNED DEVELOPMENT DEFINED. For purposes of this Chapter, a planned development is:

6.1.1.3.1. Land under unified ownership and control to be planned and developed as a whole, in a single development operation or a programmed series of development operations, including all lands and buildings, and within a specified time frame;

6.1.1.3.2. For principal and accessory structures and uses substantially related to the character of the district and in compliance with the Comprehensive Plan;

6.1.1.3.3. According to master plans which include not only streets, utilities, lots or building sites, but also site plans, general floor plans

and typical elevations for all buildings as intended to be located, constructed, used and related to each other, and plans for other uses and improvements on the land as related to the buildings; and

6.1.1.3.4. With a program for provision, operation and maintenance of such areas, facilities and improvements as will be for common use by some or all of the occupants of the district but will not be provided, operated or maintained at general public expense.

6.1.1.3.5. The above conditions shall apply in modified form to planned developments comprising 50 or more acres in total area. These modifications shall not reduce the spirit or intent of this Article but shall be based upon concept and preliminary plans and shall permit staged development programs or phases as though the land area comprises less than 50 acres.

6.1.1.4. PD DISTRICTS - WHERE PERMITTED.

6.1.1.4.1. Planned development districts may hereafter be established by amendment to the Official Zoning Map where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units, according to the requirements and procedures herein set forth. PD districts shall be appropriately located with respect to intended functions, to the pattern and timing of development existing or proposed in the City Comprehensive Plan, and to public and private facilities, in compliance with the City Concurrency Management System. The following specific requirements shall be met:

6.1.1.4.2. *Relation to major streets.* Except as specifically provided in regulations for particular classes of planned development districts, PD districts shall be so located with respect to arterial or collector streets or provide direct access to such districts without creating traffic along minor streets in residential neighborhoods outside the district.

6.1.1.4.3. *Relation to utilities; public facilities and services.*

6.1.1.4.3.1. PD districts shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems and other utility systems and installations that neither enlargement nor extension of such systems will be required in manner, form, character, location, degree, scale or timing not in keeping with the provisions of the Concurrency Management System.

6.1.1.4.3.2. Such districts shall be located with respect to necessary public facilities (as for example schools, parks and playgrounds in the case of planned developments of a residential character) as to have access to such facilities in keeping with the provisions of the Concurrency Management System.

6.1.1.5. PHYSICAL CHARACTER OF THE DISTRICT SITE. The site within the proposed PD district shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of soil, ground water level, drainage, and topography shall all be determined to be appropriate to both kind and pattern of use intended.

6.1.1.6. PROCEDURES ON PD AMENDMENTS.

6.1.1.6.1. *Applications; materials to be submitted.* Petitions for PD amendments shall be submitted as for other zoning district amendments. All such petitions shall be accompanied by a fee to be set by the City Commission to offset the cost of administration, publications, notices, and related activities required by this Chapter and applicable provisions of the Land Development Regulations. Materials submitted with the petition or on subsequent request by the Planning Commission or City Commission shall include all plans, maps, studies and reports which may be required to make the determinations called for in the particular case, with sufficient copies for necessary referrals and records.

6.1.1.6.2. *In particular, there shall be supplied a report identifying all property owners* within the area of the proposed district and giving evidence of unified control of its entire area. The report shall state agreement of all present property owners:

6.1.1.6.2.1. To proceed with the proposed development according to regulations existing when the map amendment creating the PD district is passed, with such modifications as are set by the City Commission and agreed to by the petitioner at the time of amendment;

6.1.1.6.2.2. To provide agreements, contracts, deed restrictions and sureties acceptable to the City for completion of such development according to approved plans, and for continuing operation and maintenance of such areas, facilities and functions as are not to be provided, operated or maintained by general public expense.

6.1.1.5.2.3. To establish a specified time frame for commencing and accomplishing the development, and;

6.1.1.6.2.4. To bind their successors in title to any commitments made under 6.1.1.6.2.1., 2. or 3. above.

6.1.1.6.3. *Petitioners shall submit a survey or surveys at a scale of 1:100 or less, indicating boundaries and ownership of all properties involved, ownership of adjoining properties, topography with contours at a maximum of 2 foot intervals (except for parcels of 50 acres or more in which case 5 foot contour intervals are acceptable for the concept plan), physical features, water, if any, conditions of soil, subsoil, other natural features and vegetative cover indicated in sufficient detail to describe suitability of the site for proposed uses and structures.*

6.1.1.6.4. *Petitioners shall submit a master development plan at a scale of not less than 1:100 related to the surveys and conditions above, which plan as submitted with the petition may be a preliminary general plan, to be developed and modified during further proceedings, into detailed final form. The preliminary plan shall indicate generally the approximate locations of all proposed buildings, typical building floor plans and elevation sketches and the uses intended for each building and of the total development; the approximate location and dimensions of all the streets, drives and parking and loading areas; open space designations (golf courses, parks and the like); recreational facilities and service areas, the neighborhood commercial service areas, if a part of this project; tabulations of total gross acreage in the development and percentages devoted to open space, impervious surfaces and other uses. Such tabulations shall be based upon the Land Use Intensity (LUI) formulas stated below. If the petitioner deems it necessary, they may submit analysis comparing the proposed development in various aspects with conventional approaches to development.*

6.1.1.6.5. *Specifically the preliminary plans shall include but are not necessarily limited to:*

6.1.1.6.5.1. Title of the proposed preliminary Planned Development and the name of the developer and the professional project planner.

6.1.1.6.5.2. Scale, date, north arrow, and general site location map, showing particular relationships to such external facilities as

thoroughfares, shopping areas, cultural complexes, existing utilities and related land uses.

6.1.1.6.5.3. A proposed major internal street plan for the site demonstrating proposed traffic flow to access points and thoroughfares outside the proposed development and relationships thereto, and any requirements for new streets or improvements that may be required outside the project as a result of the development of the project. The proposed major street plan should show the concept for internal access and traffic flow and how it is proposed to separate vehicular and pedestrian traffic within the project. The petitioner may submit as a part of this traffic concept plan such proposals as may be deemed necessary for a pedestrian system or otherwise for the movement of persons by means other than privately owned passenger vehicles.

6.1.1.6.5.4. A general drainage plan for the development, related particularly to the City's master drainage plan.

6.1.1.6.5.5. General plans for sanitary sewer, water, and other utilities.

6.1.1.6.5.6. Calculations of the projected potable water demand, sanitary sewer to be generated, solid waste to be generated, recreation demands, traffic generations, both background and on site, and drainage needs, all prepared using the City adopted level of service standards are the basis for the projections.

6.1.1.6.5.7. The plan shall show off-street parking arrangements at not less than 2 parking spaces per dwelling unit, in the case of a residential planned unit development with additional spaces for recreation facilities and other permitted uses at ratios as required by such uses in other applicable City zoning district classifications. PD-C permitted uses shall provide off-street parking and loading as required in the applicable Commercial zoning districts; PD-I permitted uses shall provide off-street parking and loading spaces as required in the applicable Industrial zoning districts. Actual individual spaces need not be delineated on the concept plan, but general areas and methods of treating off-street parking and off-street loading areas relative to the project development shall be illustrated.

6.1.1.6.5.8. A statement showing in what respects the concept plan serves the public interest to a better degree than zoning currently on the property proposed for Planned Development.

6.1.1.6.5.9. A statement showing the overall floor area for permitted principal and customary incidental uses proposed for the land area covered by the petition which shall not exceed the Land Use Intensity (LUI) ratings set out in this Article.

6.1.1.6.5.10. In addition, and as part of the report described above, petitioners shall submit a preliminary plan for the development and detailed proposals in accord with the above provisions as a basis for specific agreements concerning plans, programs or instruments or specific modifications of details of the PD or other zoning, subdivision or other Land Development Regulation(s), where it is alleged by the applicant that such modification serves public purposes to an equivalent degree.

6.1.1.6.5.11. An impact statement meeting the applicable requirements of Chapter 6 of the Administration and Procedures Manual.

6.1.1.7. **PLANNING COMMISSION PROCEDURES.** On petitions for PD amendments, the Planning Commission shall proceed in general as for other zoning amendments, but shall give special consideration to the below matters and shall allow changes in original applications as indicated below.

6.1.1.8. **PRE-HEARING CONFERENCES WITH PETITIONERS.**

6.1.1.8.1. On request by petitioners, the Administrative Official and City Staff shall meet with petitioners to review the original application, including the report and the preliminary plan submitted with the report. The purpose of such pre-hearing conference shall be to assist in bringing the report, and the preliminary plan as nearly as possible into conformity with these or other regulations applying in the case, and/or to define specifically those variations from application of general regulations which would otherwise apply, which appear justified in view of equivalent service of the public purposes of such regulations.

6.1.1.8.2. In the course of such pre-hearing conferences, any recommendation for changes shall be recorded in writing, and shall become part of the record in the case. All such recommendations shall be supported by stated reasons for the proposal for zoning change. Petitioners shall in writing, indicate their agreement or disagreement to such recommendations. If there is disagreement,

petitioners shall in writing indicate their reasons therefor. Responses by petitioners shall also be included in writing and made a part of the petition.

- 6.1.1.9. PUBLIC NOTICE AND HEARING. At such time as further conferences appear unnecessary, or at any time on request of the petitioner, public notice shall be given and hearings before the Planning Commission held as for other amendments, but the notice and hearing shall be on the petition as it may have been amended following the pre-hearing conferences rather than as originally submitted.
- 6.1.1.10. PLANNING COMMISSION RECOMMENDATIONS TO CITY COMMISSION. The petition shall be deemed to be dated and the matter submitted to the Planning Commission as of the date the petitioner requests preparation of such recommendations. Such recommendations shall include findings:
- 6.1.1.10.1. As to the suitability of the tract for the general type of PD district proposed in terms of consistency with the City Comprehensive Plan, physical characteristics of the land and its relation to the surrounding area and existing and probable future development;
 - 6.1.1.10.2. As to relation to major transportation facilities, utilities, public facilities and services and compliance with the Concurrency Management System;
 - 6.1.1.10.3. As to adequacy of evidence of unified control and suitability of any proposed agreements, contracts, deed restrictions, sureties or other instruments, or the need for such instruments or for amendments in those proposed;
 - 6.1.1.10.4. As to the suitability of preliminary plans or the desirability of amendments; and
 - 6.1.1.10.5. As to desirable specific modifications in PD or general regulations as applied to the particular case, based on determination that such modifications are necessary or are justified in the particular case upon demonstration that the public purposes of PD or general regulations as applied in the particular case would be met to at least an equivalent degree by such modifications.
 - 6.1.1.10.6. Based on such findings, the Planning Commission shall recommend approval of the PD amendment as proposed; approval conditioned on stipulated modifications; or disapproval.

6.1.1.11. ACTION BY CITY COMMISSION.

6.1.1.11.1. On petition for PD amendments, the City Commission shall proceed in general as provided for in other zoning district amendments. The City Commission may grant the petition in accord with PD and general regulations, may include recommended specific modifications of the PD or general regulations as recommended by the Planning Commission, or may deny the petition. If proposed action is substantially at variance with Planning Commission recommendations, such proposed changes shall be referred to the Planning Commission for review and report prior to final City Commission action. Unless the Planning Commission reports within 30 days of such referral, or such longer period as may be set in the case by the City Commission, if agreed to by the petitioner, the City Commission may proceed to final action without further delay.

6.1.1.11.2. If the City Commission grants the amendment, in any form, the development shall be required to be in accord with final plans meeting the requirements of this Chapter, as specifically supplemented or modified by the City Commission in the particular case, and shall conform to time limitations established by the City Commission on beginning and completion of the development as a whole or in specified stages or phases.

6.1.1.11.3. Before development may proceed, agreements, contracts, deed restrictions and sureties shall be in form approved by appropriate officers or agencies involved in the review process. The City Commission may, in its amending action, approve preliminary plans in whole or in part or may indicate required changes, and such approval or requirements shall be binding in determinations concerning final development plans.

6.1.1.12. APPROVAL OF FINAL PLANS.

6.1.1.12.1. After lands are rezoned to PD status, no building permit, or certificate of occupancy shall be issued in such districts unless and until the City staff shall have reviewed final plans and reports for the development as a whole or stages or portions thereof deemed satisfactory in relation to total development. No structure or use other than as indicated in approved final plans and reports shall be permitted.

6.1.1.12.2. Approval of final plans and reports shall be based on compliance with regulations applying at the time the land was zoned to PD status, including such specific modifications as made by the

City Commission in the amending action or, at the option of applicant, in accordance with regulations currently in effect. Upon approval of final plans and reports, building permits are to be issued in the same manner as for building permits generally, provided that any requirements concerning the order or location in which building permits are to be issued in the particular PD district shall be observed. Except as provided below, final plans and reports approved shall be binding on the petitioner and any successors in interest so long as PD zoning applies to the land.

6.1.1.13. PLANNING COMMISSION ACTION FOLLOWING REZONING TO PD STATUS.

6.1.1.13.1. *Changes in approved final plans.* Minor changes may be permitted by the Planning Commission or its duly authorized agent on petition by the original petitioner or successors in interest, but only on a finding that such changes are in accord with all applicable regulations in effect at the time the final plan was approved and the general intent and purpose of the City Comprehensive Plan in effect at such time; provided, that the petitioner may elect to proceed in accord with the City Comprehensive Plan currently in effect. Changes other than as indicated above shall be made only by new PD or other amendments.

6.1.1.13.2. *Advertised Public hearings permissible but not mandatory in connection with final plans.* Action in connection with approval of final plans or changes in approved plans not requiring amendments are administrative, and do not require public notice and hearing but the Planning Commission may hold such hearings as it deems desirable in connection with such action.

6.1.1.14. TIME LIMITS ON PD AMENDMENTS.

6.1.1.14.1. *Establish time limits on beginning and completion of the development as a whole or in specified stages.* Unless otherwise specified or extended by the City Commission, development of a PD District shall begin and proceed in good faith within one (1) year of the date of approval.

6.1.1.14.2. If development actions required in the amendment are not taken within time limits set, the Planning Commission shall review the circumstances and recommend to the City Commission that:

6.1.1.14.2.1. PD zoning for the entire area be continued with revised time limits;

6.1.1.14.2.2. PD zoning be continued for part of the area with revised time limits, and the remainder rezoned to a category in compliance with the Comprehensive Plan; or

6.1.1.14.2.3. The entire area be rezoned from PD to a category in compliance with the Comprehensive Plan.

6.1.1.14.3. Such recommendations shall include proposals for appropriate action in respect to any legal instruments in the case.

Sec. 6.1.2. LAND USE INTENSITY (LUI).

6.1.2.1. RELATION OF LUI TO REGULATIONS.

6.1.2.1.1. Land use intensity (LUI) ratings herein established shall determine certain requirements and regulations in PD districts, including minimum lot area, gross floor area permitted, minimum open space and off-street parking required, and related matters.

6.1.2.1.2. *Terms used in calculations:*

Land use intensity: (LUI) maximum development potential of site.
Minimum lot area (MLA) for application of maximum land use intensities.

Minimum lot width: (MLW)

Floor area ratio: (FAR)

Open Space ratio: (OSR)

Car ratio: (off-street parking spaces (CR) per dwelling unit)

6.1.2.1.3. *Maximum residential floor area and minimum open space (including living space and recreation space) and off-street parking space shall be determined by the ratios in areas with the LUI ratings as indicated below.*

6.1.2.1.4. *Floor area ratio and population density limitations.*

6.1.2.1.4.1. Except as provided below, the floor area ratio, multiplied by gross land area (in square feet) of private property within the PD district, plus additions as indicated below, indicates the maximum number of square feet of floor area permitted.

6.1.2.1.4.2. For purposes of this Chapter, floor area is defined as including floor area within buildings, or roofed and enclosed on

at least 2 sides, but floor area designed and used for parking shall be excluded from the limitation derived from application of the floor area ratio.

6.1.2.1.5. *Bonus computations.*

6.1.2.1.5.1. In recognition of the benefits to residents of planned developments of certain major open spaces adjoining them, an off-site open space bonus may be added to the area of all planned development districts established adjacent to, or adjacent with only an intervening street, to lakes, major streets with a minimum right-of-way of 100 feet, and parks and any other permanent open space with a minimum of 100 feet of depth parallel to subject property. Within the boundaries of the Auburndale Green Swamp Protection Area bonus computations shall not increase densities beyond that which is allowed by policy and underlying land use. Such bonus shall be computed as follows:

6.1.2.1.5.1.1. Determine the number of feet in a straight line connecting the boundaries of the district where it faces the bodies of water indicated, with or without an intervening street, or faces on the major street, park and other permanent open space.

6.1.2.1.5.1.2. Multiply this number of feet times the district LUI rating to determine the number of square feet to be added to the existing area of property under development.

6.1.2.1.5.2. Such bonus shall be included in the computation of floor area limitations and in requirements for total open space as set forth below. It shall be included in requirements for livability space only if the district boundary adjoins the water area (or park, etc.) without an intervening street.

6.1.2.1.6. *Open space and livability space limitations.*

6.1.2.1.6.1. The open space ratio and the livability space ratio multiplied by gross land area (exclusive of that designed and used for parking, as indicated above) establish the minimum number of square feet of total open space which shall be required.

6.1.2.1.6.2. Total open space shall be computed to include the gross land area of the district (including any bonus) minus area covered by buildings, and retention/detention areas.

6.1.2.1.7. *Car ratio: off-street parking requirements.* Parking space sufficient for residents and guests shall be provided. Additional spaces may be required where recreational facilities in the development are so located or of such a nature as to require additional parking. In no case shall there be less than 2 parking spaces provided for each dwelling

6.1.2.2. APPLICATION OF LAND USE INTENSITY RATINGS.

6.1.2.2.1. LUI ratings shall be consistent with the underlying future land use as shown on the Future Land Use Map in the Comprehensive Plan. Within the boundaries of the Auburndale Green Swamp Protection Area LUI computations shall not increase residential densities, impervious surface ratios, or floor area ratios beyond that which is allowed by the underlying future land uses and policies in the Comprehensive Plan. Their intended use and the application of their respective ratios are as follows:

6.1.2.2.1.1. LUI 36 - Low density land use - as applied to residential land use, maximum density permitted: 6 dwelling units per net acre.

Minimum lot area for application of maximum
land use intensities4 acres
Minimum lot width.....200 feet
Floor area ratio (FAR)0.152
Open space ratio (OSR).....0.78
Car ratio (off-street parking
spaces per dwelling unit or in the
case of PD-C or PD-I uses as required
therein.)2.0

6.1.2.2.1.2. LUI 43 - Low to medium density land use - as applied to residential land use, maximum density permitted: 14 dwelling units per net acre.

Minimum lot area for application of
maximum land use intensities.....4 acres
Minimum lot width.....200 feet
Floor area ratio (FAR)0.246
Open space ratio (OSR).....0.75

Car ratio (off-street parking spaces per dwelling unit or in the case PD-C or PD-I uses as required therein.)2.0

6.1.2.2.1.3. LUI 55 - Medium to high density land use - as applied to residential land use, maximum density permitted: 15 to 30 dwelling units per net acre.

Minimum lot area for application of maximum land use intensities.....4 acres
 Minimum lot width.....200 feet
 Floor area ratio (FAR)0.566
 Open space ratio (OSR).....0.71
 Car ratio (off-street parking spaces per dwelling unit or in the case of PD-C or PD-I uses required therein.)2.0

6.1.2.2.2. The underlying zoning classification will continue to apply to the lands within the corporate limits of the City at the time of adoption of these provisions and until the Planned Development provisions are applied to a specific site in accordance with the requirements contained in this Chapter. Lands later annexed into the City will be designated with a zoning classification at the time of annexation upon agreement with the property owners in conformance with the City Comprehensive Plan.

6.1.2.2.3. *Application of above ratios.*

Except as indicated otherwise, LUI ratings and application of ratios and related measurements and requirements shall be as provided in the following formulas:

$$\text{FAR} \times \text{GLA (actual lot area + bonuses)} = \text{maximum permitted floor area.}$$

$$\text{GLA} \times \text{OSR} = \text{maximum permitted floor area.}$$

$$\text{CR} \times \text{number of dwelling units} = \text{minimum number of off-street parking spaces.}$$

6.1.2.2.4. Supplemental diagrams and explanation for LUI ratings and application of respective ratios are as shown on the following pages. All land areas used in these examples are minimum permissible.

APPLICATION EXAMPLES

II. A. LUI 36 W/O BONUS

1.	Net Land Area (NLA) - 4 Acres		174,240 sq. ft.
2.	Gross Land Area (GLA)		174,240 sq. ft.
3.	Floor Area Ratio (FAR) x GLA = maximum permitted floor area .152 x 174,240	=	26,484 sq. ft.
4.	Open Space Ratio (OSR) x GLA = minimum required open space .78 x 174,240	=	135,907 sq. ft.
5.	Actual on site open space		135,907 sq. ft.
6.	Ground Coverage (GLA - OSR) 174,240-135,907	=	38,333 sq. ft.
7.	Number of stories of building (FAR Ground Coverage)		0.6 stories
8.	Livability Space Ratio (non-vehicular) (LSR) x GLA .53 x 174,240	=	92,347 sq. ft.
9.	Recreation Space (RSR) x GLA .030 x 174,240	=	5,227 sq. ft.
10.	Vehicular Oriented Open Space (streets, parking, etc.) VOS Actual Open Space - LSR 135,907-92,347	=	43,560 sq. ft.
11.	Dwelling Units: FAR sq. ft./dwelling unit <u>26,484</u> 1000 sq. ft. min.	=	26.4 d.u.
12.	Parking space @ 400 sq.ft. each @ 2 spaces/dwelling unit <u>21,120</u> 400	=	52.8 spaces
13.	Minimum required parking spaces would be permitted as uncovered spaces.		

APPLICATION EXAMPLES

II. B. LUI 36 W/BONUS

1.	NLA: 4 Acres		174,240 sq. ft.
2.	Bonus permanent open space adjacent to site - distance x LUI rating 417.4x36	=	15,026 sq. ft.
3.	GLA: NLA + Bonus 174,240 + 15,026	=	189,266 sq. ft.
4.	FAR: .152 x GLA .152 x 174,240	=	28,768 sq. ft.
5.	OSR: .78 x GLA .78 x 174,240	=	147,627 sq. ft.
6.	Beneficial Open space (BOS) (Bonus)		15,026 sq. ft.
7.	Actual on site open space: OSR - BOS 147,627 - 15,026	=	132,601 sq. ft.
8.	Ground Coverage: GLA - OSR 189,266 - 147,627	=	41,639 sq. ft.
9.	Number of stories of building: (FAR Ground coverage)	=	0.6 stories
10.	LSR: .53 x GLA: .53 x 189,266	=	100,310 sq. ft.
11.	RSR: .030 x GLA: .030 x 189,266	=	5,677 sq. ft.
12.	Vehicular open space (VOS) Actual open space - LSR	=	32,291 sq. ft.
13.	Dwelling units: FAR sq. ft./dwelling unit <u>28,768</u> 1000 sq. ft. min.	=	28.7 d.u.
14.	Parking spaces @ 400 sq. ft. each @ 2 spaces/dwelling unit <u>22.906</u> 400	=	57.4 spaces
15.	Minimum required parking spaces would be permitted as uncovered spaces.		

APPLICATION EXAMPLES

III. A. LUI 43 W/O BONUS

1.	Net Land Area (NLA) - 4 Acres		174,240 sq. ft.
2.	Gross Land Area (GLA)		174,240 sq. ft.
3.	Floor Area Ratio (FAR) x GLA = maximum permitted floor area .246 x 174,240	=	42,863 sq. ft.
4.	Open Space Ratio (OSR) x GLA = minimum required open space .75 x 174,240	=	130,680 sq. ft.
5.	Actual on site open space		130,680 sq. ft.
6.	Ground Coverage (GLA - OSR) 174,240-130,680	=	43,560 sq. ft.
7.	Number of stories of building (FAR Ground Coverage)		0.9 stories
8.	Livability Space Ratio (non-vehicular) (LSR) x GLA .49 x 174,240	=	85,377 sq. ft.
9.	Recreation Space (RSR) x GLA .039 x 174,240	=	6,795 sq. ft.
10.	Vehicular Oriented Open Space (streets, parking, etc.) VOS Actual Open Space - LSR 130,680-85,377	=	54,303 sq. ft.
11.	Dwelling Units: FAR sq. ft./dwelling unit <u>42,863</u> 1000 sq. ft. min.	=	42.8 d.u.
12.	Parking space @ 400 sq. ft. each @ 2 spaces/dwelling unit <u>43,240</u> 400	=	85.6 spaces

13. Minimum required parking spaces would be permitted as uncovered spaces.

APPLICATION EXAMPLES

III. B. LUI 43 W/BONUS

1.	NLA: 4 Acres		174,240 sq. ft.
2.	Bonus permanent open space adjacent to site - distance x LUI rating		
	417.4x43	=	17,948 sq. ft.
3.	GLA: NLA + Bonus		
	174,240 x 17,948	=	192,188 sq. ft.
4.	FAR: .246 x GLA .246 x 192,188	=	47,278 sq. ft.
5.	OSR:.75xGLA .75x192,188	=	144,141 sq. ft.
6.	Beneficial Open space (BOS) (Bonus)		17,948 sq. ft.
7.	Actual on site open space: OSR - BOS		
	144,141 - 17,984	=	126,193 sq. ft.
8.	Ground Coverage: GLA - OSR		
	192,188 - 144,141	=	48,047 sq. ft.
9.	Number of stories of building: (FAR Ground coverage)	=	0.9 stories
10.	LSR: .49 x GLA: .49 x 192,188	=	94,172 sq. ft.
11.	RSR: .039 x GLA: .039 x 192,188	=	7,495 sq. ft.
12.	Vehicular open space (VOS) Actual open space - LSR	=	32,001 sq. ft.
13.	Dwelling units: FAR sq. ft./dwelling unit		
	<u>47.278</u>		
	1000 sq. ft. min.	=	47.2 d.u.
14.	Parking spaces @ 400 sq. ft. each @ 2 spaces/dwelling unit		
	<u>37.760</u>		
	400	=	94.4 spaces

15. Parking spaces needed; 94.4 @ 2 spaces/d.u., 14 spaces will require coverings and most likely would be beneath a structure.

APPLICATION EXAMPLES

IV. A. LUI 50 W/O BONUS

1.	Net Land Area (NLA) -4 Acres		174,240 sq. ft.
2.	Gross Land Area (GLA)		174,240 sq. ft.
3.	Floor Area Ratio (FAR) x GLA = maximum permitted floor area .400 x 174,240	=	68,696 sq. ft.
4.	Open Space Ratio (OSR) x GLA = minimum required open space .72 x 174,240	=	125,452 sq. ft.
5.	Actual on site open space		125,452 sq. ft.
6.	Ground Coverage (GLA - OSR) 174,240-125,452	=	48,788 sq. ft.
7.	Number of stories of building (FAR Ground Coverage)		1.4 stories
8.	Livability Space Ratio (non-vehicular) (LSR) x GLA .44 x 174,240	=	76,665 sq. ft.
9.	Recreation Space (RSR) x GLA .052 x 174,240	=	9,060 sq. ft.
10.	Vehicular Oriented Open Space (streets, parking, etc.) VOS Actual Open Space - LSR 125,452-76,665	=	48,787 sq. ft.
11.	Dwelling Units: FAR sq. ft./dwelling unit <u>69,696</u> 1000 sq. ft. min.	=	69.6 d.u.
12.	Parking space @ 400 sq. ft. each @ 2 spaces/dwelling unit <u>55,680</u> 400	=	139.2 spaces

13. Parking spaces needed, 139.2 @ 2 spaces/d.u., 17 spaces will require coverings and most likely would be beneath a structure.

APPLICATION EXAMPLES

IV B. LUI 50 W/BONUS

1.	NLA: 4 Acres		174,240 sq. ft.
2.	Bonus permanent open space adjacent to site - distance x LUI rating		
	417.4x50	=	20,870 sq. ft.
3.	GLA: NLA + Bonus		
	174,240 + 20,870	=	195,110 sq. ft.
4.	FAR: .400 x GLA .400 x 195,110	=	78,044 sq. ft.
5.	OSR: .72 x GLA .72 x 195,110	=	140,479 sq. ft.
6.	Beneficial Open space (BOS) (Bonus)		10,870 sq. ft.
7.	Actual on site open space: OSR - BOS		
	140,479-20,870	=	119,609 sq. ft.
8.	Ground Coverage: GLA - OSR		
	195,110-140,479		54,631 sq. ft.
9.	Number of stories of building: (FAR Ground coverage)	=	1.4 stories
10.	LSR: .44 x GLA: .44 x 195,110	=	85,848 sq. ft.
11.	RSR: .052 x GLA: .052 x 195,110	=	10,145 sq. ft.
12.	Vehicular open space (VOS): Actual open space - LSR	=	36,761 sq. ft.
13.	Dwelling units: FAR sq. ft./dwelling unit		
	<u>78,044</u>		
	1000 sq. ft. min.	=	78.0 d.u.
14.	Parking spaces @ 400 sq. ft. each @ 2 spaces/dwelling unit		
	<u>62.400</u>		
	400	=	156 spaces

15. Parking spaces needed; 156 @ 2 spaces/d.u. 64 spaces will require coverings and most likely would be beneath a structure.

APPLICATION EXAMPLES

V. A. LUI 55 W/O BONUS

- | | | | |
|-----|--|---|-----------------|
| 1. | Net Land Area (NLA) -4 Acres | | 174,240 sq. ft. |
| 2. | Gross Land Area (GLA) | | 174,240 sq. ft. |
| 3. | Floor Area Ratio (FAR) x GLA
= maximum permitted floor area
.566x 174,240 | = | 98,619 sq. ft. |
| 4. | Open Space Ratio (OSR) x GLA
= minimum required open space
.71 x 174,240 | = | 123,710 sq. ft. |
| 5. | Actual on site open space | | 123,710 sq. ft. |
| 6. | Ground Coverage (GLA - OSR)
174,240-123,710 | = | 50,530 sq. ft. |
| 7. | Number of stories of building
(FAR Ground Coverage) | | 1.9 stories |
| 8. | Livability Space Ratio (non-vehicular)
(LSR) x GLA .40 x 174,240 | = | 69,696 sq. ft. |
| 9. | Recreation Space (RSR) x GLA
.061 x 174,240 | = | 10,802 sq. ft. |
| 10. | Vehicular Oriented Open Space
(streets, parking, etc.) VOS
Actual Open Space - LSR
123,710-69,696 | = | 54,014 sq. ft. |
| 11. | Dwelling Units:
FAR sq. ft./dwelling unit
<u>98,619</u>
1000 sq. ft. min. | = | 98.6 d.u. |
| 12. | Parking space @ 400 sq. ft. each
@ 2 spaces/dwelling unit
<u>78,880</u>
400 | = | 197 spaces |
| 13. | Parking spaces needed, 197 @ 2 spaces/d.u., 62 spaces will require coverings and most likely would be beneath a structure. | | |

APPLICATION EXAMPLES

V.B. LUI 55 W/BONUS

- | | | |
|-----|---|-----------------|
| 1. | NLA: 4 Acres | 174,240 sq. ft. |
| 2. | Bonus permanent open space adjacent to site - distance x LUI rating
417.4x55 | 22,957 sq. ft. |
| 3. | GLA: NLA + Bonus
174,240 + 22,957 | 197,197 sq. ft. |
| 4. | FAR: .566 x GLA .566 x 197,197 | 111,613 sq. ft. |
| 5. | OSR: .71 x GLA, .71 x 197,197 | 140,009 sq. ft. |
| 6. | Beneficial Open space (BOS) (Bonus) | 22,957 sq. ft. |
| 7. | Actual on site open space: OSR - BOS
140,009-22,959 | 117,052 sq. ft. |
| 8. | Ground Coverage: GLA - OSR
197,197-140,009 | 57,188 sq. ft. |
| 9. | Number of stories of building:
(FAR Ground coverage) | 1.9 stories |
| 10. | LSR: .40 x GLA: .40 x 197,197 | 78,878 sq. ft. |
| 11. | RSR: .062 x GLA: .062 x 197,197 | 12,226 sq. ft. |
| 12. | Vehicular open space (VOS)
Actual open space - LSR
117,052-78,878 | 38,174 sq. ft. |
| 13. | Dwelling units: FAR sq. ft./dwelling unit
<u>111,613</u>
1000 sq. ft. min. | 111.6 d.u. |
| 14. | Parking spaces @ 400 sq. ft. each @ 2 spaces/dwelling unit
<u>89,280</u>
400 | 223 spaces |
| 15. | Parking spaces needed; 223 @ 2 spaces/d.u., 128 spaces will require coverings and most likely would be beneath a structure. | |

Sec. 6.1.3. PLANNED DEVELOPMENT - HOUSING 1 DISTRICTS, PD-H1

6.1.3.1. The following regulations and requirements apply to large scale planned developments primarily for housing but with accompanying related services:

6.1.3.1.1. *Planned development - Housing 1, PD-H1, defined.* A PD-H1 is defined for the purposes of this Chapter as;

6.1.3.1.1.1. A planned development (as defined generally in 6.1.1.3.) primarily for dwellings and related uses, services and facilities;

6.1.3.1.1.2. A large parcel of land of not less than 50 acres projected for development as a totally planned community over a time span of not less than 5 years;

6.1.3.1.1.3. To which the procedures normally associated with conventional planned developments of smaller scale and size cannot be practically applied.

6.1.3.1.2. *Permitted principal and accessory uses.* Since the plan to be submitted is a preliminary one, uses permitted for concept purposes, but not for purposes of actual construction shall include dwellings, which may be single family detached, two family detached, semi-detached or attached, and/or multi-family and residential designed manufactured housing (RDMH). Additional uses permitted shall include those uses which are customarily incidental to and a necessary aspect of residential facilities such as churches, schools, recreational facilities, neighborhood commercial establishments not exceeding 5% of the gross land area, governmental structures such as fire and police stations, and similar uses. Kennels shall be prohibited.

6.1.3.1.3. *Requirements, limitations, and standards.* Because the PD-H1 district is designed for preliminary planning of large scale developments with final completion of construction requiring a long time period, the requirements, limitations, and standards herein set out are general in character.

6.1.3.1.3.1. The underlying future land use as shown on the Future Land Use Map in the Comprehensive Plan will determine the LUI to be established for the particular proposed amendment. Overall maximum permitted floor area (including residential and

customarily incidental uses) for the PD-H1 district shall be determined by the LUI rating applied to the land area included in the proposed amendment except as provided herein.

6.1.3.1.3.2. LUI ratings herein established shall determine certain other requirements and regulations in PD-H1 districts, including minimum lot area, minimum open space and off-street parking required and related matters.

6.1.3.1.3.3. Maximum residential and customarily incidental uses, floor area and minimum open space and off-street parking space shall be determined by the ratios in areas with the LUI ratings as indicated in 6.1.2.2. Within the boundaries of the Auburndale Green Swamp Protection Area LUI computations shall not increase floor area ratios beyond that which is allowed by the Comprehensive Plan and the underlying future land use as shown on the Future Land Use Map in the City of Auburndale's Comprehensive Plan.

6.1.3.1.4. *Site planning, external relationships.* Concept planning within the proposed PD-H1 district shall provide protection of the development from adverse or potentially adverse surrounding or nearby influences, and protection of surrounding areas from adverse or potentially adverse influences within the district. Vehicular access to and from the proposed development shall be shown, with special attention to types of thoroughfare access to existing or proposed public street systems.

6.1.3.1.5. *Preservation and protection of desirable natural features, protection against erosion by wind or water.* Planning and development shall preserve and protect desirable natural features and protect against environmental damage. In particular, desirable existing trees and other vegetation shall be preserved, and along the water fronts, the disturbance of terrain or vegetation in a way which is likely to increase water erosion within or adjacent to the district shall be prohibited.

6.1.3.1.6. *Site planning, internal relationships.* The concept plans shall demonstrate a safe, convenient access to dwelling units and other facilities, and for appropriate relationships among varieties of housing types and the use of space inside and outside of structures. The concept plan should demonstrate how vehicular and pedestrian traffic is proposed to be separated, how minimum land areas are used for access, how traffic through the development will be controlled, discouraged, or prevented and that the proposed development will be an efficient use of land and natural amenities.

6.1.3.1.7. *Petitions and materials for PD-H1 zoning - See Sec. 6.1.1.6.*

6.1.3.1.8. *Effect of PD-H1 zoning.*

6.1.3.1.8.1. No building permit for residential or commercial construction shall be issued for lands zoned PD-H1 until all applicable conditions contained within this Article are met. Within the boundaries of the Auburndale Green Swamp Protection Area, Planned Development zoning classifications shall only take effect upon receipt of "Final Order" issued by the Department of Economic Opportunity or Administration Commission finding the Planned Development amendment is in compliance with Florida Statutes. Construction permits for roads, utilities, open space, facilities not involving structures for human habitation, and similar uses may be issued and construction undertaken for lands in PD-H1 classification, subject to plans for such types of construction meeting all applicable City land development codes, and provided further that sureties or bonds for completion of construction, where required by other City codes or ordinances, have been tendered and the City has accepted such sureties or bonds.

6.1.3.1.8.2. Detailed phased or total development plans for lands zoned PD-H1 shall be required to be reviewed for recommendations and approval by the Planning Commission with final approval required by the City Commission prior to any building permits being issued. All such detailed plans shall be in accord and agreement with final concept plans and materials submitted as a part of the PD-H1 amendment. If such detailed plans are in compliance with the above referenced conditions the Planning Commission and City Commission shall grant approval of the plans.

6.1.3.1.8.3. Materials required for submission as phasing of development begins shall be as for PD generally and as for PD-H2 and PD-C as applicable with the provisions therein governing plan design, land uses and related performance requirements.

6.1.3.1.9. *Changes in PD-H1.*

6.1.3.1.9.1. Changes in large scale, long range projects become inevitable, necessary for a variety of justifiable causes - economic, social, or demographic. The PD-H1 district is designed for conceptual approval by the City. It is not intended that the concepts approved shall be inflexibly applied in detail but rather that the eventual overall development shall conform in concept to the plans as approved at time of rezoning to PD-

H1, to the end that changes in the concept plan will not be necessary.

6.1.3.1.9.2. Where the owner of land in the PD-H1 district deems it necessary however to seek a change in the concept plan as approved at the time of PD-H1 amendment, he may initiate such change for all, or a portion of not less than 10 acres, of such PD-H1 land. Procedurally, such change shall be handled as for a zoning district amendment and if such request for change in the concept plan is approved it shall then replace that applicable portion or the entirety of the concept plan approved at the time of original PD-H1 amendment. Such amendments shall not be required to meet the amendment timing requirements of Sec. 21.1.7. of the Land Development Regulations.

6.1.3.1.10. *The Auburndale Green Swamp Protection Area:* The PD-H1 zoning classification within the boundaries of the Auburndale Green Swamp Protection Area shall only allow single family residential development at a density of 0-3 units per acre, including any fraction thereof, with central water and paved road access. Per Policy 11.8 of the City of Auburndale Comprehensive Plan, single family lots shall not exceed an impervious surface ratio of 50%. If the lots are within a master planned residential community, the overall Impervious Surface Ratio shall be 50%.

Sec. 6.1.4. PLANNED DEVELOPMENT - HOUSING 2 DISTRICTS, PD-H2.

6.1.4.1. The following regulations and requirements apply to small scale planned developments primarily for housing:

6.1.4.1.1. *Planned Development - Housing 2, PD-H2 defined.* A PD-H2 is defined for the purposes of this Chapter as a planned development (as defined generally in 6.1.1.3.) primarily for dwellings and related uses and facilities and containing not less than 4 acres of land area.

6.1.4.1.2. *PD-H2 districts, where permitted.* PD-H2 districts may hereafter be established within areas currently classified Residential in the Land Use Element of the City Comprehensive Plan by amendments to the official zoning map in accordance with the provisions set forth generally for PD districts in 6.1.1.3. above.

6.1.4.1.3. *Permitted principal and accessory uses.* Principal uses permitted shall include dwellings, including residential design manufactured homes (RDMH), which may be single family or two-family detached, semidetached or attached, and/or multi-family, churches, schools, parks and playgrounds and governmental structures. Manufactured housing development, containing RDMH and Standard Design Manufactured Homes (SDMH) shall be permitted provided however that all residential lots on the perimeter of

the district shall contain only RDMH manufactured homes meeting all appearance criteria.

Accessory uses permitted shall include only those which are customarily accessory and incidental to residential developments. Floor area devoted to accessory uses other than parking shall not exceed 10% of residential floor area, and provided that in planned residential developments having 100 or more dwelling units, establishments for sale of convenience goods, personal and professional service establishments, and eating and drinking establishments shall be permitted as accessory uses. Such establishment shall be designed and scaled to meet only the requirements of occupants of dwelling units in the planned development and their guests, and there shall be no external evidence of such establishments visible from outside the planned development. Kennels shall be prohibited.

6.1.4.1.4. *Density.* Maximum residential density is regulated by the LUI rating scale and the provisions of 6.1.2.2. The LUI sector overlay on the zoning map will determine the LUI to be established for the land area of the particular proposed amendment.

6.1.4.1.5. *Site planning external relationships.* Site planning within the district shall provide protection of the development from potentially adverse surrounding influences, and protection of surrounding areas from potentially adverse influences within the district. In particular:

6.1.4.1.5.1. Principal vehicular access points shall be designed to encourage smooth traffic flow and minimum hazards to vehicular or pedestrian traffic. Merging and turn-out lanes and/or traffic dividers shall be required where existing or anticipated heavy traffic flows indicate need. In general, minor streets shall not be connected with minor streets outside the district in such a way as to encourage through traffic, or flow of traffic from the district along minor streets in neighboring residential areas.

6.1.4.1.5.2. Uses adjacent to conventional single family residential developments. Where a PD-H2 district adjoins a single family residential development without intervening permanent open space at least 100 feet in width serving as separation for buildable areas, the portion of the district so adjoining shall be planned and developed only for uses permitted in the adjoining residential development except as provided for herein and in accordance with all other requirements for the district.

A second option in lieu of such common boundary development, shall be the provision of open space for the

district with a minimum depth of 25 feet between the common zoning district boundaries may be permitted. No intensive recreational use or off-street parking shall be permitted in this open space setback area. Such area may be required to be maintained in landscaping including trees, shrubs, ground covers and grass for a minimum depth of 10 feet.

A third option available to the developer is the provision of a solid screening material such as a wooden fence or block wall, each of which shall be 6 feet in height and placed a minimum of 10 feet from the property line. The 10 foot setback area between the zoning district boundary and the solid screening shall be grassed and landscaped and maintained in good condition at all times. Such areas shall be undeveloped other than landscaping, contain no accessory buildings and treated as front yards for the district.

6.1.4.1.5.3. Fences, walls, or vegetative screening within and at the edges of PD-H2 districts shall be provided where needed to protect residents from undesirable views, lighting, noise or other adverse off-site influences, or to protect residents of adjoining properties from similar adverse influences within the district. In both cases, screening shall at a minimum be designed to protect from existing or potential first floor residential window levels. In particular, parking areas for five or more cars, service areas for loading or unloading vehicles other than passengers, and areas for storage and collection of trash and garbage shall be so screened.

6.1.4.1.5.4. Height limitations at edges of PD-H2 districts. Except along boundaries where adjoining districts permit greater heights within similar areas, or where the district adjoins, with or without an intervening street, a waterway or other permanent open space at least 100 feet in width, in addition to the height limitations applying generally within PD-H2 districts, the following shall apply: No portion of any structure within the district shall project through imaginary planes leaning inward from district boundaries at an angle representing an increase of one foot in height for each 2 feet of horizontal distance and shall not exceed a maximum of 35 feet in height above grade except upon making provisions to install approved automatic sprinkler system.

6.1.4.1.5.5. Sign limitations. One permanent identification sign, not exceeding 20 sq. ft. in area, may be erected at each principal entrance to the planned development district. During the process of development, the Planning Commission may permit the erection of not to exceed one temporary sign at each

principal entrance, provided that no such sign shall exceed 30 sq. ft. in area, and that the Planning Commission shall establish a time limit for its display and shall indicate appropriate placement.

6.1.4.1.6. *Preservation and protection of desirable natural features and protection against erosion by wind or water.* Planning and development shall preserve and protect desirable natural features and protect against environmental damage. In particular, desirable existing trees and other vegetation shall be preserved, and along water fronts the disturbance of terrain or vegetation in a way which is likely to increase water erosion within or adjacent to the district shall be prohibited.

6.1.4.1.7. *Site planning, internal relationships, general* The site plan shall provide for safe, efficient, convenient and harmonious grouping of structures, uses and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features. In particular:

6.1.4.1.7.1. Streets, drives, parking and service areas shall provide safe and convenient access to dwelling units and project facilities, and for service and emergency vehicles, but streets shall not be so laid out as to encourage outside traffic to traverse the development on minor streets, nor occupy more land than is required to provide access as indicated, nor create unnecessary fragmentation of the development into small blocks, nor shall streets be so laid out or constructed as to require excessive cuts or fills or to interfere with desirable drainage in or adjacent to the district.

6.1.4.1.7.2. Vehicular access to streets.

6.1.4.1.7.2.1. If the street serves 50 dwelling units or less, vehicular access from off-street parking and service areas may be directly to the street from dwelling units. Determination of number of dwelling units served shall be based on normal routes of traffic anticipated in the development.

6.1.4.1.7.2.2. Vehicular access to other streets from off-street parking and service areas shall be so combined, limited, located, designed and controlled as to channel traffic from and to such areas conveniently, safely, and in a manner which minimizes marginal traffic friction and promotes free traffic flow on streets without excessive interruptions.

6.1.4.1.7.2.3. Visibility triangles shall be maintained as provided in Chapter 12 of the LDR.

6.1.4.1.8. *Petition and materials for PD-H2* See 6.1.1.6.

6.1.4.1.9. *Increases or decreases in minimum areas required for PD-H2 districts in particular cases.*

6.1.4.1.9.1. Lesser areas than those generally required may be recommended to the City Commission for PD-H2 zoning upon findings by the Planning Commission in a particular case that special circumstances justify such reductions, and that other requirements can be met in such lesser areas.

6.1.4.1.9.2. Greater areas than those generally required may be recommended to the City Commission for PD-H2 zoning upon findings by the Planning Commission in a particular case that the plan of development as proposed, or the characteristics of the property involved, in themselves or in relation to environmental circumstances, require such increase to meet the requirements and intent of PD-H2 zoning and provide an efficient use of land or to provide necessary special protections.

Sec. 6.1.5. PLANNED DEVELOPMENT - COMMERCIAL DISTRICTS, PD-C1.

The following regulations and requirements apply to planned developments established primarily for commercial uses on parcels of land 2 acres or greater in area:

6.1.5.1. **PLANNED DEVELOPMENT - COMMERCIAL 1, DEFINED.** A PD-C1, is defined for the purposes of these regulations as a planned development (as defined generally in 6.1.1.3.) primarily for general retail, commercial services and related uses and facilities.

6.1.5.2. **PD-C1 DISTRICTS, WHERE PERMITTED.**

6.1.5.2.1. PD-C1 districts may hereafter be established within areas classified Commercial in the City Comprehensive Plan by amendments to the Official Zoning Map in accordance with the provisions set forth generally for PD districts in 6.1.1.6. above.

6.1.5.2.2. Creation of PD-C1 districts will be permitted where planned shopping centers are appropriate and will serve areas not already conveniently and adequately provided with commercial and service facilities of the kind proposed. It is intended to permit the establishment of such districts only where planned centers with organized buildings, service and parking areas, and open space will

clearly serve demonstrated public need, reduce traffic congestion and points of conflict below that which would result from strip commercial development along roadways, and protect stability and property values in surrounding neighborhoods.

6.1.5.3. PERMITTED PRINCIPAL AND ACCESSORY USES.

6.1.5.3.1. *Restrictions on uses.* In order to preserve the essential character of the district and to protect adjoining and nearby property, certain uses are permitted in the PD-C1 districts. Retail and service uses are permitted as follows:

6.1.5.3.1.1. Retail such as grocery, variety, drug store, hardware and similar uses.

6.1.5.3.1.2. Personal services such as barber and beauty shops.

6.1.5.3.1.3. Laundry and dry-cleaning establishments, shoe repair, establishments for service and repair of household appliances, provided that no such establishment shall employ more than 5 persons in processing on the premises.

6.1.5.3.1.4. Restaurants, including fast food types, but not including drive in restaurants.

6.1.5.3.1.5. Retail outlets for sale of home furnishings and appliances, office equipment and furniture, full line department stores and similar uses.

6.1.5.3.1.6. Commercial recreational facilities such as indoor motion picture theater, theater for stage productions, billiard parlor, bowling alley, and similar uses in completely enclosed buildings.

6.1.5.3.1.7. Governmental uses.

6.1.5.3.1.8. Shopping malls, open or enclosed with customary accessory uses.

6.1.5.3.1.9. Medical Marijuana Dispensing Facility.

6.1.5.3.2. *Certain other uses.*

6.1.5.3.2.1. Service stations, kennels, and boat, camping equipment, and garden supply centers are often found in shopping centers. if such activities are proposed as a part of shopping center, they must be included in the request for

amendment. if outside display of products is involved, such activity shall be well away from major activity of the shopping center and properly screened. If service stations are to be permitted in a shopping center, their locations shall be a part of the amendment and they shall be so located that there will be no interference with pedestrian traffic. The requirements set out for service stations in Chapter 5 of the LDR as a minimum shall apply.

6.1.5.3.3. *Accessory uses and structures.* Permitted are uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures and which do not involve operations or structures not in keeping with the character of the district; provided, however, that garbage and trash shall be kept in closed containers, and that such containers shall not be visible from residential districts, from portions of the premises customarily open to customer parking or customer pedestrian or automotive traffic, or from public ways.

6.1.5.3.4. *Prohibited uses and structures.* Residential and institutional uses; playing of music or making of announcements directly or through mechanical or electronic devices in a manner audible at any residential zoning district boundary; outdoor display, storage, sales, or services except as specifically set out in this subsection; bars, nightclubs or clubs with live or related entertainment and in general any uses or structures not of a nature specifically permitted herein or customarily accessory to uses or structures specifically permitted.

6.1.3.4.5. The following uses are prohibited within the boundaries of the Auburndale Green Swamp Protection Area:

6.1.5.3.5.1. Funeral Homes.

6.1.5.3.5.2. Dry Cleaning Establishments.

6.1.5.3.5.3. Dry cleaning plants

6.1.5.3.5.4. Truck Terminals

6.1.5.3.5.5. Warehouses and mini-warehouses when located on a Tourism Commercial Center Future Land Use.

6.1.5.3.5.6. Petroleum pipelines

6.1.5.3.5.7. Wholesale chemical operations

6.1.5.3.5.8. Chemical research operations

6.1.5.3.5.9. Petroleum related industries and fuel dealers (however, gas stations may be permitted)

6.1.5.3.5.10. Non-certified Electric-power Generation Facilities

6.1.5.3.6. Billboards/Off-Site Advertising provided all other requirements are met as required herein and with the following conditions:

- 6.1.5.3.6.1 Minimum Setback Requirements as measured from edge of sign:
 - 35 foot from any public right of way or property line.
 - 300 feet from all property lines abutting Residential zoning districts.
 - 500 feet from any right of way intersection, interchange, or rest area.
- 6.1.5.3.6.2 Billboards shall not exceed 672 square feet in surface area per side or 1,344 square feet in total combined surface area, including embellishments.
- 6.1.5.3.6.3 Separation between billboard/off-site advertising signs shall be maintained at 1,500 feet on the same side of the road. "V" style signs, not to exceed two sides, shall be permitted in any case where the angle sustained at the apex does not exceed 50 degrees and where the width between the poles at the apex does not exceed 4 ft.

Applications shall include a survey certified by a registered land surveyor of distances from the nearest billboard(s), and residential districts within 300-feet of the site.
- 6.1.5.3.6.4 For digital signs, there is a 6 seconds minimum for each message. There is a 2 seconds maximum to change messages. Message must change simultaneously for the entire sign face. The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs.
- 6.1.5.3.6.5 Only one billboard is permitted per tract of land.
- 6.1.5.3.6.6 Billboard height not to exceed fifty feet (50'). The height shall be measured from the finished grade level to the top of the (highest) sign face.
- 6.1.5.3.6.7. Billboard/Off site advertising signs shall only be permitted within 200 feet of the Polk County Parkway (SR 570 toll) and Interstate 4.

6.1.5.4. SITE PLANNING, EXTERNAL RELATIONSHIPS.

- 6.1.5.4.1. *Orientation of permitted uses and structures.* Commercial and service uses and structures and their parking areas shall be oriented toward arterial streets and away from adjacent minor streets in

residential districts or from adjacent residential districts not separated from the district by streets.

6.1.5.4.2. *Vehicular and pedestrian entrances and exits.*

6.1.5.4.2.1. Principal vehicular access for the general public shall be only from arterial streets or from collector streets with direct connections to arterial streets. Vehicular access from minor streets through residential districts shall generally be avoided, and where permitted shall be so located, designed and controlled as to be primarily for convenience of residents of adjoining residential areas and not for general public access. Where appropriate to the circumstances of a particular case, access to dwelling units within the district may be from adjacent minor streets, provided that such access does not have substantial adverse effects on residential districts served by such streets. Pedestrian access may be provided at any suitable location within the district, but shall as a general rule be separate from vehicular access points in order to reduce congestion and pedestrian hazards.

6.1.5.4.2.2. At principal vehicular access points, ingress and egress lanes may be required, with length and width as appropriate to the anticipated flow of traffic, and traffic separation devices may be required at such entrances and exits and along ingress or egress lanes. Whether required or provided voluntarily, such ingress and egress lanes may be included as part of the required yard adjacent to the arterial or designated local streets.

6.1.5.4.3. *External yards.* Except where the district adjoins a Commercial, Industrial, PD-C or PD-I district, yards with a minimum width of 25 feet shall be provided along all property lines at edges of the district. Landscaping and use of side yards shall be as required below. Where the district adjoins a Commercial, Industrial, PD-C or PD-I district, yards with a minimum width of 15 feet shall be provided along all property lines at edges of the district.

6.1.5.4.3.1. Along arterial or collector streets, except in areas described in 6.1.5.4.3.2. below, the nearest 10 feet to the right-of-way shall be maintained in landscaping unless ingress or egress lanes are provided as indicated in 6.1.5.4.2. above, in which case the nearest 10 feet to the ingress or egress lane shall be landscaped. The remainder of such yard may be used for surface or sub-surface off-street parking.

6.1.5.4.3.2. Where front or side yards in residential districts adjoin the PD-C1 district without an intervening street, the nearest 25

feet to the right-of-way within the PD-C1 district shall be maintained in landscaping for a distance of 25 feet within the district and no vehicular access or parking shall be permitted in such landscaped areas.

6.1.5.4.3.3. Where lots in residential districts front on minor streets at the edges of a PD-C1 district, the nearest 25 feet to the right-of-way within the PD-C1 district shall be maintained in landscaping and no off-street parking shall be permitted in such area. Vehicular access through such landscaped strips shall be only where provided for convenience of residents of adjoining residential areas and not for general public access.

6.1.5.4.3.4. In general, landscaping as required above shall be of a nature which conceals extensive parking areas, service areas within the district, and other undesirable views into the district, wherever such concealment is reasonably practicable, but shall not create hazards to automotive traffic or pedestrians at intersections within or adjoining the district.

6.1.5.4.3.5. Where the PD-C1 district backs up to or sides against lots or land zoned residential, or alleys adjacent to lots or land zoned residential, a 6 foot high solid wall shall be required to be constructed by the petitioner along lot lines or along or across the alley from side or rear yard lines of lots zoned residential. There shall be no vehicular access to the PD-C1 district through such wall.

6.1.5.4.3.6. All landscaping installed according to the requirements of 6.1.5.4.3.1. thru 6.1.5.4.3.5. above shall also meet the requirements of Chapter 10 and the visibility requirements of Chapter 12 of the LDR.

6.1.5.5. LIMITATIONS ON SIGNS. No signs intended to be read from off the premises shall be permitted except:

6.1.5.5.1. *Signs for identification of shopping centers and shopping center establishments.* On sites less than five (5) acres, one sign for each street frontage with one or two sign surfaces with a maximum of 50 sq. ft. of surface area for each surface for the purpose of general identification of the shopping center by name and for identification of establishments in the center by name and nature is permitted. On sites that are five (5) acres or more, one sign for each street frontage with one or two sign surfaces with a maximum of 200 sq. ft. of surface area for each surface for the purpose of general identification of the shopping center by name and for identification of establishments in the center by name and nature is permitted. Such signs may be erected in required yards adjacent to streets only to the extent

permitted under 6.1.5.5.3. below, but may be erected on independent sign structures to the rear of the required yard or on buildings to the extent permitted by the formula below, provided that if permitted signs are erected in required yards, their number and area shall be subtracted from the total permissible in determining the number and area of general identification signs to be erected outside of required yards on the premises.

6.1.5.5.2. *Signs for businesses within the shopping center.* One sign and 10 sq. ft. of surface area for each 10 lineal feet of building frontage and for each 20 lineal feet of sides of buildings next to and visible from public streets not constituting frontage, shall be permitted. Such signs shall refer only to the name and nature of the business conducted in the building and to goods and services offered, shall be mounted flat against the wall or window of the building or on marquees or awnings, or shall project not more than 3 feet from the wall of the building nor more than 3 feet above the building roof line.

6.1.5.5.3. *No sign in the PD-C1 district shall be oriented toward any adjacent residential district.* No source of illumination for signs in the PD-C1 district shall be directly visible from any adjacent residential district, provided, however, that this provision shall not be deemed to prohibit indirectly lighted signs.

6.1.5.5.4. *No sign which is not approved as part of the preliminary plan shall be erected;* provided, however, that in the event of changes in ownership or name or character of establishments, new signs may be erected reflecting such change upon a finding by the Administrative Official that the new sign is essentially the same in size, character, location and orientation as the sign to be replaced.

6.1.5.6. SITE PLANING, INTERNAL RELATIONSHIPS.

6.1.5.6.1. In general, the site plan shall provide a unified and organized arrangement of buildings, service areas, parking and landscaped open space providing for maximum comfort and convenience of customers. Commercial buildings shall be so grouped in relation to parking areas that after customers arriving by vehicle enter the center, establishments can be visited with a minimum of internal vehicular movement.

6.1.5.6.2. Facilities and access routes for shopping center deliveries, servicing and maintenance shall, so far as is reasonably practicable, be separated from customer access routes and parking areas.

6.1.5.6.3. Areas where deliveries are to be made to customers in automobiles, or where services are to be provided for automobiles,

shall be so located and arranged as to prevent interference with pedestrian traffic within the center.

6.1.5.6.3.1. Maximum height of structures. There are no height limitations in the PD-C1 district; provided, however, that with buildings exceeding 40 feet in height, that portion of the building above this height must be set back 2 horizontal feet for each 1 vertical foot in excess of 40 feet on all sides where the lot is adjacent to lots or land zoned residential or to alleys adjacent to lots or land zoned residential.

6.1.5.6.3.2. Minimum area requirements for PD-C1 districts shall be 2 acres.

6.1.5.6.3.3. Maximum land occupancy by all buildings. Total land occupancy by all buildings shall not exceed 35% of the area of the district; provided, however, that underground parking structures when located beneath retail floor areas and pedestrian areas shall not be included in computations of land occupancy by buildings.

6.1.5.6.3.4. Maximum floor area ratio. Total floor area shall not exceed 30% of district area; provided, however, that if enclosed parking facilities are provided the total floor area may be increased proportionately to 40%. The proportional increase shall be based upon 1 square foot of additional floor space for each square foot of enclosed parking area. Total floor area computation for determining compliance with the requirements shall include all floor area in permitted principal and accessory uses, whether involving commercial or service uses; provided, however, that floor area for off-street parking or loading in structures shall not be included in the initial 30% maximum.

6.1.5.6.3.5. Minimum off-street parking and loading requirements. For each 100 sq. ft. of gross floor area, one off-street parking space shall be provided. Adequate off-street loading facilities, separate from off-street parking facilities, shall be provided at the side or rear of commercial and service buildings.

6.1.5.6.3.6. Maximum impervious surfaces permitted for all land occupancy within the PD-C1 District shall be 65%.

6.1.5.6.4. Within the boundaries of the Auburndale Green Swamp Protection Area site planning for PD-C1 shall not increase Impervious Surface Ratios, Floor Area Ratios (FARs), and other calculations contained herein beyond that which is allowed by the Comprehensive Plan and the

underlying future land use as shown on the Future Land Use Map in the Comprehensive Plan.

6.1.5.7. **ADDITIONAL MATERIALS REQUIRED.** In addition to materials required in the PD petition as generally provided for in 6.1.1.6., the below information shall accompany a PD-C1 amendment petition.

6.1.5.7.1. The development plan shall be accompanied by information showing existing conditions and present development of the area within at least 300 feet of the tract boundaries. Such information shall include, but not be limited to, a map showing existing land uses within the 300 foot area and present zoning classifications of these adjacent properties.

6.1.5.7.2. *Market analysis.* In addition to the development plan, a market analysis, prepared by a competent expert, shall be included. The analysis should show the need for a retail commercial and/or service use of the character and size proposed at the location requested and the inadequacy of present zoning to meet this need. The analysis shall include determination of the primary trade area of the proposed business activity as related to the primary trade areas of related existing commercial facilities; the present and projected future population of the trade area; the effective buying power in the primary trade area which can be expected to utilize the proposed use; and the overall economic impact the proposed development will have on the City.

6.1.5.7.3. *Development schedule.* A development schedule shall be established outlining the timing of commencing construction of the proposed development, and its completion if the rezoning is approved.

Sec. 6.1.6. PLANNED DEVELOPMENT - COMMERCIAL DISTRICTS, PD-C2.

The following regulations and requirements apply to planned developments primarily for commercial uses on parcels of land less than 2 acres in area.

6.1.6.1. **PLANNED DEVELOPMENT - COMMERCIAL 2, DEFINED.** A PD-C2 is defined for the purposes of these regulations as a planned development (as defined generally in 6.1.1.3.) primarily for limited retail commercial services and related uses and facilities.

6.1.6.2. **PD-C2 DISTRICTS, WHERE PERMITTED.**

6.1.6.2.1. PD-C2 districts may hereafter be established within areas classified Commercial on the Future Land Use Map by amendments to the Official Zoning Map in accordance with the provisions set forth generally for PD districts in 6.1.1.6. above; except that the PD-C2 district may be considered as an extension of any other commercial

zoning district for purposes of meeting minimum area rezoning requirements.

6.1.6.2.2. Creation of PD-C2 districts will be permitted where limited retail commercial services and related uses are appropriate and will serve neighborhoods and areas not already conveniently and adequately provided with limited retail commercial and service facilities of the kind proposed. It is intended to permit the establishment of such districts only where limited retail commercial services and related uses are placed within a cluster of organized buildings, service and parking areas, and open space will serve clearly demonstrated public need, minimize traffic congestion and points of conflict below that which would result from lot by lot commercial development along thoroughfares, and encourage stability and protect property values m surrounding neighborhoods.

6.1.6.3. PERMITTED PRINCIPAL AND ACCESSORY USES.

6.1.6.3.1. *Restrictions on uses.* In order to preserve the essential character of the district and to protect adjoining and nearby property, certain uses are permitted in the PD-C2 districts. Limited retail commercial and service uses are permitted as follows:

6.1.6.3.1.1. Limited retail such as grocery, variety, drug store, hardware and similar uses.

6.1.6.3.1.2. Personal services such as barber and beauty shops.

6.1.6.3.1.3. Laundry, dry-cleaning and laundromat establishments, shoe repair, establishments for service and repair of household appliances, provided that no such establishment shall employ more than 5 persons in processing on the premises.

6.1.6.3.1.4. Restaurants, but not including drive in restaurants, provided that no alcoholic beverages shall be sold or served on the premises.

6.1.6.3.1.5. Governmental uses.

6.1.6.3.1.6. Medical Marijuana Dispensing Facility.

6.1.6.3.2. *Certain other uses.*

6.1.6.3.2.1. Service stations, kennels, and garden supply centers are often found in small scale shopping centers. If such activities are proposed as a part of the PD-C2 they must be included in the request for amendment. If outside display of products is involved, such activity shall be well away from

residential districts and properly screened. If service stations are to be permitted, their locations shall be a part of the amendment; they shall be so located that there will be no interference with pedestrian traffic. The requirements set out for service stations in Chapter 5 of the LDR as a minimum shall apply.

6.1.6.3.2.2. Because of existing unusual and unique circumstances of a site, certain nonconforming uses may be permitted to continue and expand when it can be determined through the PD-C2 petition and review process that such use and expansion is within the spirit and intent of the zoning ordinance, appropriate in a commercial district, consistent with the provisions of the Comprehensive Plan and that such PD-C2 approval shall contain a time frame for such nonconforming use or uses to be terminated and changed to a conforming use or uses. When a petition is submitted as provided for in this section for rezoning of land where substantial site improvements exist, the petitioner shall submit an as-built survey in addition to plans for future improvements as required herein. At the time of rezoning hearings, the petitioner shall submit a specific program for transition from nonconforming to conforming use or uses and such program shall be included as part of any such approval or approval with conditions of the request.

6.1.6.3.3. *Accessory uses and structures.*

6.1.6.3.3.1. Permitted are uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures and which do not involve operations or structures not in keeping with the character of the district; provided, however, that garbage and trash shall be kept in closed containers, and that such containers shall not be visible from residential districts, from portions of the premises customarily open to customer parking or customer pedestrian or automotive traffic, or from public ways.

6.1.6.3.3.2. Dwelling units, when a part of the permitted principal use, provided requirements for area, setback, height and related requirements shall be set, and provided further, that all such dwellings shall be confined to the rear one-half of the ground floor, or to a floor other than the ground floor of the principal permitted use. Dwelling units shall be limited to one for each permitted principal use and contain a minimum of 500 sq. ft. of living area but in no case shall the aggregate residential floor area exceed the aggregate floor area of the permitted principal use.

6.1.6.3.4. Prohibited uses and structures. Other than as provided above, residential and institutional uses are prohibited; playing of music or making of announcements directly or through mechanical or electronic devices in a manner audible at any residential zoning district boundary; outdoor display, storage, sales, or services except as specifically set out in this subsection; bars, nightclubs or clubs with live or related entertainment and in general any uses or structures not of a nature specifically permitted herein or customarily accessory to uses or structures specifically permitted.

6.1.6.3.5. The following is prohibited within the boundaries of the Green Swamp Area of Critical State Concern:

6.1.5.3.5.1. Funeral Homes.

6.1.5.3.5.2. Dry Cleaning Establishments.

6.1.5.3.5.3. Dry cleaning plants

6.1.5.3.5.4. Truck Terminals

6.1.5.3.5.5. Warehouses and mini-warehouses when located on a Tourism Commercial Center Future Land Use.

6.1.5.3.5.6. Wholesale chemical operations

6.1.5.3.5.7. Chemical research operations

6.1.5.3.5.8. Petroleum pipelines

6.1.5.3.5.9. Petroleum related industries and fuel dealers (however, gas stations may be permitted)

6.1.5.3.5.10. Non-certified Electric-power Generation Facilities

6.1.6.3.5. Billboards/Off-Site Advertising provided all other requirements are met as required herein and with the following conditions:

6.1.6.3.5.1. Minimum Setback Requirements as measured from edge of sign:

35 foot from any public right of way or property line.

300 feet from all property lines abutting Residential zoning districts.

500 feet from any right of way intersection, interchange, or rest area.

6.1.6.3.5.2. Billboards shall not exceed 672 square feet in surface area per side or 1,344 square feet in total combined surface area, including embellishments.

6.1.6.3.5.3. Separation between billboard/off-site advertising signs shall be maintained at 1,500 feet on the same side of the road. "V" style signs, not to exceed two sides, shall be permitted in any case where the angle sustained at the apex does not

exceed 50 degrees and where the width between the poles at the apex does not exceed 4 ft.

Applications shall include a survey certified by a registered land surveyor of distances from the nearest billboard(s), and residential districts within 300-feet of the site.

6.1.6.3.5.4 For digital signs, there is a 6 seconds minimum for each message. There is a 2 seconds maximum to change messages. Message must change simultaneously for the entire sign face. The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs.

6.1.6.3.5.5 Only one billboard is permitted per tract of land.

6.1.6.3.5.6 Billboard height not to exceed fifty feet (50'). The height shall be measured from the finished grade level to the top of the (highest) sign face.

6.1.6.4. SITE PLANNING, EXTERNAL RELATIONSHIPS.

6.1.6.4.1. *Orientation of permitted uses and structures.* Commercial and service uses and structures and their parking areas shall be oriented toward arterial streets and away from adjacent minor streets in residential districts or from adjacent residential districts not separated from the district by streets.

6.1.6.4.2. *Vehicular and pedestrian entrances and exits.*

6.1.6.4.2.1. Principal vehicular access for the general public shall be only from arterial or collector streets. Vehicular access from minor streets through residential districts shall generally be avoided, and where permitted shall be so located, designed and controlled as to be primarily for convenience of residents of adjoining residential areas and not for general public access. Where appropriate to the circumstances of a particular case, access to dwelling units within the district may be from adjacent minor streets, provided that such access does not have substantial adverse effects on residential districts served by such streets. Pedestrian access may be provided at any suitable location within the district, but shall as a general rule be separate from vehicular access points in order to reduce congestion and hazards.

6.1.6.4.2.2. At principal vehicular access points, ingress and egress lanes may be required, with length and width as appropriate to the anticipated flow of traffic, and traffic separation devices may be required at such entrances and exits and along ingress or egress lanes. Whether required or provided voluntarily, such ingress and egress lanes may be included as part of the required yard adjacent to the arterial or collector streets.

6.1.6.4.3. *External yards.* Except where the district adjoins a Commercial, Industrial, PD-C or PD-I district, yards with a minimum width of 25 feet shall be provided along all property lines at edges of the district. Landscaping and use of side yards shall be as required below. Where the district adjoins a Commercial, Industrial, PD-C or PD-I district, yards with a minimum width of 15 feet shall be provided along all property lines at edges of the district.

6.1.6.4.3.1. Along collector or arterial streets, except in areas described in 6.1.6.4.3.2. below, the nearest 10 feet to the right-of-way shall be maintained in landscaping unless turn-out or merging lanes are provided as indicated in 6.1.6.4.2.2. above, in which case the nearest 10 feet to the ingress or egress lane shall be landscaped. The remainder of such yard may be used for surface or sub-surface off-street parking.

6.1.6.4.3.2. Where front or side yards in residential districts adjoin the PD-C2 district without an intervening street, the nearest 25 feet to the right-of-way within the PD-C2 district shall be maintained in landscaping for a distance of 25 feet within the district and no vehicular access or parking shall be permitted in such landscaped areas.

6.1.6.4.3.3. Where lots in residential districts front on minor streets at the edges of a PD-C2 district, the nearest 25 feet to the right-of-way within the PD-C2 district shall be maintained in landscaping and no off-street parking shall be permitted in such area. Vehicular access through such landscaped strips shall be only where provided for convenience of residents of adjoining residential areas and not for general public access.

6.1.6.4.3.4. In general, landscaping as required above shall be of a nature which conceals extensive parking areas, service areas within the district, and other undesirable views into the district, wherever such concealment is reasonably practicable, but shall not create hazards to automotive traffic or pedestrians at intersections within or adjoining the district.

6.1.6.4.3.5. Where the PD-C2 district backs up to or sides against lots or land zoned residential, or alleys adjacent to lots or land

zoned residential, a 6 foot high solid wall shall be required to be constructed by the petitioner along lot lines or along or across the alley from side or rear yard lines of lots zoned residential. There shall be no vehicular access to the PD-C2 district through such wall.

6.1.6.4.3.6. All landscaping installed according to the requirements of 6.1.6.4.3.1. thru 6.1.6.4.3.5. above shall also meet the visibility requirements of Chapter 12 of the LDR.

6.1.6.5. LIMITATIONS ON SIGNS. No signs intended to be read from off the premises shall be permitted except:

6.1.6.5.1. *Signs for identification of limited retail commercial and service uses.* One sign for each street frontage with one or two sign surfaces with a maximum of 50 sq. ft. of surface area for each surface for the purpose of general identification of the permitted uses by name and for identification of the establishments is permitted. Such signs may be erected in required yards adjacent to streets only to the extent permitted under 6.1.6.5.3. below, but may be erected on independent sign structures to the rear of the required yard or on buildings to the extent permitted by the formula below, provided that if permitted signs are erected in required yards, their number and area shall be subtracted from the total permissible in determining the number and area of general identification signs to be erected outside of required yards on the premises.

6.1.6.5.2. *Signs for businesses.* One sign and 10 sq. ft. of surface area for each 10 lineal feet of building frontage and for each 20 lineal feet of sides of buildings next to and visible from public streets not constituting frontage shall be permitted. Such signs shall refer only to the name and nature of the business conducted in the building and to goods and services offered, shall be mounted flat against the wall or window of the building or on marquees or awnings, or shall project not more than 3 feet from the wall of the building nor more than 3 feet above the building roof line.

6.1.6.5.3. *No sign in the PD-C2 district shall be oriented toward any adjacent residential district.* No source of illumination for signs in the PD-C2 district shall be directly visible from any adjacent residential district, provided, however, that this provision shall not be deemed to prohibit indirectly lighted signs.

6.1.6.5.4. *No sign which is not approved as part of the preliminary plan shall be erected;* provided, however, that in the event of changes in ownership or name or character of establishments, new signs may be erected reflecting such change upon a finding by the Administrative

Official that the new sign is essentially the same in size, character, location and orientation as the sign to be replaced.

6.1.6.6. SITE PLANNING, INTERNAL RELATIONSHIPS.

6.1.6.6.1. In general, the site plan shall provide a unified and organized arrangement of buildings, service areas, parking and landscaped open space providing for maximum comfort and convenience of customers. Commercial buildings shall be so grouped in relation to parking areas that customers can conveniently move about with minimum interference with vehicular movement.

6.1.6.6.2. Facilities and access routes for commercial center deliveries, servicing and maintenance shall so far as reasonably practicable be separated from customer access routes and parking areas.

6.1.6.6.3. Areas where deliveries are to be made to customers in automobiles, or where services are to be provided for automobiles, shall be so located and arranged as to prevent interference with pedestrian traffic within the center.

6.1.6.6.3.1. Maximum height of structures. There are no height limitations in the PD-C2 district; provided, however, that with buildings exceeding 40 feet in height, that portion of the building above this height must be set back 2 horizontal feet for each 1 vertical foot in excess of 40 feet on all sides where the lot is adjacent to lots or land zoned residential or to alleys adjacent to lots or land zoned residential.

6.1.6.6.3.2. Maximum area requirements for PD-C2 districts. Maximum area for PD-C2 district shall be less than 2 acres. (See Chapter 21 of the LDR for minimum area requirements.)

6.1.6.6.3.3. Maximum land occupancy by all buildings. Total land occupancy by all buildings shall not exceed 35% of the area of the district.

6.1.6.6.3.4. Maximum floor area ratio. Total floor area shall not exceed 30% of district area. Total floor area computation for determining compliance with the requirements shall include all gross floor area in permitted principal and accessory uses, whether involving commercial or service uses.

6.1.6.6.3.5. Maximum impervious surfaces permitted for all land occupancy within the PD-C2 District shall be 65%.

6.1.6.6.3.6. Minimum off-street parking and loading requirements. For each 100 sq. ft. of gross floor area, one off-street parking

space shall be provided. Adequate off-street loading facilities, separate from off-street parking facilities, shall be provided at the side or rear of commercial and service buildings.

6.1.6.6.4. Within the boundaries of the Auburndale Green Swamp Protection Area site planning for PD-C2 shall not increase Impervious Surface Ratios, Floor Area Ratios (FARs), and other calculations contained herein beyond that which is allowed by the Comprehensive Plan and the underlying future land use as shown on the Future Land Use Map in the Comprehensive Plan.

6.1.6.7. **ADDITIONAL MATERIALS REQUIRED.** In addition to materials required in the PD petition as generally provided in 6.1.1.6., the below information shall accompany a PD-C2 amendment petition.

6.1.6.7.1. The development plan shall be accompanied by information showing existing conditions and present development of an additional area within at least 300 feet of the tract boundaries; such information shall include, but not be limited to, a map showing existing land use within the 300 foot area and present zoning classifications of these adjacent properties.

6.1.6.7.2. *Market analysis.* In addition to the development plan, a market analysis, prepared by a competent expert, shall be included. The analysis should show the need for a retail commercial and/or service use of the character and size proposed at the location requested and the inadequacy of present zoning to meet this need. The analysis shall include determination of the primary trade area of the proposed business activity as related to the primary trade areas of related existing commercial facilities; the present and projected future population of the trade area; the effective buying power in the primary trade area which can be expected to utilize the proposed use; and the overall economic impact the proposed development will have on the City.

6.1.6.7.3. *Development schedule.* A development schedule shall be established outlining the timing of commencing construction of the proposed development, and its completion if the rezoning is approved.

Sec. 6.1.7. PLANNED DEVELOPMENT RECREATIONAL VEHICLE PARKS, PDRVP

6.1.7.1. FOR PURPOSES OF THIS ARTICLE THE FOLLOWING DEFINITIONS SHALL APPLY:

6.1.7.1.1. *Recreational vehicle.* Includes travel trailers, pickup coaches or campers, motor homes, camping trailers and other forms of transportable housing or shelter used for recreational purposes. For purposes relating to regulation of such recreational vehicles, an

individual facility of the kind indicated may be referred to hereafter as a unit. Such a unit shall not exceed 35 feet body length (not including hitches or bumpers).

6.1.7.1.2. *Recreational vehicle space.* Land set aside for the placement of a unit and the exclusive use of its occupants. Stand is an area within the space designed and improved for occupancy by a unit.

6.1.7.1.3. *Unit, self-contained.* A unit which can operate independent of connections to sewer, water and electric systems, containing within the unit a toilet, water storage connected to a kitchen sink, and holding facilities for all liquid wastes.

6.1.7.1.4. *Unit, dependent* A unit other than an independent unit.

6.1.7.1.5. *Recreational vehicle park.* A parcel of land or premises under unified control, planned and developed as a whole in a single development or a programmed series of development operations for recreational use by persons with recreational vehicles, with appropriate accessory uses and structures. Such parks and campgrounds are divided into 2 classes: Route, intended primarily for overnight stops by vacationers traveling through the area; and Destination, intended primarily for long-term stays. Such facilities may be referred to hereafter as a park.

6.1.7.2. PDRVP DISTRICTS, WHERE PERMITTED.

6.1.7.2.1. PDRVP districts may hereafter be established within areas currently classified Highway Commercial, CH on the Future Land Use Map, by amendments to the Official Zoning Map in accordance with the provisions set forth generally for PD districts in Sec. 6.1.1. above.

6.1.7.2.2. Creation of PDRVP districts will be permitted where planned recreational vehicle parks with carefully organized sites, buildings, recreation facilities, open spaces, buffering, streets and related facilities will serve clearly demonstrated public need and protect stability and property values in surrounding land uses.

6.1.7.2.3. PDRVP districts may only be established from preexisting CH districts adjacent to principal arterials, which are to be considered routes of tourist travel, subject to further limitations on access as set forth generally in 6.1.7.5. below and to general limitations as to districts from which PDRVP districts may be permitted.

6.1.7.3. GENERAL.

6.1.7.3.1. *Placement.* Recreational vehicles, as defined in 6.1.7.1., shall be placed only in parks except as provided otherwise in this Article.

6.1.7.3.2. *Temporary use.* A recreational vehicle may be used in any zoning district as a temporary office or shelter for materials or tools (but not for residential purposes except in cases where it can be demonstrated to the satisfaction of the Administrative Official that for security reasons such occupancy is necessary and essential and except as provided otherwise herein) incidental to construction on or development of the premises upon which the recreational vehicle is located; such use shall be strictly limited to the time construction or development is actively under way. In no event shall the use continue more than 6 months without further approval of the Administrative Official, and such further approval shall be given only upon finding that actual construction is continuing.

6.1.7.3.3. *Guest.* Guest may be accommodated in recreational vehicles in residential districts for a period not to exceed 2 consecutive weeks within a 6 months calendar period. Such recreational vehicle shall be located so as to allow for the visibility triangle as required in Chapter 12 of the LDR.

6.1.7.3.4. *Hurricane shelters.* All recreational vehicle parks shall be required to provide hurricane shelter space sufficient to meet the needs of the development's projected hurricane season population. Plans for such shelter(s) shall be reviewed and approved by the Polk County Emergency Preparedness Director for sufficiency and compliance with current law prior to the City issuance of a development order for the recreational vehicle park.

6.1.7.4. RECREATIONAL VEHICLE PARK, USES AND STRUCTURES.

6.1.7.4.1. *Permitted principal uses and structures*

6.1.7.4.1.1. Uses of recreational vehicles provided that recreational vehicle sales lots shall be prohibited.

6.1.7.4.1.2. Structures and uses required for the operation, maintenance and management of the recreational vehicle park, except as provided for under 6.1.7.4.3. below.

6.1.7.4.2. *Permitted accessory uses and structures.* Permitted accessory uses and structures include uses and structures customarily accessory and clearly incidental and subordinate to permitted principal uses and structures, except as provided for under 6.1.7.4.3. below.

6.1.7.4.3. *Permissible uses and structures.* In addition to principal and accessory uses and structures permitted by right, facilities planned for development as part of the park which promotes the comfort, convenience or enjoyment of occupants of the park, may be permitted

subject to regulations governing such uses generally, to limitations and requirements stated below in particular, and to such additional conditions and safeguards as may be established by the Planning Commission and City Commission as appropriate to the circumstances of the particular park and its relation to surrounding property. Such facilities include the following:

6.1.7.4.3.1. Convenience establishments. Establishments for the sale or rental of supplies or for provision of services for satisfaction of daily or frequent needs of campers within the park may be permitted. Such establishments include those providing groceries, ice, sundries, bait and fishing equipment, self-service laundry equipment and the like, but not sale of gasoline for automobiles, boats, or other vehicles. Such establishments shall be designed to serve only the needs of occupants of the park, and shall not, including their parking area, occupy more than 5 per cent of the area of the park, and shall be so located as not to attract patronage from outside the park, nor to have adverse effects on surrounding land uses. The structures housing such facilities shall not be located closer than 100 feet to any public street or property line.

6.1.7.4.3.2. Marinas, Launching Ramps. Marinas, launching ramps and the like may be permitted when appropriate to the character and location of the park, provided that such installation shall be located with due regard to the peace and tranquility in any adjoining residential district, and shall not provide facilities for long-term storage of boats other than those rendered in connection with the park operation, or for major repair or overhaul of boats. Requirements and restrictions applied in particular cases may include limitations on hours and manner of operation, requirements for boat trailer storage sizes and types of boats and motors and related activities.

6.1.7.4.4. *Length of stay.* In parks designated Route (R), length of stay by a unit and its occupants on a site shall be limited to 30 days. No time limits for length of stay shall apply to parks designated Destination (D).

6.1.7.5. SITE PLANNING.

6.1.7.5.1. *Site planning; external relationships.* Site planning within the park shall provide protection of the development from potentially adverse surrounding influences, and assure reasonable compatibility with surrounding areas. In particular:

6.1.7.5.1.1. Physical character of the site. The site shall be suitable for development in the manner proposed without hazards to

persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Conditions of soil, ground water level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

6.1.7.5.1.2. Access generally. No park shall be located except with direct access to the arterial or collector streets of the City (as identified in the Comprehensive Plan) and shall have a minimum of 150 feet of frontage on such major roadways. The park shall be so located that no entrance or exit from the park shall discharge traffic into any residential district, nor require movement of traffic from the park through a residential district.

6.1.7.5.1.3. Vehicular access.

6.1.7.5.1.3.1. Vehicular access to the park shall be designed for safe and convenient movement of inbound and outbound traffic with minimum friction with the free movement of traffic on adjacent streets. All vehicular traffic to and from the park shall be by such entryways, and direct vehicular access to individual spaces within the park, and not from adjoining public streets or across public walkways or rights-of-ways. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and curve radii at intersections shall be such as to facilitate easy turning movements for vehicles with towed attachments.

6.1.7.5.1.3.2. No material impediment to visibility shall be created or maintained which obscures the view of an approaching driver in a street's right lane bordering the park.

6.1.7.5.1.4. Access for pedestrians, nonmotorized vehicles and the like. Access for pedestrians, cyclists and others entering or leaving the park (if such facilities are provided in view of the location of the park and anticipated activities) shall be safe and convenient routes. Such access need not be adjacent to, or in the vicinity of, vehicular access points. Where there are crossings of roadways for pedestrians, cyclists or other riders at the edges of parks, they shall be safely located, marked and controlled, and where such ways are exposed to substantial vehicular traffic on roads, safeguards may be required to prevent crossings except at designated points. Adequate provision shall be made for mutual visibility of drivers and persons crossing at such points.

6.1.7.5.1.5. Relation to utilities, public facilities and services. (See 6.1.1.3.)

6.1.7.5.1.6. Yards, fences, walls and vegetative screening at edges of parks:

6.1.7.5.1.6.1. Yards adjacent to arterials and collectors as classified in the Traffic Circulation Element shall be a minimum of 50 feet in depth and 25 feet for all other public streets.

6.1.7.5.1.6.2. Where the park adjoins other properties without an intervening street or other permanent open space at least 75 feet in width between buildable areas, minimum yard depth along such boundary shall be as follows:

6.1.7.5.1.6.2.1. Adjacent to residential and industrial zoned properties - 50 feet.

6.1.7.5.1.6.2.2. Adjacent to commercial and institutional zoned properties - 40 feet.

6.1.7.5.1.6.2.3. Adjacent to agricultural and flood hazard zoned properties - 25 feet.

6.1.7.5.1.6.3. In no case shall any units or structural additions thereto be located within any of the above required minimum yards.

6.1.7.5.1.6.4. In any situation where necessary to protect occupants of the park from undesirable views, lighting, noise, or other off-site influences, or to protect occupants of adjoining properties from similar adverse influences within the park, yards of greater dimensions than the minimum set forth above may be required, and/or there may be requirements for walls, fences or vegetative screening as may be specified in the particular case.

6.1.7.5.1.7. Limitations on Signs. No sign intended to read from any public roadway adjoining the park shall be permitted, except as follows:

6.1.7.5.1.7.1. Where a park or portion of a park is adjoined on both sides by commercial or other nonresidential zoning districts fronting on the same street, sign regulations shall be as for the most restrictive adjoining zoning district.

6.1.7.5.1.7.2. Where a park or portion of a park is adjoined on one side by a commercial or other nonresidential district fronting on the same street and on the other side by a residential district (including agriculture) or where such park or portion of a park is adjoined on both sides by residential districts (including agriculture) fronting on the same street, signs shall be regulated in accordance with the requirements of the most restrictive residential district so adjoining and provided further, not to exceed one sign may be erected for each street frontage. Such signs may have either one or combined back-to-back surfaces, with size of each limited to 24 sq. ft. in area. Such signs shall indicate only the name of the park, the nature of facilities offered, the location of the entrance, and whether or not there are vacancies. Such signs shall not be located closer than 25 feet to any boundary of the district adjoining a residential district and shall be oriented away or screened from residential uses within such district. Illumination of these signs shall be such as to minimize negative impact within adjoining residential districts.

6.1.7.5.2. *Site planning and improvement; internal relationships, limitations and requirements.* Within the park, the site plan and improvements as built and maintained shall provide for facilities and amenities appropriate to the needs of users and safe, comfortable, convenient and sanitary use by occupants during all weather conditions to be reasonably expected during periods of occupancy. In particular:

6.1.7.5.2.1. Minimum area and dimensional requirements of parks. Minimum area of a park: designated as a Route (R) park, 4 acres; designated as a Destination (D) park, 8 acres. No portion of such park intended for occupancy by units shall be less than 150 feet in minimum dimension. Portions for access only shall have a minimum width of 100 feet.

6.1.7.5.2.2. Minimum number of spaces to be available at time of issue of certificate of occupancy. At the time of issue of certificate of occupancy of any part of the park, all required facilities and improvements shall have been completed, and the minimum number of spaces available and ready for initial occupancy shall be 50.

6.1.7.5.2.3. Maximum density. Maximum density shall not exceed 18 spaces per gross acre within the park. Within the Auburndale Green Swamp Protection Area maximum densities, floor area

ratios, and impervious surface ratios may not exceed those established by the Comprehensive Plan and the underlying future land use as shown on the Future Land Use Map in the Comprehensive Plan.

6.1.7.5.2.4. Spaces, general. Spaces shall be so located in relation to internal streets as to provide for convenient vehicular ingress and egress if the space is intended for use by wheeled units. Where back-in or back-out spaces are used, appropriate maneuvering room shall be provided in the adjacent internal street and within the space. Spaces shall be so related to pedestrian ways and principal dimensions within the park as to provide for convenient pedestrian access to such destinations by the pedestrian system. Each space shall provide a stand and the clearances and open spaces specified herein, and the boundaries of each stand and space shall be clearly indicated:

6.1.7.5.2.4.1. Spaces for dependent units shall be located within 200 feet by normal pedestrian routes of toilet, washroom and bath facilities, and no dependent unit shall be located on a space which is farther from such facilities.

6.1.7.5.2.4.2. Spaces for self-contained units, operating as such may be located more than 200 feet, but not more than 400 feet by normal pedestrian routes from toilet, washroom and bath facilities.

6.1.7.5.2.5. Minimum lot area and dimensions. A minimum of 1,200 sq. ft. shall be provided for each space in a route (R) park. A minimum of 1,500 sq. ft. shall be provided for each space in a destination (D) park. Minimum lot or space width for each unit shall be 30 feet.

6.1.7.5.2.6. Stands. Stands shall be of such size, be so located in spaces, and be so improved, as to provide for the type of units which are to use them. Stands shall be so located that when used, clearances from units, including attached awnings and the like, shall be as follows:

6.1.7.5.2.6.1. From all units or any structural additions thereto on adjoining stands - 12 feet.

6.1.7.5.2.6.2. From walkways, internal streets or common parking areas - 12 feet.

6.1.7.5.2.6.3. From portions of buildings not containing uses likely to disturb stand occupants, or constructed or

oriented so that noise and lights will not be disturbing to occupants of nearby spaces - 12 feet.

6.1.7.5.2.6.4. From portions of buildings containing uses likely to disturb stand occupants and so constructed or oriented that noise and lights would be disturbing to occupants of nearby spaces - 25 feet.

6.1.7.5.2.7. Livability area within each space. Within each space there shall be provided a livability area, defined as an area suitably located and improved for outdoor use by occupants of units and not to be occupied by units or towing vehicles except during maneuvering incidental to location or removal. Such space shall be at least 8 feet in minimum dimensions and 160 sq. ft. in area in route (R) parks, 10 feet in minimum dimensions and 200 sq. ft. in area in destination (D) parks, and shall be so located as to be easily accessible from the entry side of units as normally parked and oriented on stands.

6.1.7.5.2.8. Pedestrian circulation. Streets serving less than 50 spaces may be used as part of the pedestrian circulation system. Elsewhere, if the relation of space locations to facilities within the park calls for the establishment of pedestrian ways, they shall be provided preferably as part of a common open space system away from streets, but otherwise as sidewalks. No common access to such pedestrian ways, or to facilities within the park, shall be through a unit space.

6.1.7.5.2.9. Recreation area. A minimum of 8 per cent of the gross area of the park shall be devoted to recreation area. Such recreation area may include space for common walkways and related landscaping in block interiors, provided that such common open space is a minimum of 20 feet in width, for use as passive recreation space. At least 50 percent of the total required recreation area shall be provided in larger tracts for facilities for active recreation, such as swimming pools or beaches, ball fields, shuffleboard courts, play lots for small children and the like, of a nature designed to serve the type of users anticipated, and so located above to be readily available from all spaces, and free from traffic hazards.

6.1.7.5.2.10. Fireplaces, cooking shelters, and related facilities. Where fireplaces, cooking shelters or similar facilities for open fires or outdoor cooking are provided within spaces or elsewhere, they shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance within the park and adjoining properties.

6.1.7.5.2.11. Internal streets. Alignment and gradient shall be properly adapted to topography. Construction and maintenance shall provide a smooth, hard, dense, well-drained surface. Such surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:

6.1.7.5.2.11.1. One-way, no parking (acceptable only if less than 500 feet in length and serving less than 25 spaces)....10 feet

6.1.7.5.2.11.2. Two-way, no parking, serving less than 50 spaces, or one-way with on-street parking on one side, serving less than 50 spaces....18 feet

6.1.7.5.2.11.3. Two-way, no parking, serving 50 or more spaces....20 feet

6.1.7.5.2.11.4. Two-way, parking on one side only....24 feet

6.1.7.5.2.11.5. Two-way, parking on both side....34 feet

6.1.7.5.2.12. Off-street parking, loading and maneuvering spaces. In connection with use of any park, no parking, loading, or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, or right-of-way, or on any private grounds not part of the park, unless the owner has given written permission for such use. Each park shall provide off-street parking, loading, and maneuvering space located and scaled so that the prohibitions above may be observed, and park owners shall be held responsible for violations of these requirements.

6.1.7.5.2.13. Sanitary stations. Sanitary stations shall be provided in each park for the proper disposal of liquid wastes from the sewage holding tanks of recreational vehicles so equipped as follows:

6.1.7.5.2.13.1. A sanitary station shall be provided consisting of at least a trapped 4 inch sewer riser pipe, connected to the park sewerage system, surrounded at the inlet end by a concrete apron sloped to the drain, provided with a suitable hinged cover and a water outlet with the necessary appurtenances, connected to the park water supply system to permit periodic wash down of the immediate adjacent areas.

6.1.7.5.2.13.2. Each park shall be provided with a sanitary station in the ratio of one for every 100 spaces or fractional part thereof.

6.1.7.5.2.13.3. Sanitary stations shall be screened from other activities by visual barriers such as fences, walls or vegetative growth and shall be separated from any space for occupancy by a recreational vehicle by a distance of at least 50 feet.

6.1.7.5.2.13.4. The sanitary station shall be located in a convenient and accessible location where it will not be a traffic hazard to internal or external park traffic.

6.1.7.5.2.13.5. The sanitary station shall be provided with sufficient lighting to illuminate the immediate area for night use.

Sec. 6.1.8. INDUSTRIAL PLANNED UNIT DEVELOPMENT, IPUD.

6.1.8.1. INTENT. Within areas classified Business Park on the Future Land Use Map of the comprehensive plan it is intended to permit, on application and approval of site and land use plans and amendment to the official zoning map, creation of Industrial Planned Unit Development, IPUD, districts where planned industrial parks are appropriate and will serve areas not already conveniently and adequately provided with such uses and services of the kind proposed.

6.1.8.2. INDUSTRIAL PLANNED UNIT DEVELOPMENT DEFINED, IPUD. For the purposes of this Article, an Industrial Planned Unit Development is:

6.1.8.2.1. Land under unified control, planned and developed as a whole in a single development operation or programmed series of development operations for light industrial and related uses and facilities.

6.1.8.2.2. For principal and accessory uses and structures substantially related to the character of the development in the context of the district of which it is a part.

6.1.8.2.3. Developed according to comprehensive and detailed plans which include not only streets, utilities, drainage systems, lot or building sites, but also site plans, floor plans, and typical elevations for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements on the land as related to the building(s).

6.1.8.2.4. With a program for provision, maintenance and operation of all such areas, improvements and facilities for the common use of all or some of the occupants of the district but will not be provided, operated or maintained at general public expense.

6.1.8.3. IPUD DISTRICT; WHERE PERMISSIBLE; HOW ESTABLISHED; PHYSICAL CHARACTERISTICS. IPUD districts may hereafter be established in areas classified Business Park and/or Industrial on the Future Land Use Map of the Comprehensive Plan by amendment of the official zoning map where tracts suitable in the location, extent and character for the structures and uses proposed are to be planned and developed as units, according to the procedures and requirements set forth in this Article. It is intended to permit the establishment of such districts only where planned industrial uses with carefully organized buildings, service and parking areas, and open space will serve clearly demonstrated public need, reduce traffic congestion and points of conflict below that which would result from scattered industrial development along highways, provide job opportunities and protect property values in nearby neighborhoods.

6.1.8.4. PERMITTED PRINCIPAL AND ACCESSORY USES.

6.1.8.4.1. *Restrictions on uses.* In order to preserve the essential character of the district and to protect adjoining and nearby property, certain uses are permitted in the IPUD districts.

6.1.8.4.1.1. Light manufacturing, processing, (including food processing, but not slaughter house), packaging, fabricating, mobile and factory built home manufacturing and similar uses.

6.1.8.4.1.2. Wholesaling, warehousing, storage, distribution establishments and similar uses.

6.1.8.4.1.3. Bulk storage, inflammable liquids.

6.1.8.4.1.4. Outdoor storage lots and yards, provided such outdoor storage facilities shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed, except for necessary ingress and egress, by a solid fence or wall a minimum of 6 feet in height; and provided further that this provision shall not permit wrecking yards, (including automobile wrecking yards), junk yards or yards used in whole or in part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage or second-hand building materials, junk automobiles.

6.1.8.4.1.5. Public and private vocational schools and trade schools involving operations of a light industrial nature.

- 6.1.8.4.1.6. Retail establishments for sale of new and used automobiles, motor cycles, truck and tractors, manufactured homes, boats, automotive vehicle parts and accessories (but not junk yards or automotive vehicle wrecking yards), heavy machinery and equipment, farm equipment and supplies, lumber and building supplies, monuments, and similar uses.
- 6.1.8.4.1.7. Service establishments catering to commerce and industry including linen supply, freight movers, communications services, business machine services, canteen service, restaurant, hiring and union halls, employment agency, sign company, automobile service stations and truck stops, grocery stores and similar uses.
- 6.1.8.4.1.8. Clinic in connection with industrial activity.
- 6.1.8.4.1.9. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus, truck or other transportation terminal.
- 6.1.8.4.1.10. Printing, lithographing, publishing or similar establishments.
- 6.1.8.4.1.11. The bottling and selling at wholesale (but not the brewing or distillation) of alcoholic beverages.
- 6.1.8.4.1.12. The assembly of electrical appliances, instruments, products and devices, including the manufacture of parts. Foundries for nonferrous metals and the manufacture and storage of chemicals or plastics;
- 6.1.8.4.1.13. The manufacture, compounding, assembling and treatment, including machining and sintering, of articles made principally from previously prepared materials;
- 6.1.8.4.1.14. Research and experimental laboratories;
- 6.1.8.4.1.15. Public utilities;
- 6.1.8.4.1.16. Office complexes;
- 6.1.8.4.1.17. Industrial parks;
- 6.1.8.4.1.18. Airports, heliports.
- 6.1.8.4.1.19. Kennels

All the above uses shall be governed by the provisions of Chapter 5, Article 3, Performance Standards.

6.1.8.4.1.19. Medical Marijuana Dispensing Facility.

6.1.8.4.2. *Accessory uses and structures.* Permitted are uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures and which do not involve operations or structures not in keeping with the character of the district. Housing units for use in providing on-site security are permitted as accessory uses. Garbage and trash shall be kept in closed containers or enclosed areas, and such containers shall not be directly visible from residential or institutional districts, from portions of the premises customarily open to customer, pedestrian or automotive traffic, or from customer parking or from public ways.

6.1.8.4.3. *Prohibited uses and structures.* Except as provided above, residential and institutional uses generally are prohibited and in general any uses or structures not of a nature specifically permitted herein or customarily accessory to uses or structures specifically permitted.

6.1.8.4.4. The following is prohibited within the boundaries of the Green Swamp Area of Critical State Concern:

6.1.8.4.4.1. Funeral Homes.

6.1.8.4.4.2. Dry Cleaning Establishments.

6.1.8.4.4.3. Dry Cleaning Plants

6.1.8.4.4.4. Truck Terminals

6.1.8.4.4.5 Wholesale Chemical Operations

6.1.8.4.4.6 Chemical Research Operations

6.1.8.4.4.7. Petroleum Related Industries and Fuel Dealers
(however, gas stations may be permitted)

6.1.8.4.4.8. Petroleum Pipelines

6.1.8.4.4.9 Non-certified Electric-power Generation Facilities

6.1.8.4.4.5. No Heavy Industrial uses may be permitted within the Auburndale Green Swamp Protection Area.

6.1.8.4.5. Billboards/Off-Site Advertising provided all other requirements are met as required herein and with the following conditions:

6.1.8.4.5.1 Minimum Setback Requirements as measured from edge of sign:

35 foot from any public right of way or property line.

300 feet from all property lines abutting Residential zoning districts.

500 feet from any right of way intersection, interchange, or rest area.

6.1.8.4.5.2 Billboards shall not exceed 672 square feet in surface area per side or 1,344 square feet in total combined surface area, including embellishments.

6.1.8.4.5.3 Separation between billboard/off-site advertising signs shall be maintained at 1,500 feet on the same side of the road. "V" style signs, not to exceed two sides, shall be permitted in any case where the angle sustained at the apex does not exceed 50 degrees and where the width between the poles at the apex does not exceed 4 ft.

Applications shall include a survey certified by a registered land surveyor of distances from the nearest billboard(s), and residential districts within 300-feet of the site.

6.1.8.4.5.4 For digital signs, there is a 6 seconds minimum for each message. There is a 2 seconds maximum to change messages. Message must change simultaneously for the entire sign face. The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs.

6.1.8.4.5.5 Only one billboard is permitted per tract of land.

6.1.8.4.5.6 Billboard height not to exceed fifty feet (50'). The height shall be measured from the finished grade level to the top of the (highest) sign face.

6.1.8.4.5.7. Billboard/Off site advertising signs shall only be permitted within 200 feet of the Polk County Parkway (SR 570 toll) and Interstate 4.

6.1.8.5. SITE PLANNING, EXTERNAL RELATIONSHIPS. Site planning within the district shall provide for protection of individual lots from adverse surrounding influences, and for protection of surrounding areas from adverse influences existing within the district. In particular:

6.1.8.5.1. *Orientation of permitted uses and structures.* Light industrial and service uses and structures and their parking areas shall be oriented toward arterial or collector thoroughfares, and away from adjacent minor streets in residential neighborhoods or from adjacent residential neighborhoods not separated from the IPUD district by streets.

6.1.8.5.2. *Vehicular and pedestrian entrances and exits.* Principal vehicular access for the general public shall be only from arterial or collector thoroughfares. Vehicular access from minor streets through residential neighborhoods shall be avoided.

At principal vehicular access points, ingress and egress lanes may be required, with length and width as appropriate to the anticipated flow of traffic, and traffic separation devices may be required at such entrances and exits and along ingress and egress lanes. Whether required or provided voluntarily, such lanes may be included as part of the required yard adjacent to the arterial or collector thoroughfare.

6.1.8.5.3. *Yards, fences, walls or vegetative screening.* Yards, fences, walls or vegetative screening shall be provided where needed to protect adjacent Residential or Institutional districts or public streets from undesirable views, lighting, noise or other on-site activities. In particular, outdoor storage, extensive off-street parking areas and service areas for loading and unloading delivery vehicles, and for storage and collection of refuse and garbage shall be screened from Residential or Institutional districts.

6.1.8.5.3.1. Except where the district adjoins a Commercial or another Industrial district, yards with a minimum width of 50 feet shall be provided along all property lines at edges of the adjacent district. Landscaping and use of such yards shall be as required below. Where the district adjoins a Commercial or Industrial district, yards with a minimum width of 25 feet shall be provided along all property lines at edges of the adjacent district.

6.1.8.5.3.1.1. Along arterial, or collector streets, the nearest 20 feet to the right-of-way shall be maintained in landscaping except for turnout or merging lanes are provided as indicated in 6.1.8.5.2. above, in which case the nearest 20 feet to the turn-out or merging lane shall be landscaped. The remainder of such yard may be used for off-street parking.

6.1.8.5.3.1.2. Where required front or side yards in residential or institutional districts adjoin the IPUD district without an intervening street, the nearest 25 feet to the right-of-way within the IPUD district shall be maintained in landscaping for a distance of 25 feet within the district and no vehicular access or parking shall be permitted in such landscaped areas.

6.1.8.5.3.1.3. Where lots in residential or institutional districts front on minor streets at the edges of a IPUD district,

the nearest 25 feet to the right-of-way within the IPUD district shall be maintained in landscaping and no off-street parking shall be permitted in such areas.

In general, landscaping as required above shall be of a nature which conceals extensive parking areas, service areas within the district, and other undesirable views into the district, wherever such concealment is reasonably practicable, but shall not create hazards to vehicular traffic or pedestrians at intersections within or adjoining the district.

6.1.8.5.3.1.4. Where the IPUD district abuts lots zoned residential or institutional, or alleys adjacent to such zoned lots, a 6 foot solid wall shall be constructed along these adjacent lot lines by the owner of the IPUD zoned land. The wall shall be designed to be located at all property lines other than street lines for the purpose of preventing auto and truck lights, smoke, fumes, dust and other obnoxious materials (from ground level to the required wall height) from penetrating into the residential district. There shall be no vehicular access to the IPUD district through such wall abutting such residential or institutional district.

All landscaping installed according to the requirements above shall also meet the requirements of Chapter 10 of the LDR and the visibility at intersections and the provisions of the LDR.

6.1.8.6. LIMITATIONS ON SIGNS. No signs intended to be read from off the premises shall be permitted except:

6.1.8.6.1. *Signs for identification of industrial uses, services and related permitted uses.* One sign, with one or two sign surfaces and a maximum of 120 sq. ft. of area for each surface side, for the purpose of general identification of the planned industrial park by name and for identification of establishments in the park by name and nature is permitted. Such signs may be erected in required yards adjacent to streets only to the extent permitted under 6.1.8.5.3. above, but may be erected on independent sign structures to the rear of the required yard or on buildings to the extent permitted by the formula. However, if permitted signs are erected in required yards, the number and area permissible for each participating land use shall be subtracted from the total number and area permissible for that use on it's individual site.

6.1.8.6.2. *Signs for uses in the industrial park.* A maximum of 2 signs and 20 sq. ft. of surface area for each 10 lineal feet of building frontage and for each 20 lineal feet of sides of buildings next to and visible from public streets not constituting frontage. Such signs shall refer only to the name and nature of the activity conducted in the building or on the premises and to products provided and services offered. Such signs shall be mounted flat against the wall of the building and shall not project more than 3 feet from the wall of the building nor more than 10 above the building.

6.1.8.6.3. *No sign in the IPUD district shall be oriented toward any adjacent Residential or Institutional district.* No source of illumination for signs in the IPUD district shall be directly visible from any Residential or Institutional district, provided, however that this provision shall not be deemed to prohibit indirect lighted signs.

6.1.8.6.4. *No sign which is not approved as part of the preliminary plan shall be erected;* provided, however, that in the event of changes in ownership or name or character of establishments, new signs may be erected reflecting such change upon a finding by the Administrative Official that the new sign is essentially the same in size, character, location and orientation as the sign to be replaced.

6.1.8.7. **SITE PLANNING, INTERNAL RELATIONSHIPS.** In general, the site plan shall provide a unified and organized arrangement of buildings, service areas, parking, and loading, and landscaped open space providing for maximum buffers to adjoining properties.

Facilities and access routes for industrial deliveries, shipping, servicing and maintenance shall, so far as reasonably practicable, be separated from customer and employee automobile parking areas.

6.1.8.7.1. *Minimum area requirements for IPUD districts.* The minimum area for an IPUD district shall be 4 acres.

6.1.8.7.2. *Maximum height of structures.* There are no height limitations in the IPUD district; provided, however, that with structures exceeding 40 feet, that portion of the structure above 40 feet shall be set back 2 horizontal feet for each 1 vertical feet in excess of 40 foot on all sides where the lot or tract is adjacent to lands not zoned industrial or IPUD or streets or alleys adjacent to lands not zoned industrial or IPUD.

6.1.8.7.3. *Maximum land coverage by all structures.* The total land coverage by all structures shall not exceed 35% of the district area or for individual parcels within the district.

6.1.8.7.4. *Total floor area.* The total floor area shall not exceed 40% of the district area. The total floor area computation for determining

compliance with these requirements shall include all floor area in permitted principal and accessory uses, whether involving industrial or service uses.

6.1.8.7.5. *Maximum impervious surface coverage by all uses.* The maximum impervious surface coverage permitted for all structures, paved parking areas, streets and similar site improvements shall not exceed 60% of the district area or for individual parcels within the district.

6.1.8.7.6. *Minimum off-street parking requirements.* One off-street parking space shall be provided for each employee on the peak work shift. Where more than one work shift is employed, 1.25 off-street parking spaces shall be provided for each employee on the peak work shift.

Office buildings shall provide off-street parking in accordance with the following: one off-street parking space shall be provided for each 150 sq. ft. of floor area within buildings, excluding space within buildings used only for storage or for parking and loading, or for major heating or air conditioning equipment.

Such off-street parking spaces shall be within 500 feet, by normal pedestrian routes of entrances to the buildings they are intended to serve or of covered walkways leading to such entrances. Spaces need not be on the building site or lot of said building but shall be within the distance indicated above.

No parking shall be permitted except in approved off- street parking facilities.

6.1.8.7.7. *Minimum off-street loading space requirement.* Spaces for truck loading/unloading and for parking of owned or leased trucks used by operators of principal uses shall be provided on the basis of anticipated traffic and vehicle types. Spaces for such truck parking shall be separated and distinct from required off-street parking for employees and visitors and shall be so arranged as not to interfere with internal or external traffic circulation related to the district or building site or lot.

6.1.8.7.8. Within the boundaries of the Auburndale Green Swamp Protection Area site planning for IPUD shall not increase Impervious Surface Ratios, Floor Area Ratios (FARs), and other calculations contained herein beyond that which is allowed by the Comprehensive Plan and the underlying future land use as shown on the Future Land Use Map in the Comprehensive Plan.

6.1.8.8. **ADDITIONAL MATERIALS REQUIRED.** In addition to other materials as may be required, the below information shall accompany an IPUD amendment petition.

6.1.8.8.1. Calculations of land area, floor area, land coverage by structures and impervious surface areas shall be submitted as part of the initial petition and as the petition may be revised to final plans.

The development plan shall be accompanied by information showing existing conditions and present development of an additional area within at least 300 feet of the tract boundaries; such information shall include, but not be limited to, a sketch, not necessarily to scale, showing existing land use within the 300 foot area. Aerial photographs at a minimum scale of 100 feet to the inch shall be submitted to illustrate and substantiate the site plans and other information as required above.

ARTICLE 2. CLUSTER DEVELOPMENT

Sec. 6.2.1. PURPOSE.

6.2.1.1. **PURPOSE.** The purpose of this Article is to permit a development procedure providing for modifications of minimum yard, lot area and open space requirements allowing for the grouping of structures pursuant to a development plan. Such arrangements will promote more economic development of land, encourage residential dwelling variety, provide for creativity and originality in total subdivision and individual site design and permits preservation of open space to serve recreational, scenic and related public purposes.

6.2.1.2. **APPLICATION OF THESE PROVISIONS.** These developments shall be permitted in residential zoning districts after city staff site plan review and recommendations, Planning Commission recommendations and City Commission approval. No advertised public hearings shall be required for such reviews and approvals. All requirements herein and all other applicable requirements of Chapter 13 of the LDR shall be met by the developer.

For purposes of this Article, wherever the requirements of this Article are at variance with the requirements of any other lawfully adopted rules, regulations or chapters, the requirements of this Article shall govern.

6.2.1.3. **DEFINITION.**

6.2.1.3.1. *Cluster development.* A subdivision of land permitting lots generally smaller in area and width than the minimum required in the zoning district in which the parcel is located with no increase in density

and where the surplus land is put into common use, generally in the form of open space.

6.2.1.3.2. *Zero lot line dwelling.* A single family detached dwelling whereby the structure is permitted to be built up to one or both of the side property lines. A solid wall, with no windows or doors, shall be required along the zero lot line side or sides of the dwelling, beginning at the rear of the required front yard and continuing to the front of the required rear yard. That portion of such zero lot line walls situated between dwellings shall be constructed to 2 hour fire wall requirements as specified in the building code of the City.

6.2.1.4. TRANSFER OF DENSITY - LOT REDUCTIONS. In residential districts permitting cluster developments, the minimum lot area and width may be reduced from that generally applicable in the district by as much as 40 percent in such cluster subdivisions. All lot area reduction amounts shall be combined to form an equivalent land area in clustered open space to be preserved and maintained for recreation, conservation, scenic or related purposes.

6.2.1.4.1. Minimum yard requirements in cluster subdivisions may be reduced but in no case shall they be less than the following dimensions for all districts:

Front: 20 feet

Side: If provided, 8 feet, however one or both side yards may be reduced to zero feet subject to zero lot line definition provisions.

Rear: 20 feet

6.2.1.4.2. Yards in all lots on the perimeter of the cluster development site shall not be less than minimum requirements for the district. Additionally, the front yard setback for all lots fronting on public streets shall not be less than the front yard setback requirements of the district.

6.2.1.4.3. In the approval of a cluster development, in no case shall the maximum density of the district be increased, nor shall the other applicable regulations or use restrictions for the district be modified or changed.

6.2.1.4.4. Within the boundaries of the Auburndale Green Swamp Protection Area transfer of densities shall be according to Development Criteria within the Auburndale Green Swamp Protection Area of the city's Comprehensive Plan, Development regulations shall permit densities to be transferred from Environmentally Sensitive

Lands to adjacent non-environmentally sensitive property under the same ownership or control subject to the following:

1. Transfers shall be at a density not to exceed one dwelling unit per 20 acres (1du/20ac);
2. Transfers shall only be permitted within a subdivision platted and developed in accordance to the City's Land Development Regulations;
3. Transfers shall not result in lot sizes per dwelling unit less than 14,520 sf.

6.2.1.5. MINIMUM SIZE OF CLUSTER DEVELOPMENT. 4 Acres.

6.2.1.6. OPEN SPACE REQUIREMENTS. Open space in a cluster development shall be equivalent to the total land area reduction in lot sizes but in no case shall it be less than one acre.

6.2.1.6.1. The land set aside as open space shall be provided in such a manner that it is usable for recreation, active and/or passive, or other activities and is accessible to all residents of the subdivision or, where the land has been dedicated to the City, to the public.

6.2.1.6.2. If cluster open space is to be dedicated for public use it shall be protected by legal covenants, satisfactory to the City Commission and City Attorney, sufficient to assure its maintenance and preservation for whatever purpose it is intended. If open space is to remain private, then covenants or other legal arrangements shall specify ownership of the cluster open space; method of maintenance; responsibility for maintenance; maintenance taxes and insurance; compulsory membership and assessment provisions; guarantees that any association formed to own and maintain cluster open space shall not be dissolved without the consent of the City Commission after review by the City Attorney.

6.2.1.7. REVIEW CRITERIA. In reviewing cluster development site plans, the City Staff shall use the following criteria in addition to the above standards to determine if the particular petition qualifies for approval:

6.2.1.7.1. The proposed cluster development will be served adequately by essential public facilities and services such as streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewer.

6.2.1.7.2. Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.

- 6.2.1.7.3. The usability of cluster open space intended for a recreation or public use shall be determined by the size, shape, topographic, and location requirements of the particular use proposed for the site.
- 6.2.1.7.4. Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians, with such accessibility meeting the needs of the handicapped and elderly.
- 6.2.1.7.5. Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.
- 6.2.1.7.6. Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen the land area devoted to motor vehicle access.
- 6.2.1.7.7. Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of shadows, noise, and traffic on the residents of the site.

ARTICLE 3. MANUFACTURED HOUSING.

Sec. 6.3.1. MANUFACTURED HOUSING DEFINITIONS, TYPES, DEVELOPMENTS.

6.3.1.1. DEFINITIONS.

6.3.1.1.1. *Manufactured home.* A structure, built to be transported to its site in one or more sections, which, in the delivery mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 sq. ft. or more in floor area. Such structures are built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, cooling and electrical systems contained therein and further are constructed to and certified as meeting current standards of the Department of Housing and Urban Development in compliance with the Housing and Community Development Act of 1980.

6.3.1.1.2. *Manufactured homes are divided into two types as follows:*

6.3.1.1.2.1. Residential design manufactured homes, hereinafter referred to as RDMH, are new manufactured homes approved as meeting "residential design" standards contained herein and constructed after July 1, 1985.

6.3.1.1.2.2. Standard design manufactured homes, hereinafter referred to as SDMH, are manufactured homes certified as meeting the HUD standards or manufactured homes certified as meeting prior codes, and found on inspection to be in excellent condition and safe and fit for continued residential occupancy, but in both cases not approved as meeting "residential design" standards contained herein.

6.3.1.1.3. *Foundation.* The site built supporting parts upon which the manufactured home is placed, whether constructed to encompass the perimeter of the home or in the form of piers and including all exterior materials required to physically screen, veneer or shield from view such supports, extending at minimum from the ground surface to the bottom portion of the exterior wall surfaces of the home.

6.3.1.1.4. *Manufactured housing development.* Any land area planned and improved for the placement of manufactured homes. Manufactured housing developments include the following:

6.3.1.1.4.1. A parcel of land under unified ownership or management utilized for the siting of manufactured homes for use as single family residences, including any land, buildings or facilities used by residential occupants and referred to as a park.

6.3.1.1.4.2. A parcel of land improved for the siting of manufactured homes for use as single family residences on lots as defined herein, platted and all applicable improvements provided according to the Land Development Regulations, offered for sale and referred to as a subdivision.

6.3.1.1.4.3. Condominium development designed to utilize manufactured homes and complying with all applicable requirements of the Land Development Regulations, offered for sale and referred to as a condominium.

6.3.1.1.4.4. Residential planned unit developments designed to utilize manufactured homes and complying with all applicable requirements of the Land Development Regulations.

6.3.1.2. **RESIDENTIAL DESIGN MANUFACTURED HOME (RDMH), INTENT: EFFECT OF APPROVAL PROCEDURES.**

6.3.1.2.1. *Intent.* It is the intent of this chapter to encourage the provision of affordable housing in a general residential environment by permitting the use of RDMH as defined herein, in residential districts in which similar dwellings constructed on the site are permitted, subject to the requirements and procedures set forth herein to assure

similarity and compatibility in exterior appearance between such RDMH and dwellings which have been constructed under these and other lawful regulations on adjacent lots in the same district.

6.3.1.2.2. *Effect of approval of RDMH, limitations.* Manufactured homes approved as RDMH, either individually or by specific model, shall be permitted in residential districts in which similar residential occupancy is permitted, subject to requirements and limitations applying generally to such residential use in the districts, including minimum lot, yard and building spacing, percentage of lot coverage, off-street parking requirements and subject to the following additional requirements and limitations:

6.3.1.2.2.1. Approved foundations required in residential districts. Where approval of homes or model plans does not also include approval of type of foundation, no RDMH shall be placed or occupied for residential use on a site in a residential district until such foundation plans have been submitted to and approved by the Administrative Official. Such approval shall be based upon the appearance and durability of the proposed foundation and its being acceptably similar or compatible in appearance to foundations of residences built or located on adjacent or nearby sites.

6.3.1.2.3. *Determination by Administrative Official*

6.3.1.2.3.1. Applications for approval of manufactured homes as RDMH shall be submitted to the Administrative Official in such form as may reasonably be required to make determinations. In particular, in addition to such information as is generally required for permits and is as necessary for administrative purposes, such applications shall include all information necessary to make determinations as to conformity with the standards below, including elevations or photographs of all sides of the manufactured home, exterior dimensions, roof pitch, exterior finish, and related features.

6.3.1.2.3.2. Where there has been prior general approval of foundations proposed to be used, as provided in the standards below, detailed specifications or descriptions of such foundations shall not be required. Where it is proposed to use foundations not previously approved, specifications or descriptions shall be supplied in sufficient detail for determinations as provided in the standards below. Where type of foundation to be used is unknown at the time of application for RDMH determinations for models or individual manufactured homes, approval as RDMH may be granted if

otherwise appropriate, but locations and use for residential purposes shall be subject to limitations in 6.3.1.2. above.

6.3.1.2.4. *Actions by Administrative Official;* time limitations on determinations; nature of determinations. Within 7 days of receipt of the application and all required supporting materials, the Administrative Official shall make the determination as to conformity with the standards below, and shall notify the applicant of the approval, conditional approval or denial of the application. Conditional approval shall be granted only where the conditions and reasons therefore are stated in writing and agreed to by the applicant, and such conditions shall be binding upon the applicant. In the case of disapproval, the reasons therefore shall be stated in writing.

6.3.1.2.5. *Standards for determinations of similarity in exterior appearance, RDMH.* The following standards shall be used in determinations of similarity in appearance between RDMH homes, with foundations approved as provided in the subsection, and compatible in appearance with site built housing which has been constructed in adjacent or nearby locations. In addition to meeting the following specific standards, no manufactured home to be approved as RDMH shall have windows or other features, or use exterior colors or color combinations, which would be incompatible in the general residential neighborhood in which it is to be located.

6.3.1.2.5.1. Minimum width of main body. Minimum width of the main body of the RDMH as located on the site shall not be less than twenty feet, as measured across the narrowest portion. This is not intended to prohibit the offsetting of portions of the home.

6.3.1.2.5.2. Minimum roof pitch; minimum roof overhang; roofing materials. Minimum pitch of the main roof shall be not less than 2.5 feet to rise for each 12 feet of horizontal run and minimum roof overhang shall be one foot. In cases where site built housing generally has been constructed in adjacent or nearby locations with roof pitches less than 1:3 and/or roof overhangs are less than one foot, then the RDMH may have less roof pitch and roof overhang similar to the site built houses. In general, any roofing material, other than a built up composition roof, may be used which is generally used for site built houses in adjacent or nearby locations.

6.3.1.2.5.3. Exterior finish; light reflection. Any material may be used for exterior finish which is generally acceptable for site built housing which has been constructed in adjacent or nearby locations, provided however that reflection for such exterior

shall not be greater than from siding coated with clean white gloss exterior enamel.

6.3.1.2.5.4. Approval of foundation.

6.3.1.2.5.4.1. The Administrative Official may predetermine and establish general approval for specific types, varieties or designs of foundations and veneer or screening materials to be used in connection with future installation of a RDMH.

6.3.1.2.5.4.2. Such approval shall be based on determination of similarity in appearance to foundations for housing built on the site and on durability adequate to maintain such appearance with proper maintenance.

6.3.1.2.5.4.3. Where approval is granted for foundations or screening in connection with applications on individual RDMH, the same type, variety or design shall thereafter be construed to be generally approved.

6.3.1.2.5.4.4. If the Administrative Official shall find that a specified type, variety or design of foundation and/or screening which has been approved fails to maintain acceptable appearance with proper maintenance he shall order necessary corrections and/or shall suspend or remove the type, variety or design from the general approved listing, with reasons stated in writing.

6.3.1.2.5.5. Site orientation of the manufactured home. RDMH shall be placed on lots in such a manner as to be compatible with and reasonably similar in orientation to the site built housing which has been constructed in adjacent or nearby locations.

6.3.1.2.5.6. Garages, carports. In residential neighborhoods where adjacent to nearby site built homes includes garages and/or carports, a RDMH shall be required to be provided with a garage and/or carport compatible with the RDMH and the site built garages and/or carports constructed in adjacent or nearby locations.

6.3.1.2.5.7. Minimum floor area. RDMH shall be required to meet the minimum required floor area for the district in which it is located.

6.3.1.3. STANDARD DESIGN MANUFACTURED HOMES (SDMH),
GENERAL.

- 6.3.1.3.1. Standard design manufactured (SDMH) homes shall be placed only in parks, subdivisions, condominiums or residential planned unit developments, except as provided otherwise in this chapter.
- 6.3.1.3.2. A SDMH may be used in any zoning district as a temporary office or shelter for materials or tools (but not for residential purposes except in cases where it can be demonstrated to the satisfaction of the Administrative Official that for security reasons such occupancy is necessary and essential and except as provided otherwise herein) incidental to construction on or development of the premises upon which the manufactured home is located; such use shall be strictly limited to the time construction or development is actively under way. In no event shall the use continue more than 6 months without further approval of the Administrative Official, and he shall give such further approval only upon finding that actual construction is continuing.
- 6.3.1.3.3. Any agency of local, municipal, state or federal government may utilize a SDMH for temporary public purposes in any zoning district, including a residential use when such is used for security purposes provided only one SDMH shall be permitted per site and all setback and other requirements for the district shall be met.
- 6.3.1.4. PARKS, CONDOMINIUMS; DESIGN REQUIREMENTS. In any district where manufactured home parks or condominiums are permitted the following minimum standards shall apply:
- 6.3.1.4.1. *Minimum parcel area for park, or condominiums 8 acres; minimum width for portions used for entrances and exits, 100 feet; minimum width for portions used for residential purposes 200 feet.*
- 6.3.1.4.2. *Minimum number of sites completed at time of first occupancy, 25.* Developer shall submit plans for a minimum of 48 sites at time of first plan review. Final layout, water, sewer, streets, drainage, health, and other applicable plans for a minimum of 48 sites shall be submitted to the Administrative Official at the time of request for certificate of occupancy for the initial 25 spaces. These plans shall be approved by City Staff and the agencies responsible for inspection prior to issuance of said occupancy certificate.
- 6.3.1.4.3. *Maximum density of sites per gross acre, 6.*
- 6.3.1.4.4. *Minimum area for individual manufactured home site shall be as follows; for single section, 4,500 sq. ft., for double section, 5,000 sq. ft.*
- 6.3.1.4.5. *Minimum lot width shall be as follows: For single section, 45 feet wide for double section 50 feet wide.*

6.3.1.4.6. Manufactured homes shall be so located as to maintain a 14 foot minimum spacing between all homes and structural improvements regardless of the orientation. A 10 foot minimum rear yard and/or service area shall be maintained between the lot line and the manufactured home and other structural improvements. A 15 foot minimum yard shall be maintained between all streets, curbs and the manufactured home and other structural improvements. Required yards at the edges of the park development shall be 20 feet, contain no accessory buildings and be treated as front yards for the district.

6.3.1.4.7. All residential lots on the perimeter of the development shall contain only RDMH meeting all residential design standards in accordance with this Article; except, where a boundary of the proposed development abuts a boundary of another manufactured home park or condominium, or where a boundary abuts lands with no existing residential land uses, in which case the provisions contained in this paragraph shall not apply at the property lines of the bordering development. If the developer chooses, a 50 foot landscaped and structurally open buffer from the property line may be provided in lieu of RDMH. Such space may be vehicular oriented in character, such as a perimeter road or off-street parking. A third option available to the developer is a solid screening material such as a wood fence, or block wall, each of which shall be 6 feet in height, and placed 10 feet back from the property line. The 10 foot setback area between the property line and solid screening shall be grassed and landscaped and maintained in good condition at all times. Such areas shall be undeveloped other than landscaping, contain no accessory buildings and treated as front yards for the district.

6.3.1.4.8. Direct vehicular access to the park or condominium shall be provided by means of an abutting improved public street. Each development shall be provided with one or more major interior thoroughfares for complete and uninterrupted traffic circulation within the its boundaries. These major thoroughfares shall be directly related or connected to the major point or points of ingress and egress. Minor streets may extend from the major thoroughfares as necessary to serve the traffic circulation needs of the development. The following minimum requirements shall apply:

6.3.1.4.8.1. Entrance or access streets or drives shall have a minimum of 24 feet wide driving surface with curbing as necessary for drainage control. If a median is provided for landscaping, lighting or general beautification, it shall be a minimum of 10 feet wide and there shall be not less than 2 one-way lanes, each with a minimum of 12 feet wide paved driving surface with curbing as necessary for drainage control for a total of a minimum 34 foot section.

6.3.1.4.8.2. Major thoroughfares shall be provided as follows:

6.3.1.4.8.2.1. For parks designed to accommodate 300 sites or more - 24 feet wide paved driving surface with curbing as necessary.

6.3.1.4.8.2.2. For parks designed to accommodate between 48 and 299 sites - 22 feet wide paved driving surface with curbing as necessary.

6.3.1.4.8.3. Should a park be designed for less than the minimum number of sites as stated above, but an expansion or extension for a total greater number of sites than applied for previously is requested, the developer or owner shall be required to upgrade such existing major thoroughfares to meet the above requirements as part of the expansion. No certificate of occupancy for the extension or expansion shall be issued until such improvements are complete.

6.3.1.4.9. Minor streets shall be those streets serving a minimum number of sites, clusters of sites, cul-de-sacs, parking bays, or similarly arranged manufactured homes within the overall plan. Minor streets shall be provided as follows with on street parking prohibited:

6.3.1.4.9.1. Streets serving between 13 and 40 sites - 20 feet wide paved driving surface with curbing as necessary.

6.3.1.4.9.2. Streets serving 12 or less sites - 18 feet wide paved driving surface with curbing as necessary.

6.3.1.4.9.3. One-way streets serving less than 20 units - 12 feet wide paved driving surface with curbing as necessary.

6.3.1.4.9.4. One-way street serving 21 or more sites - 14 feet wide paved driving surface with curbing as necessary.

6.3.1.4.9.5. Streets other than those listed above - 20 feet wide paved driving surface with curbing as necessary.

6.3.1.4.10. Cul-de-sacs shall have a minimum diameter of 90 feet with a minimum paved driving surface of 20 feet width and curbing as necessary on the perimeter of the cul-de-sac paved surface.

6.3.1.4.11. Street intersection centerlines shall be a minimum of 100 feet apart if not directly opposite one another and shall be at right angles, except where other arrangements of intersections provide for equal or better movement of traffic.

- 6.3.1.4.12. All streets shall be constructed to meet the minimum requirements of Chapter 13 of the LDR, except minimum widths as specified herein shall apply.
- 6.3.1.4.13. Automotive parking shall all be off-street and in parking stalls or bays of 10 feet by 20 feet minimum. Two off-street parking spaces shall be provided for each manufactured home. One such parking space shall be provided at each site. The second space may be located in parking bays not more than 150 feet from the site.
- 6.3.1.4.14. Not less than 10% of the gross site area shall be devoted to recreational facilities, including space for community buildings and community use facilities, such as guest parking, adult recreation and child play areas and swimming pools.
- 6.3.1.4.14.1. Major recreational facilities shall in general be centrally located (with satellite facilities in sub-areas of larger parks). Recreational facilities for small children shall, when practical, be separated from other recreational facilities.
- 6.3.1.4.15. Water and sewerage systems shall be provided and installed as required by the City.
- 6.3.1.4.16. Anchor systems shall be provided according to State laws and City Building Codes.
- 6.3.1.4.17. All improvements required above, including utilities, shall be installed and maintained at the expense of the developer.
- 6.3.1.5. SUBDIVISIONS; DESIGN REQUIREMENTS. In any district where manufactured home subdivisions are permitted, the following minimum standards shall apply:
- 6.3.1.5.1. *Minimum parcel area for a subdivision, 4 acres; minimum width for portions used for entrances and exits and for residential purposes, 200 feet.*
- 6.3.1.5.2. *Minimum number of lots with complete site improvements at time of first occupancy, 10.*
- 6.3.1.5.3. *Maximum density of lots per gross acre, 6. Minimum area for individual home lot, 5,000 sq. ft. Minimum lot width, 50 feet.*
- 6.3.1.5.4. Required yards at the edge or boundary of the subdivision shall be 25 feet, contain no accessory buildings and be treated as front yards for the district.

- 6.3.1.5.5. All other required yards shall be as for the district in which the subdivision is permitted.
- 6.3.1.5.6. All residential lots on the perimeter of the development shall contain only RDMH meeting all residential design standards in accordance with all applicable provisions of this Article, except where the development borders another manufactured home subdivision, in which case the provisions contained in this paragraph shall not apply at the property lines of the bordering development. If the developer chooses, a 50 foot landscaped and structurally open setback from the property line may be provided in lieu of RDMH. Such space may be vehicular oriented in character, such as a perimeter road or off-street parking. A third option available to the developer is a solid screening material such as a wood fence or block wall each of which shall be a minimum height of 6 feet.
- 6.3.1.5.7. All manufactured homes located within the subdivision shall be required to be supported with foundations according to manufacturers instructions and local requirements, and if applicable all wheels, axles and towing hitches shall be removed. No certificate of occupancy shall be issued by the Administrative Official until compliance with these regulations. In addition to meeting the above requirements and conforming to other regulations of the City, County and State, the subdivision shall also conform to the applicable requirements as set out in Chapter 13 of the LDR.
- 6.3.1.5.8. Anchor systems shall be provided according to State laws and Chapter 18 of the LDR.
- 6.3.1.6. **HURRICANE SHELTERS REQUIRED.** All manufactured housing developments, including parks, condominiums and subdivisions shall be required to provide hurricane shelter space sufficient to meet the needs of the development's projected hurricane season population. Plans for such shelter(s) shall be reviewed by the Polk County Emergency Preparedness Director for sufficiency and compliance with current law prior to the City issuing a development order for the manufactured housing development.