

ARTICLE IV

SCHEDULE OF DISTRICT REGULATIONS

SECTION 1 – DISTRICT REGULATIONS

District regulations shall be as set forth in the Schedule of District Regulations below, and in Articles V through IX of this Ordinance. The uses permitted in the districts, the special exception uses that may be allowed in the districts, and the uses for which site plan review and approval are required are listed on Chart 1 unless otherwise regulated in this Ordinance. The minimum lot and yard requirements, maximum height, maximum gross dwelling unit density and the maximum lot coverage which govern any use in the districts are listed on Chart 2 unless otherwise regulated in this Ordinance. The requirements for off-street parking in the districts are as regulated in Article V, Section 4 of this Ordinance. The Design Review Commission must approve all signs.

- A. AG - Agricultural District** - The intent of the AG Agricultural District is to provide suitable areas for single family residential development that are free from conflicting residential uses with the purpose of maintaining the rural atmosphere in the outlying areas of the City. These areas do not require extensive municipal services (e.g. public water and sewer) and may also be used for forestry and agricultural services. Single family residential development is allowed at a density no greater than .20 units per acre (1 unit per 5 acres).
- B. E-R - Estate Residential District** - The intent of the E-R Estate Residential District is to provide suitable areas for single family residential development having a density level no greater than 0.5 units per acre (1 unit per 2 acres) and free from conflicting residential uses, with the purpose of maintaining a rural atmosphere in the outlying areas of the City. These areas may be served by a rural level of municipal services (public water and sewer are not required if certain conditions are met).
- C. R-R - Rural Residential District** -
1. Intent – The intent of the R-R Rural Residential District is to provide suitable areas for single family residential development having a density level no greater than 1.1 units per acre and free from conflicting residential uses, with the purpose of maintaining a rural atmosphere in the outlying areas of the City. These areas should be served by all municipal services (public water and sewer).
 2. Landscaping and Screening –
 - a. **Double or Reverse Frontage Lots** - Where residential subdivisions in the R-R district have double frontage or reverse frontage on public streets there shall be continuous screening along the rear line of said development, except for the sight triangle at street intersections as defined in Article II of this Ordinance.

- b. Landscaping Plan Required - In subdivisions that require screening, the developer shall be required to furnish a landscaping plan to the City for review prior to beginning any construction.

D. R-1 – Low Density Residential District -

- 1. Intent – The intent of the R-1 Low Density Residential District is to provide suitable areas for single family residential development with a density level no greater than 2.1 units per acre and free from conflicting residential uses. These areas should be served by all municipal services.
- 2. Landscaping and Screening –
 - a. Double or Reverse Frontage Lots - Where residential subdivisions in an R-1 district have double frontage or reverse frontage on public streets there shall be continuous screening along the rear line of said development, except for the sight triangle at street intersections as defined in Article II of this Ordinance.
 - b. Landscaping Plan Required - In subdivisions that require screening, the developer shall be required to furnish a landscaping plan to the City for review prior to beginning any construction.

E. R-2 – Medium Density Residential District -

- 1. Intent - The intent of the R-2 Medium Density Residential District is to provide suitable areas for single family residential development at a density level no greater than 2.9 units per acre and free from conflicting residential land uses. These areas should be served by all municipal services.
- 2. Landscaping and Screening -
 - a. Double or Reverse Frontage Lots - Where residential subdivisions in an R-2 district have double frontage or reverse frontage on public streets there shall be continuous screening along the rear line of said development, except for the sight triangle at street intersections as defined in Article II of this Ordinance.
 - b. Landscaping Plan Required - In subdivisions that require screening, the developer shall be required to furnish a landscaping plan to the City for review prior to beginning any construction.

F. R-2A – Alternate Medium-Density Residential District (Ord. 03-48, 10/2/03)

1. Intent - The intent of the R-2A Alternate Medium-Density Residential District is to provide an alternate residential zoning classification for residential subdivisions developed prior to annexation into the City of Lakeland or developed prior to enactment of recent comprehensive zoning amendments to the Zoning Ordinance. The yard and bulk requirements of the zoning classification should compliment established yard and bulk requirements reflected on the recorded subdivision plat for the residential subdivision. Subdivisions suitable for this classification will contain single family residential development and will be free from conflicting residential land uses. These areas should be served by all municipal services.
2. Landscaping and Screening -
 - a. Double or Reverse Frontage Lots - Where residential subdivisions in an R-2A district have double frontage or reverse frontage on public streets there shall be continuous screening along the rear line of said development, except for the sight triangle at street intersections as defined in Article II of this Ordinance.
 - b. Landscaping Plan Required - In subdivisions that require screening, the developer shall be required to furnish a landscaping plan to the City for review prior to beginning any construction.

G. M-R – Multiple Family Dwelling District

1. Intent - The intent of the M-R Multiple Family Dwelling District is to provide suitable areas that allow for all types of residential land uses, except for mobile homes and single-family detached homes, with a density level no greater than ten (10) units per acre for apartment dwellings and lesser densities for other types of residential development. These areas should be served by all municipal services.
2. Special Provisions Governing Multiple Family Developments -
 - a. Access - Multiple family developments shall provide direct access to a major or collector street as designated on the Lakeland Major Road Plan.
 - b. Landscaping and Screening - The first ten (10) feet of any required yard adjacent to a street and the first twenty (20) feet adjacent to a single-family residential district shall be devoted to landscaping. Screening requirements may be waived in whole or in part by the Planning Commission where terrain makes protection against overview impracticable, or where there are trees and/or vegetation growing along such perimeter that are equal to the standards of the City of Lakeland. The Design Review Commission shall approve a detailed landscaping plan and planting schedule for each development.

3. Special Provisions Governing Townhouse Developments -

- a. Access - Townhouse developments shall provide direct access to a major or collector street as designated on the Lakeland Major Road Plan.
- b. Contiguous Units - Not more than five (5) or less than three (3) contiguous townhouses shall be built in a row with approximately the same (but staggered) front line.
- c. Staggered Units - Townhouses shall be staggered singly or in pairs and at a distance of not less than three (3) feet and not more than twelve (12) feet.
- d. Stories - Townhouse units may have one (1) to three (3) stories. However, each dwelling unit shall be separated from the adjoining unit in each story by an adjoining fire resistant wall, which has no opening and extends from the lowest floor to the roof with each dwelling unit having independent access to the exterior in the ground floor.
- e. Front and Rear Yards - Each townhouse shall have one front or rear yard containing not less than six hundred (600) square feet. This area shall be reasonably screened from view and shall not be used for off street parking or for any accessory building.
- f. Off-Street Parking - Insofar as practicable, off-street parking shall be grouped into bays in the interior of the project area or in the rear of the townhouse lots. No off-street parking space shall be more than one hundred (100) feet by direct pedestrian route from a door of the dwelling unit that it is intended to serve.
- g. Maintenance - Provision for the maintenance of all private streets, utilities and open spaces not platted as individual lots shall be included in the deed restrictions of the properties. Individual utility connections shall be provided to each townhouse unit.
- h. Landscaping and Screening - The first ten (10) feet of any required yard adjacent to a street and the first twenty (20) feet adjacent to a single-family residential district shall be devoted to landscaping. Screening requirements may be waived in whole or in part by the Planning Commission where terrain makes protection against overview impracticable, or where there are trees and/or vegetation growing along such perimeter that are equal to the standards of the City of Lakeland. The Design Review Commission shall approve a detailed landscaping plan and planting schedule for each townhouse development.

H. O-N – NEIGHBORHOOD OFFICE DISTRICT

1. Intent - The intent of the O-N Neighborhood Office District is to provide for suitable areas for professional office locations. This district is intended to be small and will be most likely situated between business and residential districts in areas that are served by all municipal services. The provisions are designed to protect and be compatible with nearby residential districts.
2. Landscaping and Screening - The first ten (10) feet of any required yard adjacent to a street and the first fifty (50) feet adjacent to a residential district shall be devoted to landscaping. Screening requirements may be waived in whole or in part by the Planning Commission where terrain makes protection against overview impracticable, or where there are trees and/or vegetation growing along such perimeter that are equal to the standards of the City of Lakeland. The Design Review Commission shall approve a detailed landscaping plan and planting schedule for each neighborhood office development.

I. O-G – GENERAL OFFICE DISTRICT

1. Intent - The intent of the O-G General Office District is to provide for suitable areas for professional office locations, particularly in a planned corporate office park or campus-style development. This district will be for larger areas and larger scale office development than the neighborhood office district. Taller building heights than in the neighborhood office district shall be allowed. This district shall be situated in areas that are served by all municipal services and may be situated between residential and business districts or between business and light industrial districts.
2. Landscaping and Screening - The first ten (10) feet of any required yard adjacent to a street and the first fifty (50) feet adjacent to a residential district shall be devoted to landscaping. Screening requirements may be waived in whole or in part by the Planning Commission where terrain makes protection against overview impracticable, or where there are trees and/or vegetation growing along the perimeter that are equal to the standards as set forth. The Design Review Commission shall approve a detailed landscaping plan and planting schedule for each general office development.

J. C-1 – NEIGHBORHOOD BUSINESS DISTRICT

1. Intent - The intent of the C-1 Neighborhood Business District is to provide for suitable areas for commercial activities that are not high traffic generators, are located near residential areas and are served by all municipal services.
2. Landscaping and Screening – All yards shall be landscaped using a combination of shade trees, ornamental trees, shrubbery, and grasses. The first fifty percent (50%) of any required yard adjacent to a street or residential district shall be devoted to

landscaping that includes a combination of trees, shrubbery and groundcovers while all other required yard areas not occupied by sidewalks and driveways shall also be devoted to landscaping. A combination of undulating berms and the planting of evergreen shrubbery planted in an intertwined manner shall be placed along the front property line where parking spaces are oriented between the building and the front property line so as to screen parking areas from public view along public right-of-ways. Parking areas and loading areas shall be screened using a combination of trees, shrubbery, and fencing or walls. Additional screening measures may be required by the Design Review Commission along property lines abutting residential areas that include the installation of screening fences or walls and the planting of additional evergreen screening trees and shrubbery. All landscaping areas shall be irrigated. The Design Review Commission shall approve a detailed landscape plan and planting schedule as part of the site plan approval process.

The Municipal Planning Commission may approve waivers of the screening requirements where terrain makes protection against overview impractical, or where there are trees present along the perimeter that are equal to the screening standards of the City of Lakeland.

3. Parking and Loading Requirements – Parking and loading requirements shall follow the specifications contained in Article V of the Zoning Ordinance of Lakeland, Tennessee.
4. Outdoor Storage and Display of Merchandise – Outdoor storage of merchandise is prohibited unless fully screened on all sides by an opaque ornamental screen so as not to be visible from public right-of-ways or abutting property. Business establishments vending gasoline from pump islands may be sold from pumps located outside the structure and screening.
5. Number of Driveways – The number of driveway openings onto a public right-of-way shall be limited to not more than two (2) points of access onto a public right-of-way. A parcel containing less than one hundred (100) linear feet of lot frontage upon a public right-of-way shall be limited to one (1) point of access onto a public right-of-way. In the case of a corner parcel, the number of driveway openings onto a public right-of-way shall be limited to one (1) point of access from each street with no point of access closer than seventy-five (75) feet from the intersection of the public streets. Parcels containing more than four hundred (400) feet of linear frontage may be permitted one (1) additional point of access subject to approval from the City Engineer and the Planning Commission. Where a parcel adjoins other commercial parcels, provisions shall be made for the installation of a service drive connecting the parcel to adjoining commercial parcels to facilitate interconnectivity between commercial parcels.
6. Refuse Collection Areas – All refuse collection areas shall be fully enclosed with a wall or fence to a minimum height of eight (8) feet so as to completely screen the

refuse container(s) located therein. The enclosure shall be built from materials of similar character and quality to the principal structure. The enclosure shall include a securable gate composed of suitable screening materials so as not be visible from the public right-of-way. Refuse containers shall not be placed in the required side or rear yard where the property is abutting a Residential District.

7. Exterior Lighting

Site lighting for parcels zoned C-1, Neighborhood Commercial District, shall be “full-cutoff” type light fixtures. Site lighting shall be pedestrian scale and shall provide illumination of parking areas, loading areas, sidewalks and entrances serving the principal structure. Wall pack type fixtures shall not be permitted. Light fixtures shall be positioned so as not to cast any glare upon abutting property.

Site lighting for parcels zoned C-2, General Commercial District, shall be “semi-cutoff” type light fixtures. Site lighting shall be designed to provide adequate lighting of parking, loading and pedestrian areas serving the principal structure. Wall pack type fixtures shall not be permitted. Light fixtures shall be positioned so as not to cast any glare upon abutting property.(Ord. 03-29, 3/6/03, pgs. 5-8, 13)

K. C-2 – GENERAL BUSINESS DISTRICT

1. Intent - The intent of the C-2 General Business District is to provide for suitable areas for a variety of commercial activities located along major transportation routes and served by all municipal services.
2. Landscaping and Screening – All yards shall be landscaped using a combination of shade trees, ornamental trees, shrubbery, and grasses. The first fifty percent (50%) of any required yard adjacent to a street or residential district shall be devoted to landscaping that includes a combination of trees, shrubbery and groundcovers while all other required yard areas not occupied by sidewalks and driveways shall also be devoted to landscaping. A combination of undulating berms and the planting of evergreen shrubbery planted in an intertwined manner shall be placed along the front property line where parking spaces are oriented between the building and the front property line so as to screen parking areas from public view along public right-of-ways. Parking areas and loading areas shall be screened using a combination of trees, shrubbery, and fencing or walls. Additional screening measures may be required by the Design Review Commission along property lines abutting residential areas that include the installation of screening fences or walls and the planting of additional evergreen screening trees and shrubbery. All landscaping areas shall be irrigated. The Design Review Commission shall approve a detailed landscape plan and planting schedule as part of the site plan approval process.

The Municipal Planning Commission may approve waivers of the screening requirements where terrain makes protection against overview impractical, or where there are trees present along the perimeter that are equal to the screening standards of the City of Lakeland.

3. Parking and Loading Requirements – Parking and loading requirements shall follow the specifications contained in Article V of the Zoning Ordinance of Lakeland, Tennessee.
4. Outdoor Storage and Display of Merchandise – Outdoor storage of merchandise is prohibited unless fully screened on all sides by an opaque ornamental screen so as not to be visible from public right-of-ways or abutting property. Business establishments vending gasoline from pump islands may be sold from pumps located outside the structure and screening.
5. Number of Driveways – The number of driveway openings onto a public right-of-way shall be limited to not more than two (2) points of access onto a public right-of-way. A parcel containing less than one hundred (100) linear feet of lot frontage upon a public right-of-way shall be limited to one (1) point of access onto a public right-of-way. In the case of a corner parcel, the number of driveway openings onto a public right-of-way shall be limited to one (1) point of access from each street with no point of access closer than seventy-five (75) feet from the intersection of the public streets. Parcels containing more than four hundred (400) feet of linear frontage may be permitted one (1) additional point of access subject to approval from the City Engineer and the Planning Commission. Where a parcel adjoins other commercial parcels, provisions shall be made for the installation of a service drive connecting the parcel to adjoining commercial parcels to facilitate interconnectivity between commercial parcels.
6. Refuse Collection Areas – All refuse collection areas shall be fully enclosed with a wall or fence to a minimum height of eight (8) feet so as to completely screen the refuse container(s) located therein. The enclosure shall be built from materials of similar character and quality to the principal structure. The enclosure shall include a securable gate composed of suitable screening materials so as not to be visible from the public right-of-way. Refuse containers shall not be placed in the required side or rear yard where the property is abutting a Residential District.
7. Exterior Lighting

Site lighting for parcels zoned C-1, Neighborhood Commercial District, shall be “full-cutoff” type light fixtures. Site lighting shall be pedestrian scale and shall provide illumination of parking areas, loading areas, sidewalks and entrances serving the principal structure. Wall pack type fixtures shall not be permitted. Light fixtures shall be positioned so as not to cast any glare upon abutting property.

Site lighting for parcels zoned C-2, General Commercial District, shall be “semi-cutoff” type light fixtures. Site lighting shall be designed to provide adequate lighting of parking, loading and pedestrian areas serving the principal structure. Wall pack type fixtures shall not be permitted. Light fixtures shall be positioned so as not to cast any glare upon abutting property. (Ord. 03-29, 3/6/03, pgs. 5-8, 13)

L. I-L – LIGHT INDUSTRIAL DISTRICT

1. Intent - The intent of the I-L Light Industrial District is to allow selected industrial uses that would be complemented by other uses such as wholesale sales and limited retail sales services. These areas should be served by all municipal services.
2. Landscaping and Screening - The first twenty (20) feet of any required yard adjacent to a street and the first one hundred (100) feet adjacent to a residential district shall be devoted to landscaping. As a minimum when a lot line is shared with a residential district a tight fence and/or compact evergreen hedge of not less than six (6) feet in height shall be provided. Screening requirements may be waived in whole or in part by the Planning Commission where terrain makes protection against overview impracticable, or where there are trees and/or vegetation growing along the perimeter that are equal to the standards of the City of Lakeland. The Design Review Commission shall approve a detailed landscaping plan and planting schedule for each light industrial development.

M. FW – FLOODWAY DISTRICT

1. Intent - It is the intent of this district to provide an area for the location of specified uses that will not be damaged if flooded or create flood-related hazards. The floodway district is considered extremely hazardous due to the velocity of floodwaters that can carry debris, potential projectiles and the potential for destructive erosion.
2. Application - Any land located in the designated floodway of the City of Lakeland (as shown on the Official Zoning Map) shall be classified in the FW Floodway zoning district.
3. Prohibition of Development - No new construction, substantial improvements to existing structures or encroachments, including filling, shall be allowed in the floodway if such construction, improvement or encroachment would increase, in the opinion of the City Engineer, the flood level within the city during the occurrence of the base flood discharge.

CHART 1 USES PERMITTED IN ZONING DISTRICTS

PERMITTED USES	ZONING DISTRICTS												
	AG	E-R	R-R	R-1	R-2	R-2A	M-R	O-N	O-G	C-1	C-2	I-L	FW
DWELLINGS													
Single Family Detached	X	X	X	X	X	X							
Single Family Attached							P						
Two Family							P						
Townhouse							P						
Multiple Family							P						
Accessory Buildings	X	X	X	X	X	X	P			P	P	P	
Home Occupations	X	X	X	X	X	X	X						
Retirement/Assisted Living							P						
INSTITUTIONS													
Cemetery	C	C	C	C									
Place of Worship	C	C	C	C	C	C	C	C	C				
Hospital									P		C	C	
Lodge, Club, Country Club. Or Golf Course	C	C	C	C	C	C	C		C				
Museum			C	C	C	C			C				
Nursery School	C	C	C				C		C				
Parks/Recreation	C	C	C	C	C	C	C			C	C		P
Public Building	C	C	C	C	C	C	C		C	C	C		
Riding Academy	C	C										C	C
School	C	C	C	C	C	C	C		C				
Nursing Home	C						P		P				
COMMERCIAL													
Automobile Service Station										P	P	P	
Automobile Sales & Service											C	P	
Bakery, Retail										P	P		
Bank									P	P	P		
Barber or Beauty Shop										P	P		
Cultural, Entertainment, Contractors* & Recreational										C	P		
Day Care Center	C	C	C	C	C	C	C	C	C				
Department or Discount Store											P		
Drug Store										P	P		
Dry Cleaning & Laundry Pick-up Station										P	P		
Dry Cleaning & Laundry										C	P		
Flower or Plant Store (indoor)										P	P		
Funeral Homes										C	P		
Grocery and Food Markets										P	P		
Garage for Auto Repair											C	P	
General Service and Minor Repair Shop											P	P	
Greenhouse or Nursery- Commercial											P	P	
Hotel or Motel											P		
Lumberyard												P	
Offices-General								P	P	C	C	P	
Offices-Professional								P	P	C	C	P	
Other Retail Services										C	C	C	
Personal Service Establishment											P		

X - Uses Permitted by Right

P - Requires Site Plan approval by the Planning Commission and Design Review Commission (DRC).

C - All of these uses require Board of Zoning Appeals approval in addition to site plan approval by Planning Commission and DRC.

PERMITTED USES	ZONING DISTRICTS												
	AG	E-R	R-R	R-1	R-2	R-2A	M-R	O-N	O-G	C-1	C-2	I-L	FW
CHART 1, PAGE 2													
COMMERCIAL Continued													
Photo-Finishing-Pick-up Station										P	P		
Radio or TV Studio										C	P	P	
Restaurant (Sit Down Dining)									P	P	P		
Restaurant (Drive through Service)											P		
Retail Stores										P	P		
Services, Business									P		P	P	
Services, Personal											P	P	
Sexually Oriented Businesses												P	
Shoe Repair & Tailoring										P	P		
Vehicle Wash											P		
Veterinarians Kennels, Small Animals											C	P	
INDUSTRIAL													
Fabrication, Processing, Packaging, Manufacture, Storage, or Distribution of:													
Cosmetics, Drugs, Perfume, Pharmaceuticals, Toiletries, & Related Products												P	
Electrical or Electronic Equipment, Appliances & Instruments												P	
Fabricated Metal Products & Machinery												P	
Food & Beverage Products Except Live Animal Processing												P	
Jewelry, Silverware, Musical Instruments, Toys, Sporting Goods, Art Supplies												P	
Petroleum, Products and Distribution												P	
Printing & Publishing												P	
Stone, Clay, Glass and Concrete Products												P	
Textile & Apparel Products												P	
Other Industrial													
Contractors Office or other uses that require outside storage of vehicles and equipment												P	
Utility Substation	C	C	C	C	C	C	C				C	C	C
Utility Production or Treatment Station	C	C											C
Warehouse													P
Wholesale, Display													P
Wholesale & Distribution													P
OTHER USES													
Agricultural Production: Grain, Fruit, Vegetables Field Crops and Nursery	X	X											
Forestry Uses	X												
Livestock, Horse, & Dairy	X	X											
Planned Development	S	S	S	S	S	S	S				S	S	S
Post Office Facility											C	P	P
Wireless Transmission Facility	P	P	P	P	P	P	P	P	P	P	P	P	P

X - Uses Permitted by Right

P - Requires Site Plan approval by the Planning Commission and Design Review Commission (DRC).

C - All of these uses require Board of Zoning Appeals approval in addition to site plan approval by Planning Commission and DRC.

S - Requires a Special Permit with a recommendation from the Planning Commission and approval of the Board of Commissioners

**CHART 2
BULK REGULATIONS AND PERMITTED RESIDENTIAL DENSITIES**

DISTRICT AND USE	MINIMUM LOT REQUIREMENTS		MINIMUM YARD REQUIREMENTS			MAXIMUM REQUIREMENTS		
	AREA	WIDTH (FEET)	FRONT (FEET)	SIDE (FEET)	REAR (FEET)	HEIGHT (FEET)	UNITS PER ACRE	(%) LOT COVERAGE
AG DISTRICT								
1. Single Family Detached Dwelling	5 Acres	200	150	25	40	35	0.2**	NA
2. Agriculture	5 Acres	200	40	25	40	35	NA	20
3. Other	5 Acres	200	40	25	40	35	NA	20
4. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
5. Public Use	2 Acres	200	60	25	40	35	NA	20
E-R DISTRICT								
1. Single Family Detached Dwelling	2 Acres	150	100	25	40	35	0.5**	NA
2. Agriculture	5 Acres	200	40	25	40	35	NA	20
3. Other	5 Acres	200	40	25	40	35	NA	20
4. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
5. Public Use	2 Acres	200	60	25	40	35	NA	20
R-R RESIDENTIAL								
1. Single Family Detached Dwelling	32,600 sq. ft.	120	50	15	35	35	1.1**	NA
2. Other	5 Acres	200	40	25	40	35	NA	20
3. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
4. Public Use	1 Acre	200	60	25	40	35	NA	20
R-1 RESIDENTIAL								
1. Single Family Detached Dwelling	17,500 sq. ft.	100	30	10	30	35	2.1**	NA
2. Other	5 Acres	200	40	25	40	35	NA	20
3. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
4. Public Use	1 Acre	200	60	25	40	35	NA	20
R-2 RESIDENTIAL								
1. Single Family Detached Dwellings	12,500 sq. ft.	80	30	5	25	35	2.9**	NA
2. Other	5 Acres	200	40	25	40	35	NA	25
3. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
4. Public Use	1 Acre	200	60	25	40	35	NA	20
R-2A RESIDENTIAL								
1. Single Family Detached Dwellings	12,500 sq. ft.	80	25	5	25	35	2.9**	NA
2. Other	5 Acres	200	40	25	40	35	NA	25
3. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
4. Public Use	1 Acre	200	60	25	40	35	NA	20
M-R RESIDENTIAL								
1. Single Family Attached	4,000 sq. ft.	80	30	12	25	35	8.0**	30
2. Two Family Dwellings	9,000 sq. ft.	80	30	12	25	35	3.4**	30
3. Townhouse Units	2 Acres	250 lot 20 unit	35	20	25	35	8.0**	30
4. Multiple Family Dwellings	2 Acres	250	50	25	30	35	10.0**	30
5. Other	5 Acres	200	40	25	40	35	NA	30
6. Golf Course & Country Club	25 acres	200	60	25	40	35	NA	10
7. Public Use	1 Acre	200	60	25	40	35	NA	30

Chart 2, Page 2	AREA	WIDTH (FEET)	FRONT (FEET)	SIDE (FEET)	REAR (FEET)	HEIGHT (FEET)	(%) LOT COVERAGE	UNITS PER ACRE	MAXIMUM F.A.R.
O-N NEIGHBORHOOD OFFICE	10,000 sqft.	100	40	15	25	35	50***	NA	
O-G GENERAL OFFICE									
1. Office Uses	1 Acre	200	50	15	25	51	65***	NA	
2. Banks	1 Acre	100	50	15	25	35	65***	NA	
3. Day Care Centers	1 Acre	100	50	15	25	35	65***	NA	
4. Restaurants	1 Acre	100	50	15	25	35	65***	NA	
5. Business Services	1 Acre	100	50	15	25	35	65***	NA	
6. Public Uses	1 Acre	200	60	25	40	35	30 ***	NA	
C-1 COMMERCIAL									
	½ Acre	100	50	50/20*	50/25*	35	50***	N/A	.20
C-2 COMMERCIAL									
	1 Acre	100	50	50/25*	100/25*	35	65***	N/A	.25
I-L LIGHT INDUSTRIAL									
1. Manufacturing, Processing, Distribution, Etc.	2 Acres	200	60	60/30*	80/40*	35	50 ***	NA	
2. Other	1 Acre	100	50	60/30*	80/40*	35	50 ***	NA	
3. Public Use	1 Acre	200	60	30	40	35	30 ***	NA	

- 35' Maximum height also provides for a maximum of three stories.
- * First number indicates the required setback if abutting residential uses, the second if not abutting residential uses.
- ** Gross density including street right-of-ways
- *** Combination of buildings, structures, parking, loading areas and driveways, and other impervious surfaces.

SECTION 2 – SITE PLAN REVIEW REQUIREMENTS

A. General

There is hereby established submittal requirements and procedures for the review and approval of preliminary and final site plans by the City of Lakeland as defined in Article 2 of the Zoning Ordinance. Preliminary and Final Site Plans are not to be considered as being synonymous with subdivision plats as defined in the Subdivisions Regulations of the City of Lakeland. The review and approval of such site plans may include, but is not limited to, the Planning Commission, Design Review Commission, and the Board of Commissioners. The procedures and requirements set forth within this Ordinance shall provide for the timely and effective review of development proposals by City government and various boards and commissions involved in the plan review process.

B. Site Plan Approval Required

1. Site plan review and approval by the Planning Commission is required for the following:
 - a. All new buildings and building additions, including, but not limited to, duplexes, multi-family, townhouses, office, retail and service, warehousing, and manufacturing. Single-family detached dwellings and their accessory structures are exempt from this requirement but, still must receive approval from the Building Official and the City of Lakeland.
 - b. All manufactured buildings to be moved to a parcel except prefabricated accessory structures placed on single family residential parcels or lots in residential zones.
 - c. Site alterations including the construction of driveways, loading areas, and parking areas with the exception of single-family residences.
2. Site plans and related plan documents for the above listed types of uses shall be presented to the Planning Commission and the Design Review Commission.
3. The following additional items shall require review and approval of the Design Review Commission:
 - a. Exterior alteration of buildings or structures or accessory structures with the exception of single-family detached dwellings.

- b. Modifications to the site including alteration of landscaping, lighting, parking and loading areas, and other spaces within the site.
- c. Fencing, landscaping, lighting, and buffering/screening measures for subdivisions and multi-family residential developments and all forms of non-residential development.
- d. Signage.

C. Pre-Application Conference with City Staff

- 1. The applicant or its designated design professional shall conduct a pre-application conference with City staff a minimum of thirty (30) days in advance of submitting a site plan and related documents for review and approval by the City.
- 2. Participation in Conference – The Pre-Application Conference shall, at a minimum, consist of the developer, their design consultant(s), and City officials including, but not limited to, the City Engineer, Director of Public Works, City Administrator, and the Planning Director, or their respective designee.
- 3. A pre-application conference shall not be required for the submittal of a final site plan if a preliminary site plan has been submitted and has received the approval of the Planning Commission.

D. Application for Site Plan Approval – Submission Deadline and Fee

The application/submission for approval of the preliminary and the final site plan shall be made separately by the property owner or his designated agent and filed in writing on forms provided by the City along with payment of an application fee, and shall contain information and exhibits as may be necessary in accordance with this Ordinance.

An incomplete application/submission or an application/submission that fails to meet minimum submittal requirements shall be returned to the applicant by the City and shall include a written statement enumerating the deficiency(ies) in the application.

An application/submission shall not be considered complete and available for docketing for the Planning Commission until all of the filing requirements of this article are provided and on file with the City of Lakeland on or prior to the applicable filing deadline as stated herein. The beginning of the maximum period specified herein for MPC action shall not commence until the application/submission is filed with the City of Lakeland, complete and ready for

docketing at the Planning Commission meeting, on or prior to the applicable filing deadline as stated herein.

The completed application/submission shall be submitted on a date and time no later than the corresponding filing deadline for the Planning Commission meeting at which it is to be considered, as indicated in the approved Annual Planning Commission Filing and Meeting Schedule. The applicant shall not be permitted to submit revised plan documents or supplemental information in support of the application less than fifteen (15) days prior to the scheduled meeting of the Planning Commission.

E. Preliminary Site Plan – Procedures and Plan Requirements

Prior to issuance of a building permit, a preliminary site plan for the use and development of the entire tract shall be submitted to the Planning Commission for review and approval. Upon approval of the preliminary site plan by the Planning Commission, the applicant may proceed with preparation and submittal of the final site plan for consideration by the Planning Commission. The preliminary site plan shall be prepared by a registered professional engineer. The preliminary site plan shall conform, at a minimum, to the following requirements:

1. Be drawn to a scale not less than one (1) inch equals one hundred (100) feet (1" = 100'-0").
2. Be prepared on sheets no larger than 24" x 36" and numbered sequentially if submitted in multiple pages (including a sheet index). All lettering shall be at least 0.1 in size and shall be mechanically drawn (no hand lettering permitted).
3. Include the following information to be illustrated on site plan:
 - a. North arrow.
 - b. Legend containing site plan name include proper phase number, project design firm name and address, graphic scale, and name and address of property owner and/or applicant/developer.
 - c. Existing and proposed (public and private) right-of-way and roads.
 - d. Existing and proposed curb cuts, driveways, loading areas, and parking areas.
 - e. Existing conditions map illustrating existing topography and unique physiographic features on parcel.

- f. Existing and proposed public and private ingress and egress easements.
- g. Landscape areas and planting screens to be provided including area calculations for areas denoted on plan document.
- h. Existing and proposed utility and drainage easements (public and private).
- i. Building lines and location of all existing and proposed structures.
- j. Finish floor elevations noted within footprint of all existing and proposed structures.
- k. Vicinity map depicting one-mile radius in all directions around project site referencing notable landmarks and reference points.
- l. Area map depicting zoning classification of all adjoining tracts of land, nearest cross street, and surrounding land use(s).
- m. Name of property owner and property tax map I.D. number of all adjoining property parcels.
- n. Boundary survey prepared by a registered land surveyor including notation of corner monuments to be placed on property as well as any existing pins or monuments.
- o. Flood elevation with graphic limits denoted on plan document for base flood elevation, floodplain, and floodway as shown on Flood Insurance Rate Maps issued by FEMA.
- p. Location and size of all existing utilities including electrical, water and sewer mains, and natural gas mains in proximity of site.
- q. Existing and proposed public and private greenbelts, trails and parklands within or immediately adjacent to proposed development. Design details of proposed greenbelts, trails and parkland improvements shall be specified on plan documents.
- r. Site data block indicating at a minimum the following:
 - (1) Zoning district classification(s) of the site.
 - (2) Gross site area expressed in acreage and square feet.
 - (3) Gross floor area of all existing and proposed structures.
 - (4) Gross floor area ratio required/provided.
 - (5) Open space area required/provided.

- (6) Parking spaces required/provided including handicap spaces.
 - (7) Setback for front, side and rear yard required/provided.
 - (8) Use of existing and proposed structures and type of construction in accordance with Standard Building Code. If multiple uses are proposed for a structure, list all existing and proposed uses.
- s. Environmental impacts, if applicable, shall also be denoted on plan including, but not limited to, the following:
- (1) Aquatic Resource Alteration Permit designations.
 - (2) Base flood elevation, Floodplain and floodway delineation as published on FIRM issued by FEMA.
 - (3) Wetlands.
 - (4) Wellhead protection zone(s).
 - (5) Abandoned wells and septic fields.
 - (6) Underground storage tanks.
 - (7) Archeological features including cemeteries, historic monuments, etc.
 - (8) Pretreatment requirements for sanitary waste.
4. To be included with preliminary site plan submission:
- a. Tree Survey/Tree Management Plan – Identifies by tree species all trees eight (8) inches in diameter or larger. A conceptual tree management plan to same scale as preliminary site plan shall be submitted for consideration and commentary by the Planning Commission before final preservation and protection plans are submitted to the Planning Commission for consideration with a final site plan.
 - b. Stormwater Management – Existing and proposed topography based upon mean sea level shall be denoted on plan. The general location and size of required stormwater detention structure(s) shall also be delineated on plan. Stormwater calculations may be required by City Engineer upon submittal of a plan depicting general location and size of required stormwater detention system with preliminary drainage calculations, general routing of storm sewer lines, and location(s) of discharge point(s).
 - c. Traffic Impact Information – Existing Average Daily Traffic (ADT) of the roadway network fronting upon site. Projected traffic generated by development as referenced in ITE Trip Generation Manual, latest edition.

- d. Water and Sanitary Sewer Mains – General routing of sanitary sewer mains and water distribution piping to serve the development.
 - e. Color transparencies (8 ½” x 11”) of vicinity map, area map, site plan, and tree survey and conceptual tree preservation/protection plan.
 - f. Map illustrating the locations and names of all property owners within one thousand (1,000) feet of site boundaries.
5. Any additional information as required by the Planning Commission necessary to evaluate the character and impact of the proposed site development.

F. EFFECTIVE PERIOD OF PRELIMINARY SITE PLAN APPROVAL

The preliminary site plan approval granted by the Planning Commission, including such conditions as may be a part of the record, shall be effective for a period of one (1) year from the date of approval granted by the Planning Commission. The applicant may request in writing an extension upon the effective period of the preliminary site plan approval from the Planning Commission for a period not to exceed one (1) year from date of expiration of approval of the initial approval of the preliminary site plan granted by the Planning Commission. The project may be subject to being required to provide minor modifications to the site plan if an extension is requested in compliance with design standards adopted by the City of Lakeland since initial approval of the preliminary site plan had been granted by the Planning Commission.

G. Approval of Preliminary Site Plan by Design Review Commission Required –

In instances where site plan review is required by the Planning Commission, the Preliminary Site Plan and related site features shall also be submitted to the Design Review Commission for review and approval prior to consideration of a Final Site Plan by the Planning Commission. The Preliminary Site Plan shall be prepared at a minimum scale of one inch (1”) = one hundred feet (100’) conform to the following submittal requirements in order to be considered by the Design Review Commission:

- 1. Name and address of the development
- 2. Name and address of the applicant and owner of record
- 3. Present zoning classification of property and surrounding properties
- 4. Date, graphic scale, and north point with reference to source of meridian

5. Certificate as to the accuracy of the plan by a licensed architect, engineer, and/or landscape architect
6. A certificate, with space for a signature and date, which states:

“The Site Plan has been approved by the Lakeland Design Review Commission.”
7. The location, dimensions, site and height of the following proposed items:
 - a. Building elevations (all sides) including a color rendering of each side.
 - b. Detailed Landscape Plan including size and spread of trees, shrubs, ground cover and other landscaping elements to be placed on the site.
 - c. Irrigation Plan denoted the areas to be irrigated.
 - d. Tree Management Plan
 - e. Tree Replacement Plan
 - f. Exterior Lighting Plan, including location, height, and style of light fixtures. The lighting must be designed and arranged to avoid intrusion and light spillover onto adjoining properties and public right-of-ways.
 - g. Screening measures for trash collection areas including details of fencing, walls and landscaping elements.
 - h. Location and type of screening elements for gas, electric, and other visible utility meters.
 - i. Location and type of screening elements provided for mechanical units and vents (plumbing, heating, exhaust, etc.).
 - j. Color and type of materials for exterior finishes, including but not limited to, walls, roofing, and exterior trim details.
 - k. Entrance treatments and signage for subdivisions, planned developments, and site development projects.
 - l. Signage.

8. Any other information necessary to determine compliance with local regulations and sound design practices by the Design Review Commission.

H. Final Site Plan – Procedures and Plan Requirements

An applicant has the option of submitting an application for a Final Site Plan to the Planning Commission that had not received prior approval of a preliminary site plan. In such instances, the applicant shall submit plan documents that conform to the plan submittal requirements for both a preliminary and final site plan and related documents. Failure to submit a completed application and/or required documentation in conformance with minimum submittal requirements will result in the immediate rejection of the application by the City of Lakeland.

Upon approval of the preliminary site plan for the use and development of the entire tract by the Planning Commission and prior to issuance of a Building Permit, a Final Site Plan shall be submitted to the Planning Commission. The completed application for approval of the Final Site Plan shall be submitted a minimum of thirty (30) days prior to the scheduled meeting of the Planning Commission. The applicant shall not be permitted to submit revised plan documents or supplemental information in support of the application less than fifteen (15) days prior to the scheduled meeting of the Planning Commission. The final site plan shall be prepared by a registered professional engineer.

The final site plan shall conform, at a minimum, to the following requirements:

1. Be drawn to a scale not less than one inch equals one hundred feet (1" = 100'-0").
2. Be prepared on sheets no larger than 24" x 36" and numbered sequentially if submitted in multiple pages. All lettering shall be at least 0.1 in size and shall be mechanically drawn (no hand lettering permitted).
3. Denote on the final site plan specific deviations from the approved preliminary site plan and provide a written justification for such deviations from the approved preliminary site plan.
4. Include the following information to be illustrated on site plan:
 - a. North arrow.
 - b. Legend containing site plan name include proper phase number, project design firm name, graphic scale, and name and address of applicant/developer.
 - c. Existing and proposed (public and private) right-of-way and roads.

- d. Curb cuts, driveways, loading areas, and parking areas.
- e. Public and private ingress and egress easements.
- f. Landscape areas and planting screens to be provided including area calculations for areas denoted on plan document.
- g. Existing and proposed easements (public and private).
- h. Building lines and location of all existing and proposed structures.
- i. Finish floor elevations noted within footprint of all existing and proposed structures.
- j. Vicinity map depicting one-mile radius in all directions around project site referencing notable landmarks and reference points.
- k. Zoning classification of all adjoining tracts of land.
- l. Name of property owner and property tax map I.D. number of all adjoining property parcels.
- m. Boundary survey prepared by a registered land surveyor including notation of corner monuments to be placed on property.
- n. Flood elevation with graphic limits denoted on plan document for base flood elevation, floodplain, and floodway per FIRM as issued by FEMA.
- o. Location and size of all existing water and sewer mains in proximity of site.
- p. Public and private greenbelts, trails and parklands within or immediately adjacent to proposed development.
- q. Site data block indicating at a minimum the following:
 - (1) Zoning district classification(s) of the site.
 - (2) Gross site area expressed in acreage and square feet.
 - (3) Gross floor area of all existing and proposed structures.
 - (4) Gross floor area ratio required/provided.
 - (5) Open space area required/provided.
 - (6) Parking spaces required/provided including handicap spaces.
 - (7) Setback for front, side and rear yard required/provided.
 - (8) Use of existing and proposed structures and type of construction in accordance with Standard Building Code. If

multiple uses are proposed for a structure, list all existing and proposed uses.

- r. Environmental impacts, if applicable, shall also be denoted on plan including, but not limited to, the following:
 - (1) Aquatic Resource Alteration Permit (ARAP) designations.
 - (2) Base flood elevation, Floodplain and floodway delineation per FIRM as issued by FEMA.
 - (3) Wetlands.
 - (4) Wellhead protection zone(s).
 - (5) Abandoned wells and septic fields.
 - (6) Underground storage tanks.
 - (7) Archeological features including cemeteries, historic monuments, etc.
 - (8) Pretreatment requirements for sanitary waste.
 - s. A certification by a licensed surveyor that the boundaries have been surveyed and are true and correct, and that all encroachments, easements, and right-of-ways are accurately shown.
 - t. A form for certificate of approval by the Planning Commission and the City Engineer.
 - u. A form for certification by the owner and trustee of the mortgage, if applicable, that they adopt the plan and dedicate the easements, right-of-ways, and public improvements located therein to the City of Lakeland free of encumbrances, and agree to make any required public improvements of adjacent streets and utilities shown on the plan.
 - v. Conditions of approval from the Planning Commission (preliminary and final plan), Design Review Commission, and Board of Zoning Appeals shall be included with the Final Site Plan for recording with the Shelby County Register of Deeds.
5. To be included with final site plan submission:
- a. Final Tree Management Plan – Identifies by tree species all trees 8 inches in diameter or larger. A final tree preservation and protection plan drawn to the same scale as final site plan shall be submitted for consideration by the Planning Commission. The final tree management plan shall include protective measures to be implemented during development of the site and mitigation measures to be introduced to replace trees removed as a result of development of the site.

- b. Stormwater Management – Existing and proposed topography based upon mean sea level shall be denoted on plan. The specific location and size of required stormwater detention structure(s) shall be delineated on plan. Detailed stormwater calculations and design details as required by the City Engineer shall be submitted. General routing of storm sewer lines to serve the development showing point(s) of discharge shall also be depicted on stormwater plan.
- c. Construction Plans (to be submitted separately to City Engineer) – Two (2) sets of rolled and bounded construction plans (24” x 36”) shall be submitted to the City Engineer upon submittal of an application for Final Site Plan approval for consideration by the Planning Commission. Failure to submit required construction plans upon submittal of an application for final site plan approval may result in the application being rejected by the City until such time as required plan documents are submitted to the City Engineer. At a minimum, the following plan documents shall be submitted for review and approval by the City Engineer at a scale of not less than 1”=50’-0”:
- (1) Grading and Drainage Plan and related documentation.
 - (2) Erosion Control Plan and related documentation.
 - (3) Final Tree Management Plan and related documentation.
 - (4) Water Plan.
 - (5) Sanitary Sewer Plan including pre-treatment requirements, if applicable.
 - (6) Plan and profile plan documents.
 - (7) Master water, sanitary sewer, and stormwater management plan overlaying each plan element on one (1) plan document.
- d. Traffic Impact Analysis – Based upon existing and projected traffic flows along streets serving the development site and projected traffic generated by the development as referenced in ITE Trip Generation Manual, latest edition, the applicant may be required by the City Engineer and/or the Planning Commission to submit a traffic impact analysis prepared by a design professional for consideration in assessing the impact upon local road systems.
- e. Floodplain (CLOMR and LOMR) – A certified copy of an application for Conditional Letter of Map Revision (CLOMR) shall be submitted for consideration by the City prior to consideration of approval of a site plan involving fill in the floodplain by the Planning Commission. The applicant prior to

recording of the final site plan shall submit to the City a certified copy of an application for Letter of Map Revision.

6. Any additional information as required by the Planning Commission necessary to evaluate the character and impact of the proposed site development including, but not limited to, public utilities, transportation systems, provision of public services, and enrollment in public education facilities.

I. Approval of Final Site Plan by Planning Commission

The Planning Commission shall review the Final Site Plan and shall approve, approve with conditions, or deny approval of the Final Site Plan. In making its decision, except in the development of tracts zoned for single-family detached dwellings, the Planning Commission shall consider and determine whether the proposed structure(s) included in the Site Plan will conform to proper design principles and standards and the general character of the area. The proposed development shall have a reasonable relationship to the area and shall be conducive to proper development of the City and its existing environment in an effort to prevent the harmful effects of improper appearances of buildings erected in the City and thus, to promote the health, safety, comfort, general welfare, and prosperity of the community.

J. Criteria for Determining Conformance with Applicable Regulations

The criteria to be considered by the Planning Commission in determining whether a proposed structure(s) will conform to proper design standards and principles and the general character of the area are as follows:

1. The plan for the proposed structure(s) is in conformity with appropriate and acceptable planning and architectural standards, the general character of the surrounding neighborhood and the community, and the orderly development of the community.
2. The plan for the proposed structure(s) indicates that the structure(s) is reasonably protected against external and internal noise, vibrations, and other conditions that might tend to make the environment less desirable.
3. The proposed structure(s) is not in its exterior design and appearance of such inferior quality as to cause the area to depreciate in appearance or value.
4. The proposed development is in compliance with all applicable ordinances and statutes governing the location and appearance of buildings and structures and related site improvements.

5. The proposed development will not place an undue burden upon the City and other public entities in the provision of public infrastructure and services to accommodate needs for such services and facilities associated with the proposed development.

K. Approval by Design Review Commission Required

In instances where site plan review is required by the Planning Commission, the Site Plan shall also be submitted to the Design Review Commission for review and approval prior to consideration of a Development Agreement by the Board of Commissioners. The Site Plan shall be prepared at a minimum scale of 1" = 100' conform to the following submittal requirements in order to be considered by the Design Review Commission:

1. Name and address of the development
2. Name and address of the applicant and owner of record
3. Present zoning classification of property and surrounding properties
4. Date, graphic scale, and north point with reference to source of meridian
5. Certificate as to the accuracy of the plan by a licensed architect, engineer, and/or landscape architect
6. A certificate, with space for a signature and date, which states:

"The Site Plan has been approved by the Lakeland Design Review Commission."
7. The location, dimensions, site and height of the following proposed items:
 - a. Building elevations (all sides) including a color rendering of each side.
 - b. Detailed Landscape Plan including size and spread of trees, shrubs, ground cover and other landscaping elements to be placed on the site.
 - c. Irrigation Plan denoted the areas to be irrigated.
 - d. Tree Management Plan
 - e. Tree Replacement Plan

- f. Exterior Lighting Plan, including location, height, and style of light fixtures. The lighting must be designed and arranged to avoid intrusion and light spillover onto adjoining properties and public right-of-ways.
 - g. Screening measures for trash collection areas including details of fencing, walls and landscaping elements.
 - h. Location and type of screening elements for gas, electric, and other visible utility meters.
 - i. Location and type of screening elements provided for mechanical units and vents (plumbing, heating, exhaust, etc.).
 - j. Color and type of materials for exterior finishes, including but not limited to, walls, roofing, and exterior trim details.
 - k. Entrance treatments and signage for subdivisions, planned developments, and site development projects.
 - l. Signage.
8. Any other information necessary to determine compliance with local regulations and sound design practices by the Design Review Commission.

L. Approval of the Final Site Plan Required

The Board of Commissioners shall not consider approval of a Development Agreement unless the final site plan and related documents have been reviewed and approved or conditionally approved by the Planning Commission and the Design Review Commission.

M. Time Limit

All applications for approval of a preliminary or final site plan initiated by application filed with the City shall be finally acted upon by the Planning Commission within sixty (60) days following the date of submission of the application. This time period may be extended upon agreement between the applicant and the Planning Commission for a period not to exceed one hundred twenty (120) days from the date of submission of the application.

Once a Final Site Plan has been acted upon by the Planning Commission, the applicant shall submit an application to the Design Review Commission for consideration of the site plan and related design elements. It shall be the responsibility of the applicant to file such application with the Design Review

Commission. Upon action by the Design Review Commission, the applicant shall make all necessary revisions to plan documents and submit for consideration fully revised plans for review by the City of Lakeland. Upon receipt of fully revised plans, the City Engineer and other designated staff shall review and render its determination that the Final Site Plan and related documents conform with local regulations and conditions imposed by the Planning Commission and Design Review Commission.

N. Certification by Owner/Applicant

The owner/applicant shall provided a certification upon the plan document that the owner/applicant adopts the plan and dedicates all streets, right-of-ways and public and private easements shown on the plan and agrees to make any required improvements within such streets, right-of-ways, and easements as required by the City. The certification shall serve as the commitment by the owner/applicant that the site will be developed as shown on the approved Final Site Plan. Upon such certification by the owner, the approved site plan shall be recorded by the owner with the Shelby County Register's Office and shall regulate development of the subject parcel. If, during the process of construction, the Building Official or other inspection personnel of the City notes variations from the approved plan documents, the official shall promptly notify the owner/applicant in writing of these variations and shall direct that the variations be corrected within a specified time period. If, after proper notice by the Building Official or other inspecting official, the owner has not complied with the provisions of the approved site plan, the Building Official or other inspecting official shall have the authority to cite the owner/applicant to Municipal Court for violation of this Ordinance. The issuance of a certificate of occupancy may also be withheld until such time as corrections are provided by the owner/applicant.

O. Development Agreement Required

Where public improvements are required as part of site plan approval or where fees are to be assessed by the City of Lakeland in relation to a development project, the developer(s) shall enter into a Development Agreement with the City of Lakeland for all required public improvements and/or fees assessed for development of a project. Such an agreement shall be as provided for in the Lakeland Subdivision Regulations and other technical specifications or as modified to conform to a particular development proposal and shall be approved as to form and content by the City Attorney. The Development Agreement may also include any required private improvements given consideration as part of the approval of the site plan including such security as may be required to guarantee such improvements are installed accordingly. The Board of Commissioners shall authorize the Chairman to execute the Development Agreement between the City and the applicant. All Development Agreements shall cover one hundred percent (100%) of the required public improvements by the developer(s) and shall include any and all fees associated with the development project as well as security for

such public improvements. The applicant shall execute the approved Development Agreement and obtain required building permits and related permits from the Building Official within six (6) months of approval of the Development Agreement by the City of Lakeland. Failure of the applicant to execute the Development Agreement within the prescribed six (6) month time period shall nullify and void the approval of the Development Agreement by the Board of Commissioners. In the event the approval of the Development Agreement is nullified and voided by the City, the applicant may reapply in writing for approval of a Development Agreement by the Board of Commissioners. A Development Agreement shall not be executed by the City in the event the Final Site Plan for the project has not been approved by the Planning Commission and Design Review Commission as required by this Ordinance.

P. Effective Period of Final Plan

The final site plan approval granted by the Planning Commission, including such conditions as may be a part of the record, shall be effective for a period of one (1) year from the date of approval granted by the Planning Commission. The applicant may request in writing an extension upon the effective period of the final site plan approval from the Planning Commission for a period not to exceed one (1) year from date of expiration of approval of the initial approval of the final site plan granted by the Planning Commission. Any modifications to the approved final site plan may require reconsideration of approval by the Planning Commission, Design Review Commission, and the Board of Commissioners.

Q. Recording of Final Plan Document with Registers Office Required

The Final Site Plan shall be recorded at the Shelby County Register of Deeds Office after receiving approval of the Development Agreement by the Board of Commissioners. The Final Site Plan shall contain, at a minimum, the conditions of approval from the various boards and commissions involved in the review and approval of the site plan and related design elements including, but not limited to, the Planning Commission, Design Review Commission and Board of Zoning Appeals. The site plan shall be presented to the City Engineer in a format suitable for recording upon completion of public and private improvements necessary for the project to function are satisfactorily completed. (Ord. 03-28, 3/6/03, pgs. 14-28)

R. Notice of Meeting

For a preliminary site plan, public notice shall be given to all interested parties or property owners in the following manner:

1. Notice by Publication. Notice shall be published by the Municipal Planning Commission at least fifteen (15) days prior to the date of the Planning Commission Meeting.

2. Notice by Mailing. Notice, in a form approved by the Growth Management Director or Deputy Growth Management Director shall be mailed by the applicant to each interested party. Notice by mailing shall be given by first class mail at least fifteen (15) days prior to the Planning Commission Meeting.

Interested parties shall include all owners of adjoining parcels to a depth of one thousand (1,000) feet surrounding the perimeter of the area included in the application. Interested parties shall also include the City of Lakeland and any other agency required by the City at the time of application, including at a minimum, Memphis Gas Light and Water, and Shelby County Schools.

3. Posted Notice on Subject Property. Notice, on a form prescribed by the Growth Management Director or Deputy Growth Management Director, shall be posted by the applicant in a conspicuous place on the subject property at least fifteen (15) days prior to the date of the Planning Commission meeting.
4. Affidavit of Notice. Applicant shall file a notarized Affidavit of Notice, in a form as specified by the Department of Planning and Zoning, indicating compliance with the above notice requirements prior to the Planning Commission meeting. The names and addresses of each interested party shall be attached and incorporated with the affidavit.