

ORDINANCE NO. 22-2024

AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA; AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF HAINES CITY, FLORIDA, ADOPTING TEXT CHANGES TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY BY ADOPTING REVISIONS TO CHAPTER 4 – DEFINITIONS, CHAPTER 5 – ZONING, CHAPTER 6 - SPECIAL PROVISIONS AND CHAPTER 13 - SUBDIVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, empowers the City Commission of the City of Haines City, Florida to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

WHEREAS, the City Commission adopted Ordinance No. 796, Land Development Regulations to implement the adopted Haines City Comprehensive Plan; and

WHEREAS, the Haines City Planning Commission, at an advertised public hearing as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input and recommended that the City Commission adopt specific changes in the Land Development Regulations and the Administrative and Procedures Manual; and

WHEREAS, the City Commission of the City of Haines City, Florida considered all oral and written comments received during advertised public hearings, and the recommendations of the Haines City Planning Commission; and

WHEREAS, in exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to adopt specific changes in the Land Development Regulations consistent with the public interest within Haines City, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE
CITY OF HAINES CITY, FLORIDA, AS FOLLOWS:**

Section 1. Amendment to the Land Development Regulations of Haines City, Florida. The City Commission hereby amends portions of Chapter 4 – Definitions, Chapter 5 – Zoning, Chapter 6 – Special Provisions and Chapter 13 – Subdivisions, of the Land Development Regulations, of Haines City, Florida, as follows by strike through for removal and underline for additions format and shall be effective immediately as set forth below:

CHAPTER 4 – DEFINITIONS

Vertical Farming. The practice of growing crops in vertically stacked layers in a controlled, in-door environment. Farming techniques used, are processes such as hydroponics, aquaponics, and aeroponics.

CHAPTER 5 – ZONING.

ARTICLE 6. SCHEDULE OF DISTRICT REGULATIONS

Sec. 5.6.11.E. CBD, central business district.

Conditional use.

8. Food Trucks. May be permitted if determined to be compatible with the surrounding permitted uses. Must maintain all State, County and City licenses and required inspections and have access to 4 parking spaces per food truck in a paved parking lot.

CHAPTER 5 – ZONING.

ARTICLE 6. SCHEDULE OF DISTRICT REGULATIONS

Sec. 5.6.12.E. CBDX, central business district extra.

Conditional use.

8. Food Trucks. May be permitted if determined to be compatible with the surrounding permitted uses. Must maintain all State, County and City licenses and required inspections and have access to 4 parking spaces per food truck in a paved parking lot.

CHAPTER 6 – SPECIAL PROVISIONS

ARTICLE 1. PLANNED UNIT DEVELOPMENT

Amend Chapter 6, Sec. 6.1.3. RPUD -Residential Planned Unit Developments Districts of the LDR to add minimum standards for lots and the minimum percentages required of each lot size. The proposed minimum standards are:

~~FOR 42' WIDE LOTS*~~

~~LOT WIDTH - 42'~~

~~DEPTH - 115'~~

~~FRONT YARD - 15'~~

~~GARAGE - 20'~~

~~SIDE YARD - 6'~~

~~FRONT SIDE YARD - 15'~~

~~REAR YARD - 15'~~

60% - 52' WIDE LOTS

LOT WIDTH - 52'

LOT DEPTH - 115'

FRONT YARD - 15'

GARAGE - 20'

SIDE YARD - 6'

FRONT SIDE YARD - 15'

REAR YARD - 15'

~~**NEIGHBORHOOD STREETS-50'**~~

~~**(Without Parking)**~~

NEIGHBORHOOD STREETS-50'

(Without Parking)

~~**NEIGHBORHOOD STREETS-60'**~~

~~**(With Parking)**~~

NEIGHBORHOOD STREETS-60'

(With Parking)

20% - 60' WIDE LOTS

LOT WIDTH - 60'

DEPTH - 115'

FRONT YARD - 15'

GARAGE - 20'

SIDE YARD - 7'

FRONT SIDE YARD - 15'

REAR YARD - 20'

NEIGHBORHOOD STREETS-50'

(Without Parking)

20% - 70' WIDE LOTS

LOT WIDTH - 70'

LOT DEPTH - 115'

FRONT YARD - 15'

GARAGE - 20'

SIDE YARD - 7'

FRONT SIDE YARD - 15'

REAR YARD - 20'

NEIGHBORHOOD STREETS-50'

(Without Parking)

NEIGHBORHOOD STREETS-60'

(With Parking)

NEIGHBORHOOD STREETS-60'

(With Parking)

CHAPTER 6 – SPECIAL PROVISIONS

ARTICLE 4. SR 17/CR544 Selected Area Plan Commerce Park and Industrial Districts

Sec. 6.4.3.A. Commerce park district permitted, conditional, and prohibited uses.

8. Facilities for the purpose of indoor vertical farming.

~~8.~~ 9. Accessory uses. Any permitted accessory uses must be co-located within the structure accommodating the principal use and shall be customarily incidental and subordinate to such principal use.

CHAPTER 6 – SPECIAL PROVISIONS

ARTICLE 4. SR 17/CR544 Selected Area Plan Commerce Park and Industrial Districts

Sec. 6.4.4.A. Industrial park district permitted, conditional, and prohibited uses.

11. Facilities for the purpose of indoor vertical farming.

~~11.~~ 12. Accessory uses. Any permitted accessory uses must be co-located within the structure accommodating the principal use and shall be customarily incidental and subordinate to such principal use.

CHAPTER 6 – SPECIAL PROVISIONS

ARTICLE 1. PLANNED UNIT DEVELOPMENT

Sec. 6.1.7.2. MUPUD – Mixed Use Planned Unit Development

2. Town Center Requirements

A. *Permitted Uses.*

8. Restaurants, including fast food types. ~~But not including drive-through/drive-in windows.~~

CHAPTER 13 – SUBDIVISION

Sec. 13.5.5.C. Plats and data for final approval

3. A surety bond or letter of credit executed by a corporation authorized to do business in the state that is satisfactory to the city, or a certified check for ten (10%) percent of the total costs of the improvements to be held by the city for a period of at least 24 months.

However, a surety bond, letter of credit or certified check shall not be required should a Community Development District (CDD) be approved and active for the subdivision and

maintaining all public improvements. Any improvement(s) to be maintained by the city, pursuant to the Plat, shall require a surety bond, letter of credit or a certified check.

4. Surety bond or letter of credit executed by a corporation authorized to do business in the state that is satisfactory to the city, or certified check for one hundred twenty (120%) percent of the total costs of the landscaping for the project's common areas to be held by the city for a period of at least 24 months.

However, a surety bond, letter of credit or certified check shall not be required should a Community Development District (CDD) be approved and active for the subdivision and maintaining all public improvements. Any landscaping to be maintained by the city pursuant to the Plat, shall require a surety bond, letter of credit or a certified check.

All proposed Land Development Regulations Text Amendments shall become effective immediately.

Section 2. Severability. The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

Section 3. Codification. The Ordinance shall be codified and made a part of the official Code of Ordinances, Land Development Regulations, or Charter of the City of Haines City.

Section 4. Repeal of Ordinance in Conflict. All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval, and adoption.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 22nd day of September, 2022.

Erica Sanchez, Interim City Clerk

Anne Huffman, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

PASSED on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 6th day of October, 2022.

ATTEST:

APPROVED:

Erica Sanchez, Interim City Clerk

Anne Huffman, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney