

ORDINANCE NO. 24-2068

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA;
AMENDING THE LAND DEVELOPMENT REGULATIONS OF
THE CITY OF HAINES CITY, FLORIDA, ADOPTING TEXT
AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS
OF THE CITY BY ADOPTING REVISIONS TO CHAPTER 4 –
DEFINITIONS, CHAPTER 5 – ZONING, CHAPTER 6 - SPECIAL
PROVISIONS, AND CHAPTER 11 – OFF-STREET PARKING,
LOADING, STORAGE ; 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

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 11 – Off-Street Parking, Loading, Storage, 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 as set forth below:

SEE ATTACHED AS EXHIBIT A

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.

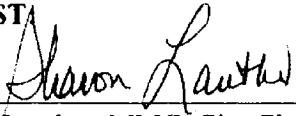
Section 3. Codification. The Ordinance shall be codified and made a part of the official Code of Ordinances, Land Development Regulations, or Charter of the City of Haines City.

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.

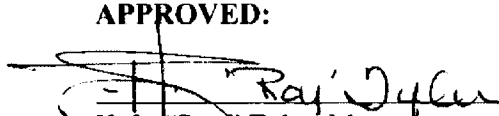
Section 5. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval, and adoption.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 7th day of March, 2024.

ATTEST:


Sharon Lauther, MMC, City Clerk

APPROVED:

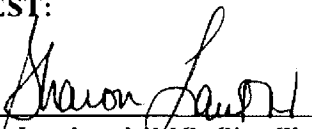

H. L. "Roy" Tyler, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

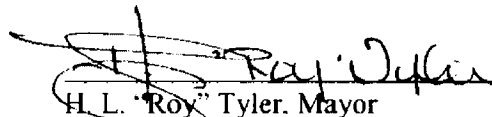

Fred Reilly, City Attorney

PASSED on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 4th day of April, 2024.

ATTEST:


Sharon Lauther, MMC, City Clerk

APPROVED:


H. L. "Roy" Tyler, Mayor

APPROVED AS TO FORM AND CORRECTNESS:


Fred Reilly, City Attorney



EXHIBIT A

PROPOSED LAND DEVELOPMENT REGULATIONS **TEXT AMENDMENTS**

Chapter 4 – Definitions

Sec. 4.2.1. Terms.

Performing Arts School/Training Center. **A multi-use performance space that is intended for use by various types of performing arts, including but not limited to, dance, music, theatre, gymnastics and aerial arts. The intended multiple use of performing arts centers in this sense differentiates them from single-purpose concert halls, opera houses or theatres.**

Chapter 5 – Zoning

Sec. 5.6.17. ILW, Industrial Light, Warehousing.

D. *Prohibited uses and structures.*

1. Dwelling units (including motel and hotel) except as provided under accessory uses, hospitals or clinics (except clinics in connection with industrial activity), nursing homes and similar uses, private or public elementary or high schools, ~~churches~~, yards or lots for scrap or salvage operations or for processing, storage, display, or sale of any scrap, salvage, or secondhand building materials and automotive vehicle parts.

E. *Conditional use.* Permissible by the city commission after public hearing and subject to appropriate conditions and safeguards. The city commission may approve, deny or add additional conditions for all conditional use requests. (See section 19.2.4. of the LDR.)

5. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, drive-in restaurant, interior decorator, photographic studio, dance or music studio, reducing salon or gymnasium, self-service laundry or dry cleaning pick up station, and similar activities.

6. Churches.

Chapter 6 – Special Provisions

Sec. 6.5.4(A). Permitted and conditional land uses by zoning district.

The following table 6.5.4 denotes the respective permitted and conditional uses that may be approved within each zoning district:

TABLE 6.5.4(A): PERMITTED AND CONDITIONAL USES BY DISTRICT							
USES	R-1A-NR	R-3-NR	NAC-NR	CAC-NR	BP-NR and IND-NR	PIC-NR	CONSV-NR
RESIDENTIAL USES							
Duplex, two-family attached	C	P					
Group living facility, family care home	P	P					
Group living facility, group home		P				C	
Group living facility, congregate	C	C				C	
Multifamily	PUD		PUD	PUD		PUD	
Short-term rental unit	C	C					
Single family dwelling	P	P					
MIXED USES							
Mixed use development			PUD	PUD		PUD	
NONRESIDENTIAL USES							
Alcohol packaged sales			P	P	P	P	
Agricultural uses	C	C					
Assembly, light					P		
Bar/lounge/tavern			P	P	P		

Bed and breakfast			C	C			
Childcare center	C	C	P	P		C	
Clinics and medical offices			P	P		P	
Communication tower, monopole					C	C	
Community center	C	C	P	P			
Convenience store			C	P	C	C	
Cultural facility			P	P		P	C
Family daycare	P	P					
Financial institution			P	P	P	P	
Funeral home and related facilities				P		P	
Gas station			C	P	P		
Government facility	C	C	P	P	P	C	
Heliports				C	C	C	
Helistops				C	C	C	
Hospitals						P	
Hotels and motels				P	C	P	
Kennels, boarding			C	C		C	
Lodge/resort						C	
Manufacturing, light					P-BP-NR- P-IND-NR		
Manufacturing					P-IND-NR		
Medical Marijuana Dispensing Facilities			P	P		P	
Nursing home				P		P	

Office			P	P	P	P	
Outdoor operations					C-IND-NR		
Outdoor storage				P	C-IND-NR		
Pain management clinic (see 5.6.7.E.6 for requirements)						C	
<u>Performing Arts School</u>	<u>C</u>	<u>C</u>					
Personal service			P	P	P	C	
Pharmacy			P	P		P	
Printing and publishing					P		
Religious institution	C	C	P	P		C	
Research and development					P	P	
Residential treatment facility						C	
Restaurant, drive- thru/drive-in			P	P	C	P	
Restaurant, sit-down/take- out			P	P	P	P	
Retail, less than 4,900 square feet			P	P	C	C	
Retail, 5,000 to 50,000 square feet			P	P	C	C	
Retail, more than 50,000 square feet			C	P	C		
School, public	C	C		C		C	
School, technical/vocational trade			C	C	C	C	
School, university/college			C	C	C	C	
Self-storage facility					C		

Studio, production					P		
Transit, facility			P	P	P	P	
Transitional uses by annexation agreement	C	C	C	C	C	C	C
Utilities, class I	P	P	P	P	P	P	P
Utilities, class II	C	C	P	P	P	P	
Utilities, class III	C	C	C	C	C	C	
Vehicle service, mechanical			P	P			
Vehicle sales, leasing				P			
Veterinary service			P	P		C	
Warehousing					P		
Wholesale, enclosed				P	P		

Sec. 6.5.5(A)(2). Performing Arts School / Training Center standards.

A Performing Arts School / Training Center shall be allowed as a conditional use within R1-A-NR and R-3-NR districts and shall be subject to the following standards:

- a. Must have a minimum of 5 acres.
- b. A 10' buffer with a six-foot high solid masonry wall as per standards in Chapter 13, Sec. 13.3.8 of the Land Development Regulations and landscape buffer screening shall be provided between developed areas and residential lot lines.
- c. All outdoor activities shall be conducted within a confined activity area, and no outdoor activities shall be conducted before 8:00 a.m. or after 9:00 p.m.
- d. All activities shall be concluded by 10:00 p.m. nightly.
- e. All outdoor lighting shall be directed into the subject property and there shall be no direct lighting into the adjoining properties.
- f. Any outdoor, amplified music shall be held to a minimum and not be so loud as to be a nuisance to the adjoining properties.
- g. All facilities, operation and maintenance shall meet applicable city, county and state requirements of the operation.

Sec. 11.1.2. Application.

A. Off-street parking facilities shall be provided as required by this chapter. For purposes of this chapter, an off-street parking space shall consist of a space adequate for parking a standard size automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, except as provided below, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk or alley, and in such a manner that any automobile may be parked and un-parked without moving another.

B. For purposes of rough computation, an off-street parking space and necessary access and maneuvering room shall be estimated at 400 square feet and the minimum as shown on the table below; however, off-street parking requirements shall be considered to be met only where actual spaces meeting the requirements above are provided and maintained and improved in the manner required by this chapter and in accordance with all other regulations of the city.

Parking space standards and dimensions shall be permitted as follows:

Parking Space Dimensions
(in feet)

Angle	Stall Width	Stall Depth to Wall	Stall Depth to Interlock	Aisle Width	Modules Interlock to Interlock	Modules Wall to Wall
45	9.0/9.5	19.5	16.5	12	45	51
60	9.0/9.5	20.5	18.5	16	53	57
75	9.0/9.5	20	19	20	58	60
90	10	20	18.5	25	62	62 65
				23.5	60.5	60.5 63.5
				22	59	59 62

A minimum aisle width of 22 feet is required for two-way traffic; 12 feet is required for one-way traffic. Parking stalls shall be measured from the edge of pavement to the top of the stall on the same angle as stripe. The width of the stalls shall be measured from the center of a stripe to the center of the next stripe. The measurement shall be taken perpendicular to the stripes.