

Division 7. Section 21-107. First Street, North Overlay District

A. Intent and Purpose.

The intent of this section is to adopt special development regulations on the First Street, North corridor due to economic development needs and well as recognizing its unique character. The underlying land use designations uses in the area remain unchanged by the creation of this overlay. The overlay includes separate development standards than those that would otherwise apply. The development and design standards set forth in this district intend to accomplish the following purposes:

1. Promote an attractive and inviting corridor;
2. Provide safe and convenient access to shopping and other essential services;
3. Promote sustainable use of limited land and investment resources by encouraging high building densities, allowing efficient shared parking areas, and ensuring multi-modal transportation access;
4. Provide for a sufficient amount of attractive and well-maintained landscaping to complement buildings and structures within the corridor;
5. Encourage development of attractive buildings within the corridor;
6. Ensure unobtrusive and orderly signage that averts a garish and visually cluttered appearance along the corridor;
7. Encourage creative designs and buildings of quality; and
8. Promote an increased level of economic development.

B. First Street, North Corridor.

a. Established.

A special overlay district is hereby established to be known as the First Street, North Overlay District.

b. Boundaries.

The First Street, North Overlay District shall include those properties lying between Second Street, NW on the west, and Second Street, NE on the east and Lee Avenue, NE, and Lake Silver on the south to Avenue U, NW and Avenue U, NE on the north, as depicted on the map attached hereto at Exhibit "A".

- c. Illustrated Design Guidelines.** A separate document, the illustrated design guidelines, is attached as Exhibit "B" as a tool for use during the design phase. The written text of the Code supersedes the illustrated guidelines.

C. Applicability.

All development in this district shall comply with the requirements of this article. The standards and requirements set forth below shall apply to new development, any development requiring site plan approval, and conversion of the building exterior finish. The area of development for such projects shall be the area of the site containing buildings, additions, structures, facilities or improvements proposed by the applicant or required to serve those items proposed by the applicant.

D. Variances.

Requests for variances of the design and operational standards set forth in this subsection may be granted by the Planning Commission, which is hereby designated to perform the duties of the Board of Adjustment for this purpose.

E. Regulations.

a. Building Height.

Building heights within this district shall be a minimum of two (2) stories. All stories shall contain functional spaces (e.g. office, retail, residential), not mezzanine, non-functional spaces.

b. Building Setbacks:

Front:	10 feet minimum; 15 feet maximum
Side:	5 feet
Rear:	10 feet
Street side corner:	10 feet

c. Building Design.

- i. *Building Orientation.* Building Placement, including the location and design of the main entrance, parking lot, and other site amenities shall be designed and implemented in a manner which creates a pedestrian safe and friendly environment. Buildings shall be oriented towards their primary access street. On corner lots, the building must be located at the corner. Building sides shall appear similar to their fronts. If a building side faces a residential area, the side facing the residential area shall appear similar to the front.
- ii. *Building Mass.* Developments with a gross floor area over 50,000 square feet shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building mass or direction, pitched roofs, recessed entrances, or a

distinct pattern of divisions on surfaces, windows, trees, and small-scale lighting.

- iii. *Energy Efficiency.* All new and renovated buildings are encouraged to use LEED (Leadership in Energy and Environmental Design), or similar standards, in the design and construction of structures to increase the energy efficiency of the built environment.
- iv. *Rooflines.* A decorative parapet or cornice shall be constructed along all flat roof lines.
- v. *Pedestrian Walkways.* The use of awnings, canopies, cantilevered walkways are encouraged to protect pedestrians from the weather.
- vi. *Building Materials.* Buildings may not be clad in metal siding or plain concrete. A variety of building materials is encouraged.
- vii. *Variation.* Building material, architectural details, and patterns shall be varied per tenant or every 75 feet, whichever is greater.
- viii. *Mechanical Structures.* Mechanical structures must be screened from view using landscaping or fencing. Roof-mounted equipment shall be screened from view by a decorative parapet or cornice.
- ix. *Drive-through Facilities.* Drive-throughs, service windows, and drive-in facilities shall not be located between the building and street and shall minimize impacts on safe pedestrian movement.
- x. *Open Space.* All new development in excess of 80,000 square feet shall be required to provide a minimum of 5% of the parcel as useable open space. Landscaping requirements do not account for useable open space. The use of focal points, pocket parks, fountains, and seating areas are encouraged.
- xi. *Entrances.* All buildings shall include well-defined entrances facing the street at regular intervals. An operable entrance on each primary facade shall be provided to encourage access by pedestrians. Buildings on corner lots may place the entrance at the corner eliminating the need for side entrances.
- xii. *Windows, doors, and other openings.*
 - 1. *First Floor.* The first floor of all new structures shall be designed in a way that a minimum of 45 percent of the length of the first floor street frontage incorporates windows, doors, and other openings to complement pedestrian-scale

activity. Structures shall have windows evenly distributed across the facade.

2. *Upper Story.* Upper story windows, doors, and other openings shall make up at least 30 percent of the wall surface.
3. *Residential Buildings.* Residential-only buildings that are identified on the approved plan may reduce the openings along the ground floor street facing facade to 30 percent.
4. *Storefronts.* All storefront windows shall be transparent or lightly tinted and shall not appear false or applied. Windows are also required along the sides of structures that are visible from roadways or have parking adjacent to them.
5. *Exceptions.* Exceptions to these standards may be made by the Planning Commission in order to achieve compliance with LEED standards, to accommodate public art, or to allow alternative fenestration approaches provided the intent of this section is met by the building exhibiting a primary focus on pedestrian safety and access.

d. Vehicle Parking.

- i. *Location.* Parking shall be placed on the sides and rear of buildings, in order to shield and minimize the massive appearance of the entire parking area, and in some instances, separate the parking required for mixed use projects.
- ii. *CPTED.* Crime Prevention Through Environmental Design (CPTED) principles (visibility, access, security) are encouraged to be incorporated into parking lot designs.
- iii. *Shared Parking.* Shared parking is highly encouraged.
- iv. *Retail Parking.* The parking requirement for retail space in this district shall be 3.0 parking spaces per 1,000 square feet of building area.
- v. *Impervious Surfaces.* The use of pervious concrete is encouraged. For all commercial buildings with required parking of 5 or fewer spaces, gravel of aggregate 7 or larger with a concrete driveway apron and material containing the gravel (concrete border, fencing, brickwork, etc.) is acceptable. Single-family dwelling units may also use gravel (of aggregate 7 or larger) as a driveway and parking

material with a concrete apron and containing material (concrete border, fencing, brickwork, etc.).

- vi. *Connections.* Developments shall provide driveway improvements and driveway “stub-outs” to property lines to facilitate existing and future interconnection of parking areas to adjacent sites. All necessary ingress/egress easements shall be recorded with the Polk County Clerk of Courts prior to final approval of the site plan.
- vii. *Cross Access.* To allow for efficient internal traffic circulation, all parking areas shall be designed to allow cross access between adjacent parcels for both vehicles and pedestrians.
- viii. *Continuous Drive Aisle.* Cross access drives and parking areas shall be aligned to allow for a continuous drive aisle extending between parcels. The continuous drive aisle shall be a minimum of 24 feet in width.
- ix. *Large Lot Segmentation.* Large surface parking lots shall be visually and functionally segmented into several smaller lots through the use of structures and/or landscaping as well as provide pedestrian access through the parking area to the buildings. Land devoted to surface parking lots shall be reduced, over time, through development and redevelopment or through the construction of multi-story parking facilities.
- x. *Mixed-use Parking.* Notwithstanding any other parking requirements set forth in the code of ordinance for individual land uses, when any land or building is used for two (2) or more distinguishable purposes (i.e. joint or mixed use development), the minimum number of parking spaces required to serve the combination of all uses shall be determined in the following manner:

Multiply the minimum parking requirements for each individual use (as set forth in the table 21-142 for each use) by the appropriate percentage (as set forth below in the Parking Credit Schedule Chart) for each of the five (5) designated time periods and then add the resulting sums from each vertical column (Where the computation results in a fractional number, a fraction over one-half (1/2) shall require one space). The column total having the highest total value is the minimum shared parking space requirement for that combination of land uses.

Parking Credit Schedule Chart

	Weekday			Weekend	
	Night Midnight to 7:00 a.m. (percent)	Day 7:00 a.m. to 5:00 p.m. (percent)	Evening 5:00 p.m. to Midnight (percent)	Day 6:00 a.m. to 6:00 p.m. (percent)	Evening Midnight to 7:00 a.m. (percent)
Residential	100%	60%	90%	80%	90%
Office/Industrial	5%	100%	10%	10%	5%
Commercial/Retail	5%	80%	90%	100%	70%
Hotel	70%	70%	100%	70%	100%
Restaurant	10%	50%	100%	50%	100%
Entertainment/recreation (theaters, bowling alleys, bar (lounge), and similar)	10%	40%	100%	80%	100%
Day-Care Facilities	5%	100%	10%	20%	5%
All Other	100%	100%	100%	100%	100%

e. Bicycle Parking.

- i. *Dedicated Parking.* Bicycle parking shall be designated.
- ii. *Bicycle Facility.* Bicycle parking shall be provided in a secure bicycle parking facility (ie: bike rack).
- iii. *Ratio.* Bicycle parking shall be provided at a ratio of 1 space per 10,000 square feet of net building area.
- iv. *Location.* These areas shall be located no more than 50 feet from the entrance of the building and shall be shaded.

f. Transit Amenities.

Transit amenities shall be provided for new multi-family dwelling units and non-residential developments in coordination with the applicable transit agency. The shelter design is included in the design guidelines section, where applicable.

g. Lighting.

- i. *Illumination Levels.* The illumination levels at the interior property line of the project shall not be more than 0.5 foot candles.
- ii. *Cutoff Fixtures.* All exterior lighting fixtures, including security lighting, shall be cutoff fixtures.

- iii. *Direction.* All exterior lighting shall be directed away from residential areas.
- iv. *Energy Efficiency.* All exterior lighting shall be a certified energy-efficient fixture and light source.

h. Access Management

The intent of this section is to provide standards for the connection of driveways and pedestrian facilities from First Street to adjoining properties. These standards are designed to maximize the operational efficiency of First Street while at the same time provide a safe operating environment for motor vehicles, pedestrians, and bicycles.

i. Connections.

1. The minimum driveway separation for all driveways accessing First Street shall be 200 feet as measured from center of driveway to center of driveway.
2. Shared driveways shall be required for all parcels having a roadway frontage along First Street of less than 100 feet.

ii. Pedestrian Circulation

1. All parcels shall provide a direct, ADA-compliant, pedestrian access from the public sidewalk to the entrance of the business with a minimum of a 5-foot sidewalk or by clearly delineated crosswalks through the parking lot.
2. All sites shall provide opportunities to allow for direct pedestrian access to and from future abutting residential areas.
3. All crosswalks located within parking areas shall be of a different material than the general parking area and associated driveways. Crosswalks shall be discernable from the surrounding parking lot/driveway surface and meet ADA requirements.

i. Landscaping.

In addition to the requirements of the landscape ordinance, the following shall apply:

- i. *Florida-Friendly.* A minimum of 70% of all landscaping (trees, shrubbery, groundcover, etc.) shall utilize native/Florida-Friendly plants.
- ii. *Turf grass.* A maximum of 50% of the landscaped area may be planted with turf grass configured with a permanent irrigation system. Turf areas shall be identified on the landscape plan. Turf grass areas shall be irrigated on separate irrigation zones from tree, shrub, and groundcover beds.
- iii. *Watering Zones.* Installed trees and plant materials shall be grouped together with plants of the same water use needs into zones.
- iv. *Irrigation.*

 - 1. All areas of landscaping shall be irrigated to ensure the healthy growth and maintenance of all plant materials.
 - 2. Automatic controls should be a part of the total irrigation system and set with a watering schedule that will not exceed a precipitation rate of 1" per week.
 - 3. Irrigation should be regulated and operated in such a manner as to prohibit any surface runoff from excessive watering.
 - 4. Watering of impervious surfaces is prohibited.
 - 5. Automatic control systems shall be equipped with an operable rain sensor device.
- v. *Parking lots.* Off-street parking shall include internal landscaped islands to help visually soften the impact of the pavement and provide for some shade.
- vi. *Impervious Surfaces.* A minimum of 30% of all impervious parking and driveway areas shall be covered by tree canopy.