



**SEMINOLE COUNTY
BOARD OF COUNTY COMMISSIONERS
LAND DEVELOPMENT CODE
STAFF BRIEFING
JANUARY 10, 2023**



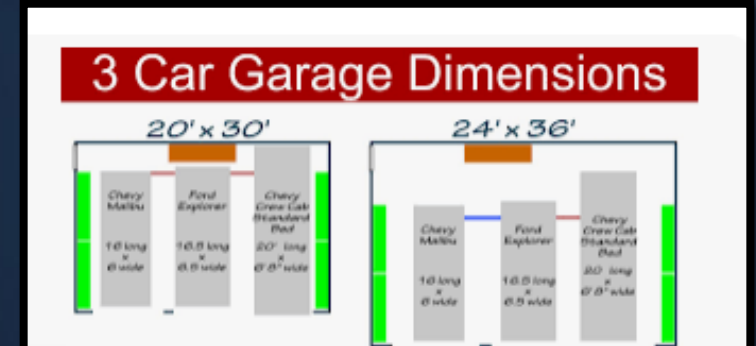
Issue: Accessory Structures

- **Proposed Amendments to Sec. 30.1345. - Accessory buildings and uses in residential areas.**
- Accessory Structures shall not be larger than the principal building in terms of mass, size and height.
- An accessory building or structure greater than 200 square feet and 12 ft. in height shall comply with the following architectural standards: the exterior and roof (if any) shall be comprised of materials commonly use throughout Seminole County in single family residential construction, such as stucco, brick, vinyl, aluminum or wood for the siding or walls and shingles, tiles or corrugated metal for the roof.
- The size limitation of accessory buildings or structures, when secondary to single family residential uses, is further limited as follows: Each detached accessory building or structure shall not exceed 600 square feet or 50 percent of the living area of the principal building, whichever is **greater (or less?)**.



Issue: Accessory Structures

- Average House Size in Seminole County: ~ 2000 sq.ft.
- 50% = 1000 sq. ft.
- Multiple accessory structures add impervious area and impact stormwater systems
- Size of 3 car garage approx. 700 sq. ft.
- **Regulatory Options:**
 - Limit accessory structures by size; and or
 - Establish a maximum impervious percentage based on zoning designation.





Issue: Accessory Structures

- Limit Accessory Structures by Impervious Area instead of square feet or both?

Example of
Max Impervious
Coverage for
Accessory Dwelling
Units
(adopted in current
code)

(C) Impervious coverage for any lot or parcel wherein an ADU is constructed shall not exceed the following limits:

[EXPAND](#)

| Zoning District | Maximum Impervious Coverage* |
|-----------------|------------------------------------|
| RC-1, A-1 | 30% |
| R-1BB | 65% |
| R-1B | 60% |
| R-1 | 50% |
| R-1A | 40% |
| R-1AA | 40% |
| R-1AAA | 40% |
| R-1AAAA | 30% |
| PD | ** |

*The per-lot impervious coverage provided for by the approved Master Stormwater Management System Design (excludes Planned Developments).

**The per-lot impervious coverage provided for by the approved Master Stormwater Management System Design for the Planned Development.



Issue: Kennels

- Update Kennel Definition to be consistent with Animal Services' Definitions in Chapter 20 of the Seminole County Code.
- Local Governments may enact laws that restrict the number and types of animals a person may own. This is done to protect property owners from nuisances (unlawful interference with the use and enjoyment of a person's land), such as unpleasant odors and noise made by animals.

Current Definition

Kennel: A place where dogs and other small animals and house pets are kept, sheltered, boarded, bred, or groomed for compensation.



Issue: Kennels

Proposed Definition

Kennel, commercial: Any premises or structure wherein any person engages in housing or boarding of more than six (6) dogs and/or eight (8) cats. Commercial kennels used for the purpose of buying, selling or breeding of dogs and cats is prohibited. **This term does not include fosters/service dog trainers for 501c3 animal rescue organizations and service dog organizations, or animal rescue organizations as identified in F.S. § 828.03 who are in the process of re-homing dogs and cats.** If the number of animals being housed by these organizations exceeds the maximum threshold defined herein, **accessory structures housing animals must be setback 150 feet from rights-of-ways and neighboring property lines, and** are regulated by Chapter 20 Animals and Fowl, Seminole County Code, which requires a Kennel Certificate and annual inspection by Animal Services.



Issue: Kennels

Policy Questions:

- Should the number of dogs and cats be limited per household/Residence?
- Should 501c3 animal rescue organizations and service dog organizations be exempted from Commercial Kennel definition regulation?
- Vesting- If definition is changed, should code language allow for vesting? For example, if the animal(s) owner can show that he owned a certain number or type of animals before the new kennel definition was enacted, then his situation could be considered a prior non-conforming use. Otherwise, once an ordinance is enacted that changes a once lawful activity into an unlawful use, the prior lawful use must stop, or the animal owner may be charged with a code violation.



Issue: Wetlands as Open Space

Current Code Regulations

- Sec. 30.1344 Open Space, Seminole County Land Development Code
- Conservation areas, defined for the purposes of this Section as 100-year floodplain and wetlands as delineated by the St. Johns River Water Management District, may be counted toward the minimum required open space area subject to limitations specified.
- Natural lakes and/or conservation areas within a development site shall not be credited to a combined maximum of more than fifty (50) percent of the Required open space.
- Applies to both residential and non-residential open space, where required.



Issue: Wetlands as Open Space

County Code Comparisons

- Most Adjacent Counties allow between 50% and 100% of conservation areas to count towards open space

| County | Wetlands | Floodplains |
|----------|------------------------------------|------------------------------------|
| Alachua | 100% * | 100%* |
| Brevard | 50% -100%** | 50%- 100%** |
| Lake | 100%* | 100%* |
| Orange | No more than 50% of total required | No more than 50% of total required |
| Osceola | No more than 50% of total required | No more than 50% of total required |
| Pinellas | 100%* | 100%* |
| Seminole | No more than 50% of total required | No more than 50% of total required |
| Volusia | 100%* | 100%* |



Issue: Wetlands as Open Space

Code Amendment Option:

- Add Wetland Significance Criteria to determine percentage of wetlands that can count towards open space.
- Encourages preservation of valuable wetlands and encourages the creation of common useable open space such as neighborhood parks and tot lots.

| Score for each criterion | Size (acres) | Connectedness to surface waters | Landscape diversity | Intactness | Uniqueness | Quality |
|--------------------------|--------------|---------------------------------|--------------------------------|--------------------------|------------|------------------|
| 3 | 50+ | Major connection | 3+ bordering plant communities | Undisturbed or recovered | Scarce | Undisturbed |
| 2 | 10 – 50 | Minor connection | 2 bordering plant communities | Minor alterations | Uncommon | Minor alteration |
| 1 | 0.5 – 10 | Isolated | 1 bordering plant community | Major alterations | Common | Major alteration |



Issue: Open Space for Wetlands

- Add proportion of open space requirements that can be met through on-site wetland preservation based on wetland significance scores

| Wetland significance | Open space allotment | With enhanced buffer |
|--------------------------|----------------------|----------------------|
| High Score (13-18) | Up to 50% | N/A |
| Moderate Score (8-12) | Up to 25% | Up to 35% |
| Low Score (6-7) | Up to 10% | Up to 20% |

- Policy Question: Keep code language as currently written or create wetland significance criteria to determine what percentage of wetlands can count towards open space?



Issue: Historic Trees

■ Historic Trees:

Proposing Language that requires a certified arborist report and review by Natural Resource Officer for trees greater than 36" DBH, prior to determination of a historic tree.

Proposing language that allows the Natural Resource Officer to approve Historic and Specimen Tree designations and permits for necessary removal of Historic and Specimen trees. Decisions by the Natural Resources Officers can be appealed to Planning Manager or Development Services Director.





Issue: Backyard Chicken Program

- Update LDC to include backyard chickens as a limited use in the residential zoning classifications.
- Increased number of allowable chickens from 4 to 5.
- Increase height of coop from 8 ft to 12 ft.
- Increase maximum size of coop from 150 sq ft to 170 sq ft.





Questions & Direction