

Staff Briefing Land Development Code Update - Full Draft Review

Seminole County BCC
May 23, 2023

Agenda Item # 33



PURPOSE

- Final Staff Presentation on draft Land Development Code Amendments and concurrent Comprehensive Plan Amendments.
- Requesting final feedback and direction from the Board prior to Ordinances being brought forward for public hearings.

OUTLINE OF PRESENTATION

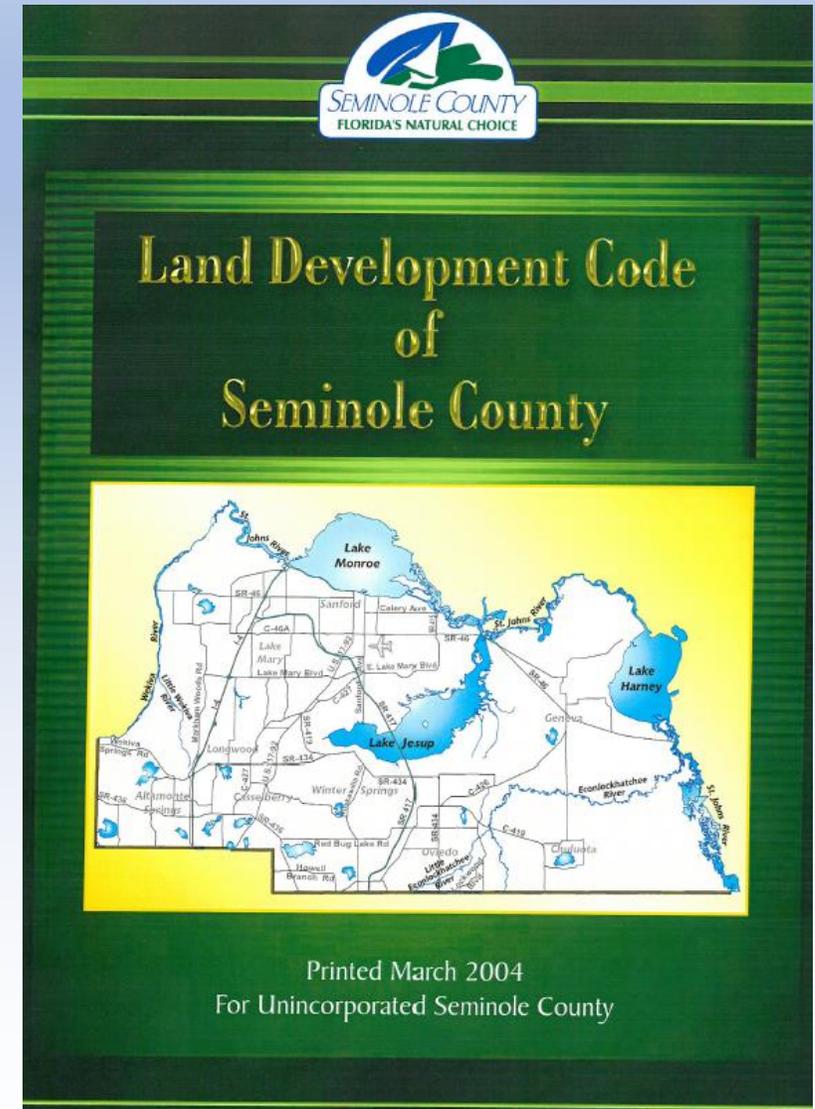
- Major Changes to LDC – Presented by Kimley-Horn
- Section-by-Section Review of Proposed LDC Amendments and concurrent Comprehensive Plan Amendments – Presented by Kimley-Horn
- Follow-Up Items & 1 New Item – Presented by Staff
- Stakeholder Feedback – Presented by Staff

Overview of Process

1. Review of Current Regulations
2. Recommend Strategies for Rewrite
3. Draft Code Revisions
 - a) Work Sessions on Specific Topics
 - b) Stakeholder Engagement
 - c) Work Sessions on Full Draft of Changes
4. Review and Adoption
 -  a) **Final Board Review of Full Draft**
 - b) Adoption

Seminole County LDC History

- First adopted 1960
- Major updates 1973 and 1980
- Most recent edition 2004
- Incremental changes
- Municipal Code Corporation-
Municode



Goals and Scope of the LDC Rewrite

- Address items affecting day-to-day operations
- Create more efficiency in working with applicants & the public
- Better implement the adopted Comprehensive Plan
- Targeted updates to address previously identified topics of concern
- Modernize and reorganize the Zoning Regulations- Chapter 30
- Update references to County agencies and titles
- Correct typos and add and delete definitions



Previously Reviewed in BCC Work Sessions



- ▶ New Standards:
 - ▶ Mixed Use Corridor District (MUCD)
 - ▶ Missing Middle Housing (MM)
 - ▶ Solar Energy Systems
 - ▶ Assembly Use Standards
 - ▶ Parking Garage Standards
- ▶ Revised Standards
 - ▶ Affordable Housing (R-AH)
 - ▶ Arbor Regulations (and related standards)
 - ▶ Florida Friendly
 - ▶ Rural Nonresidential Design Standards
 - ▶ Minimum Living Area

Chapter by Chapter Updates



Chapter 1 – General Provisions

- Revises procedures for reviewing Land Development Code (LDC) to be consistent with current practice

Chapter 2 – Definitions

- Add/revise/delete definitions as needed for LDC Update
- Includes new or revised definitions related to, lighting standards, surveying terms, historic trees, truck parking

Chapter 5 – Administration

- Updated titles of DRC to be consistent with current

Chapter 30 - Table of Contents (Existing)

Part 1. - Interpretation And Application

Part 2. - Establishment Of Districts, District Boundaries on Zoning Map And Restrictions On Land, Water, Building And Structure

Part 3. - Administration

Part 4. - Prohibited Uses/C-1, C-2 Zoning Classification

Part 6. - A-10, A-5, And A-3 Rural Zoning Classification/Rural Subdivision Standards

Part 7. - A-1 Agriculture

Part 10. - RC-1 Country Homes District

Part 11. - R-1, R-1B, And R-1BB Single-Family Dwelling Districts

Part 12. - R-1AAAA, R-1AAA, R-1AA and R-1A Single-Family Dwelling District

Part 13. - R-2 One- And Two-Family Dwelling District

Part 14. - R-3 And R-3A Multiple-Family Dwelling Districts

Part 15. - R-4 Multiple-Family Dwelling District

Part 17. - RM-1 Single-Family Mobile Home Residential District

Part 18. - RM-2 Single-Family Mobile Home Park District

Part 19. - RM-3 Travel Trailer Park and Campsites

Part 25. - PD Planned Development

Part 27. - Urban Conservation Village Design

Part 30. - UC University Community District

Part 32. - PLI Public Lands and Institutions

Part 34. - RP Residential Professional District

Part 36. - OP Office District

Part 38. - CN Restricted Neighborhood Commercial District

Part 39. - CS Convenience Commercial District

Part 40. - C-1 Retail Commercial District

Part 41. - C-2 Retail Commercial District

Part 42. - C-3 General Commercial and Wholesale District

Part 46. - M-1A Very Light Industrial District

Part 47. - M-1 Industrial District

Part 48. - M-2 Impact-General Industrial Zoning Classification

Part 50. - Boat Dock And Floating Boat Dock Setback Requirements; Permit Required

Part 51. - Floodplain Management Ordinance of Seminole County

Part 52. - W-1 Wetlands Overlay Zoning Classification

Part 54. - Aquifer Recharge Overlay Zoning Classification

Part 55. - Scenic Corridor Overlay Zoning District

Part 56. - Lake Mary Boulevard Gateway Corridor Overlay Standards Classification

Part 57. - Econlockhatchee River Protection Overlay Standards Classification

Part 58. - Wekiva River Protection—Seminole Estates Overlay Zoning

Part 59. - Markham Road, Longwood—Markham Road And Lake Markham Road Scenic Roadway Corridor Overlays

Chapter 30 - Table of Contents (Existing)

Part. 59. - Markham Road, Longwood—Markham
Road And Lake Markham Road Scenic
Roadway Corridor Overlays

Part 60. - Chuluota Nonresidential Design Standards
Zoning Overlay

Part 61. - Airports

Part 62. - State Road 46 Scenic Corridor Overlay
District

Part 63. - State Road 46 Gateway Corridor Overlay
Standards Zoning Classification

Part 64. - Off-Street Parking, Loading, And
Landscaping Regulations

Part 65. - Sign Regulations

Part 66. - State Road 46 Scenic Corridor Lighting
Standards

Part 67. - Landscaping, Screening and Buffering

Part 68. - Performance Standards

Part 70. - Supplemental District Regulations

Part 71. - Public School Locational Criteria and Site
Design Standards

Part 72. - Mobile Homes/Manufactured Housing
Siting Standards

Part 73. - Alternative Density Option

Part 74. - Us 17-92 Community Redevelopment Area
Target Zone Height Alternative Standards

Part 75. - Oxford Place Overlay District

Chapter 30 - Table of Contents (Reorganized)

Part 1 Interpretation and Application

Part 2 Establishment of Districts

Part 3 Administration

Part 4 Zoning District Standards

Part 5 Permitted Uses by Zoning Districts

Part 6 Additional Use Standards

Part 7 Development Standards

Part 8 Special Zoning Districts

Part 9 Supplemental Regulations

Part 10 Overlay Districts

Part 11 Parking and Loading Regulations

Part 12 Floodplain Management

Part 13 Sign Regulations

Part 14 Landscaping, Screening, Buffering
and Open Space

Part 15 Outdoor Lighting

Part 16 Performance Standards

Chapter 30 – Zoning Regulations

➤ Reorganize Permitted Uses and Dimensional Standards into tables for readability, consistency, and simplicity of administration

- Section 5 – Permitted Uses by Zoning District
- Section 7 – Development Standards

➤ Section 6 – Additional Use Standards

- Civic Assembly Standards
- Solar Facilities Standards

➤ Section 8 – Special Zoning Districts

- Update standards for Affordable Housing (R-AH) Districts

218035 - Seminole County Land Development Code (Permitted Uses) 3/10/2022		A-10, A-5, A-3	A-1	RC-1	R-1AAAA, R-1AAA, R-1AA	R-1A	R-1	R-1B	R-1BB	R-2	R-3A	R-3
Residential and Lodging Uses												
Assisted living facility			S ⁵	S ⁵	S ⁵	S ⁵	S ⁵	S ⁵	S ⁵	S ⁵	S	S
Adult living facility											S	S
Bed and breakfast	S	S										
Boarding house/ Dormitories											S	S
Campground / RV Park												
Community residential home (1-6 unrelated persons)	P _L	P _L	P _L	P _L	P _L	P _L		L				
Community residential home (7-14 unrelated persons)	S ⁵	S ⁵	S ⁵	S ⁵	S ⁵	S ⁵	L	L				
Dormitories											S	S
Dwelling, multiple-family											P	P
Dwelling, two-family or duplex										P	P	P

AREA AND DIMENSION REGULATIONS	RESIDENTIAL								
	Single and Two Family Dwelling Districts								
	RC-1	R-1AAAA	R-1AAA	R-1AA	R-1A	R-1	R-1B	R-1BB	R-2
Min. Lot Area Required	43,560	21,180	13,500	11,700	9,000	8,400	6,700	5,000	9,000
Min. Parcel/Lot Width at Building Line	120	100	100	90	75	70	60	50	75
Min. Front Yard Requirement	35	25	25	25	25	25	20	20	25
Min. Side Yard Requirement	20	10	10	10	7.5	7.5	7.5	5	10
Min. Side Yard abutting street or road	35	25	25	25	25 / 15 (3)	25 / 15 (3)	20 / 15 (3)	20 / 15 (3)	25 / 15 (3)
Min. Rear Yard Requirement	35	30	30	30	30	30	25	20	30

Chapter 30 – Zoning Regulations

➤ Section 8 – Special Zoning Districts Missing Middle Zoning District

- Encourages a wider range of housing choices in central locations accessible to services to increase affordability

Corresponding Comp Plan Updates

- Proposed text changes to FLU 5: Future Land Use Map Foundation to add new concepts to the Plan
- Allowable densities governed by FLU designation
- Permitted in LDR, MDR, HDR
- Allowed as support use in Commercial and Office future land use



Chapter 30 – Zoning Regulations

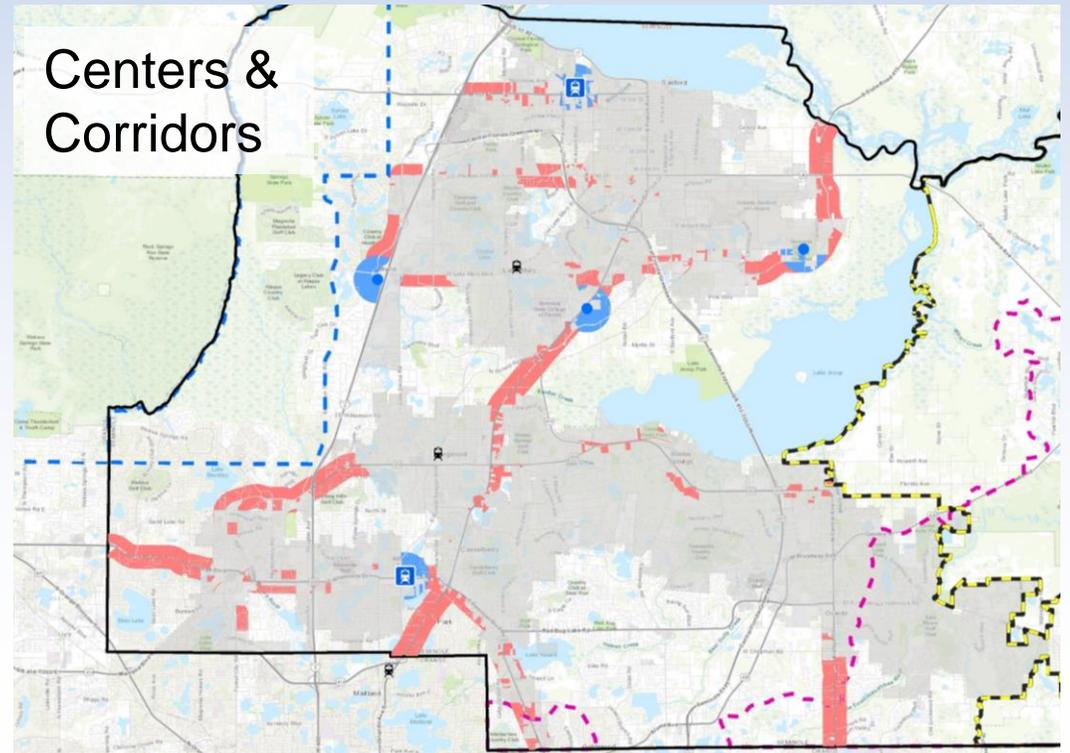
➤ Section 8 – Special Zoning Districts

Mixed Use Corridor District (MUCD)

- Allows for a blend of various uses including retail, office, residential, and institutional uses.
- Permitted in the MXD and PD future Land Use Categories
- Intended to enable and encourage efficient use of land and promote multi-modalism

Corresponding Comp Plan Updates

- Mixed Use Development (MXD) - Proposed text changes to FLU 5.15
- Can be implemented through the new MUCD or through Planned Development (PD) zoning.
- Pre-existing commercial sites must be rezoned if unused for 180 days or more
- Maximum nonresidential FAR increased from 0.60 to 1.0



Updates to Planned Development Regulations

➤ Update intent language:

- Flexibility and innovation to meet the needs of County residents and businesses by facilitating innovative design solutions and development plans, that may be difficult to achieve under conventional zoning regulations
- Increase in density or intensity alone not sufficient justification for seeking an alternative to conventional zoning districts
- Meet or exceed standard arbor, tree preservation, and tree planting requirements
- Additional standards for Commonly Accessible Open Space

Chapter 30 – Zoning Regulations

- Section 9 – Supplemental Regulations
 - Revisions to truck parking in residential districts
- Section 10 – Overlay Districts
 - Add Rural Nonresidential Design Standards added to Scenic Corridor Overlay
 - Delete US 17-92 CRA Target Zone Height Alternative Standards
 - Wekiva River Protection - additional regulations regarding clustering subdivisions and correct title of Development Services Director

Chapter 30 – Zoning Regulations

- Section 11 – Parking & Loading Regulations
 - Reduce the number of required spaces for certain land uses (over parked)
 - Create parking garage design standards
 - Lighting
 - Architectural Design Standards
 - Revisions to truck parking in residential districts
 - Establish bicycle parking requirements
 - EV readiness standards included

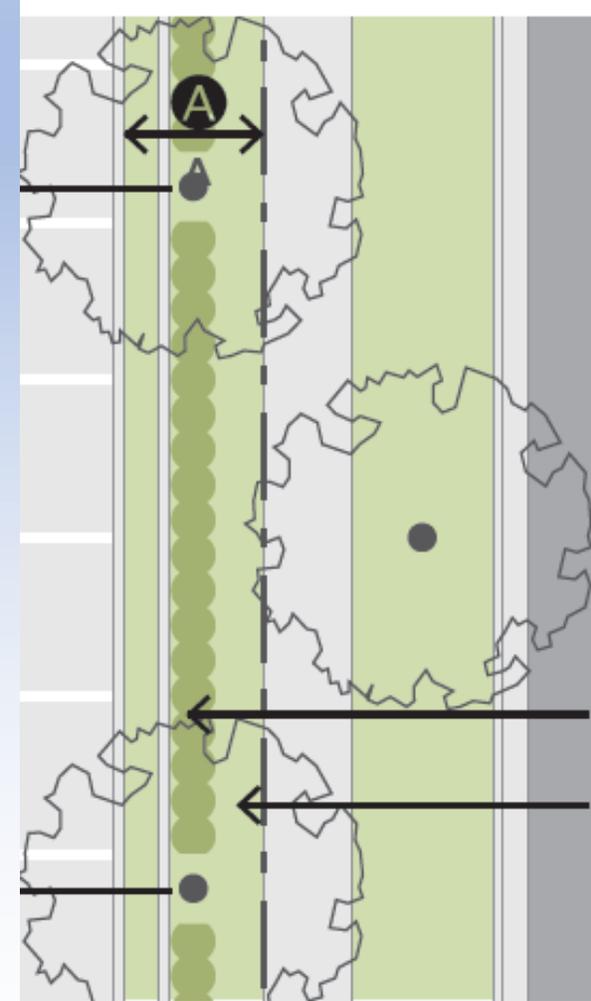


Chapter 30 – Zoning Regulations

- Section 14 – Landscaping, Screening, Buffering, and Open Space
 - Proposed Changes –
 - Combine landscape, buffer, and open space requirements into one Part
 - Additional references to Florida Friendly landscaping
 - Removed non-Florida Friendly landscaping from preferred species list
 - BCC may alter buffer criteria as part of a PD approval
 - Eliminate buffering between subdivisions of 4 units per acre or less
 - Section 14.20 Fence section revised

Corresponding Comp Plan Updates

- Proposed Text changes to FLU 1.14 Conservation of Water Resources
 - Update and clarification: evaluation of landscaping requirements has been done in accordance with the current wording of the policy



Chapter 30 – Zoning Regulations

- Section 15 – Outdoor Lighting (section added)
 - Proposed Changes –
 - Additional regulations to reduce glare
- Section 16 – Performance Standards - Glare
 - Proposed Changes –
 - Illuminance standards added

Chapter 35 – Subdivisions

- Requiring same 25% tree save requirement as Ch. 40 (Site Plan Regulations)
- Add tree planting requirements for new residential lots

Chapter 60 – Arbor Regulations

- Tree replacement:
 - Replace based on caliper inches (double for specimen trees)
 - Natural Resource Officer reviews removal of historic trees
 - Arbor Trust Fund payments if replacement not feasible
 - Development Services Director may grant deviations for hardship
 - Exempt existing single family lots of 3 acres or less
- Replacement Tree Quality:
 - Florida Nursery Standard #1 or better
 - Recommend species native to the region
- Fees doubled for trees removed without a permit



Chapter 40 – Site Plan Approval

- Updates to Title
- Demonstrating Compliance with Ch. 30 Part 68 Performance Standards

Chapter 80 – Construction

- Hours for construction were added and a prohibition on vibratory equipment for compaction was added

Follow Up Items - Commercial Kennels

- Update Kennel Definition to be consistent with Animal Services' Definitions in Chapter 20 of the Seminole County Code
- Update to help address code enforcement complaints related to animal noise in agriculturally zoned areas
- 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

Follow Up Items- Commercial Kennels

Proposed Definition:

Kennel, Commercial: Any premises, unit, or structure wherein any person or entity engages in training, housing, sheltering, harboring, or boarding of domesticated animals and pets such as dogs and cats including non-commercial properties that engage in such activities for pets over three (3) months of age that exceed the following numbers:

- Lots of one (1) acre or less in size: Maximum of six (6) dogs and a total of (8) eight animals per residence/premises.
- Lots greater than one (1) acre but less than five (5) acres in size: Eight (8) dogs per residence/premises and a total of ten (10) animals per residence/premises.
- Lots five acres or greater: Ten (10) dogs per residence/premises and a total of twelve (12) animals per residence/premises.

Commercial kennels used for the purpose of buying, selling, or breeding of dogs and cats is prohibited. This term does not include foster animals housed on a temporary basis and are in the process of being rehomed. If the number of foster animals being housed exceeds the maximum threshold defined herein, the use shall also be regulated by Chapter 20 Animals and Fowl, Seminole County Code, which requires a "Standard of Care" Certificate and annual inspection by Seminole County Animal Services.

Follow Up Items- Commercial Kennels

Other Related New Definitions:

Foster animal: An animal that is temporarily boarded at a residence, subject to approval from Seminole County Animal Services, municipal pound, a registered rescue group, or a registered humane society

Animal foster: A person who harbors cats or dogs on a temporary basis as part of a foster care program administered by a Seminole County municipal pound, Seminole County Animal Services, registered rescue group, or a registered humane society

Follow Up Items - Truck Parking in Residential Areas

- Vehicle weight classes and categories used by the Federal Highway Administration, the U.S. Census Bureau and the Environmental Protection Agency (EPA)
- These vehicle weight classes are defined as follows and are used consistently throughout the industry

Vehicle Weight Classes & Categories

Gross Vehicle Weight Rating (lbs)	Federal Highway Administration		US Census Bureau
	Vehicle Class	GVWR Category	VIUS Classes
<6,000	Class 1: <6,000 lbs	Light Duty <10,000 lbs	Light Duty <10,000 lbs
10,000	Class 2: 6,001 – 10,000 lbs		
14,000	Class 3: 10,001 – 14,000 lbs	Medium Duty 10,001 – 26,000 lbs	Medium Duty 10,001 – 19,500 lbs
16,000	Class 4: 14,001 – 16,000 lbs		
19,500	Class 5: 16,001 – 19,500 lbs		
26,000	Class 6: 19,501 – 26,000 lbs	Light Heavy Duty: 19,001 – 26,000 lbs	Light Heavy Duty: 19,001 – 26,000 lbs
33,000	Class 7: 26,001 – 33,000 lbs		
>33,000	Class 8: >33,001 lbs	Heavy Duty >26,001 lbs	Heavy Duty >26,001 lbs

 <p>CLASS 1 6,000 lbs or less</p> <p>MINI-VAN CARGO VAN SUV PICKUP TRUCK</p>	 <p>CLASS 5 16,001 lbs to 19,500 lbs</p> <p>BUCKET TRUCK LARGE WALK-IN CITY DELIVERY</p>
 <p>CLASS 2 6,001 lbs to 10,000 lbs</p> <p>MINI-VAN CARGO VAN FULL-SIZE PICKUP STEP VAN</p>	 <p>CLASS 6 19,501 lbs to 26,000 lbs</p> <p>BEVERAGE TRUCK SINGLE-AXLE SCHOOL BUS RACK TRUCK</p>
 <p>CLASS 3 10,001 lbs to 14,000 lbs</p> <p>WALK-IN BOX TRUCK CITY DELIVERY HEAVY-DUTY PICKUP</p>	 <p>CLASS 7 26,001 lbs to 33,000 lbs</p> <p>TRUCK TRACTOR REFUSE FURNITURE CITY TRANSIT BUS</p>
 <p>CLASS 4 14,001 lbs to 16,000 lbs</p> <p>LARGE WALK-IN BOX TRUCK CITY DELIVERY HEAVY-DUTY PICKUP</p>	 <p>CLASS 8 33,001 lbs to HUGE</p> <p>SLEEPER CAB TRUCK TRACTOR DUMP TRUCK CEMENT TRUCK</p>

Follow Up Items - Truck Parking in Residential Areas

Sec. 9.4 Truck parking in Residential Zoned Districts –

No trucks having a ~~rated load limit~~ gross vehicle weight of more than 14,000 pounds ~~two (2) tons or having more than two (2) axles~~ may be parked or stored in any residentially zoned area other than to load or unload merchandise; nor may any truck of any size, which has operating motorized cooling units, be permitted to be parked in any residentially zoned area. Only the Federal Highway Administration (FHA) vehicle weight class categories of Class one (1) through Class three (3) trucks meeting the above weight limitation may be parked in residentially zoned areas. The weight and classification limitations contained herein do not apply to personal pickup trucks or personal recreational vehicles (RVs) as defined by Florida Statutes 320.01(b).

New Definitions to Support Provision:

- Personal truck: A truck intended for the private use of an individual and insured as a personal vehicle.
- Recreational vehicle: Self-propelled or permanently towable by a light duty truck; and not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Follow Up Items - Accessory Structures

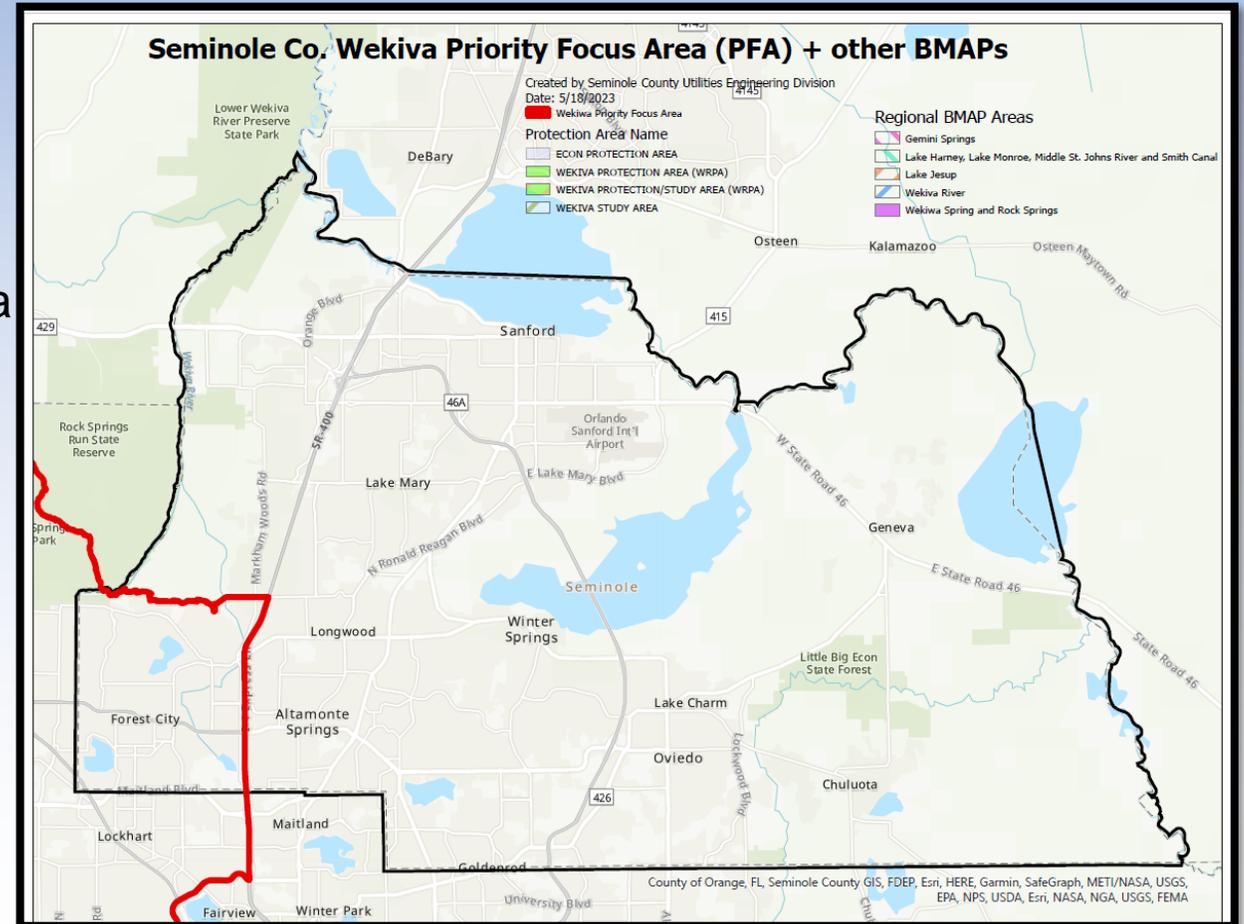
Proposed Amendments to Sec. 30.1345. - Accessory buildings and uses in residential areas

- (e) Accessory buildings shall not exceed the principal building in terms of mass, size, and height unless located in the A-1 zoning District and used for agricultural purposes such as a livestock barn or stable. Each detached accessory structure or building shall not exceed fifty percent (50%) of the living area of the principal building. This provision does not apply to accessory structures within the A-3, A-5, and A-10 zoning Districts. A screened pool structure height may exceed the height of the principal structure.**
- (f) An accessory building or structure greater than 200 square feet and twelve (12) feet in height shall comply with the following architectural standards unless located in the A-1, A-3, A-5, and A-10 zoning districts and used for agricultural purposes such as a livestock barn or stable. 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. Accessory Dwelling Units must conform with Section 6.1.3 of this part.**

New Item – Advanced Septic Systems

- Currently the State requires Advanced Septic Systems in the PFA Area of Wekiva Springs
- An Advanced Septic System is defined as a system that provides at least 50% nitrogen reduction
- An aerobic advanced septic tank uses electricity for aeration and an INRB is a passive system that uses a nitrogen reducing biofilter media layer

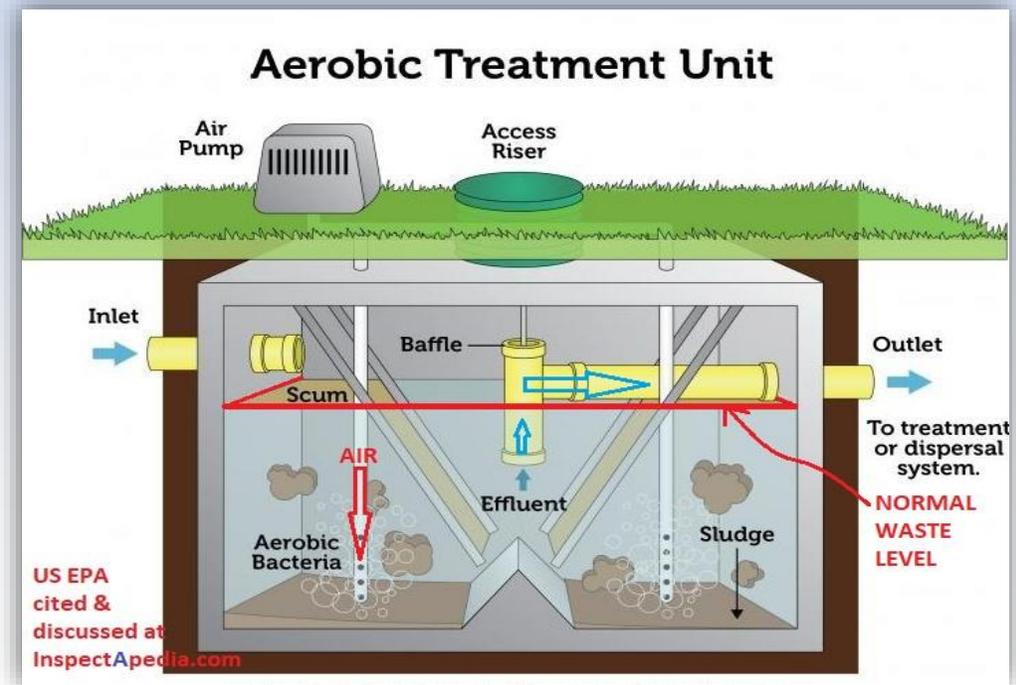
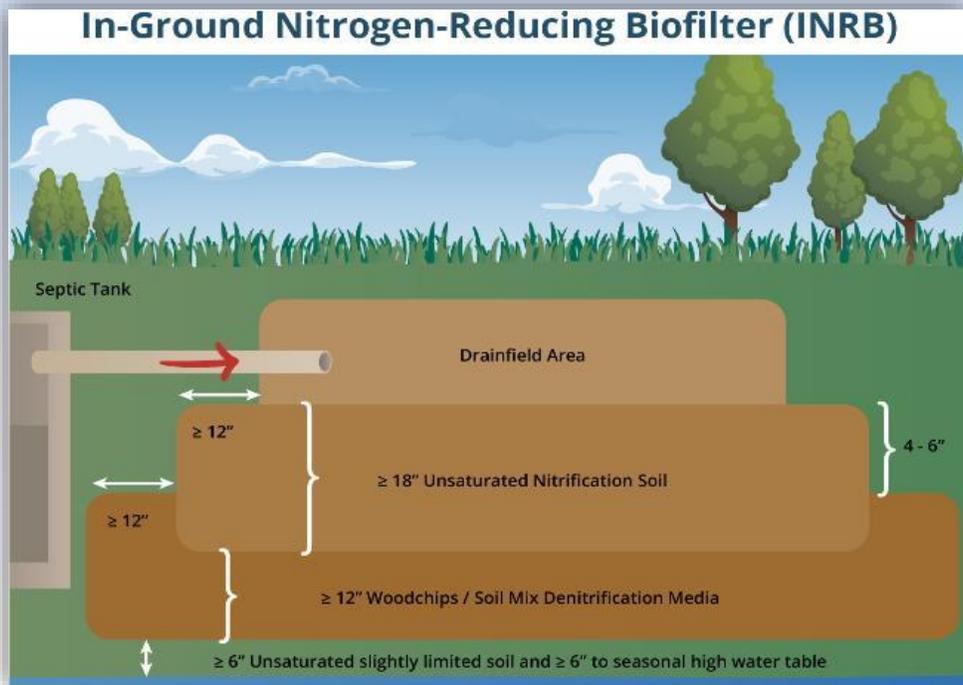
Priority Focus Area: Wekiva Spring



New Item – Advanced Septic Systems

Standard Septic System vs. Advanced Septic System

- Higher maintenance costs for advanced aerobic systems
- Cost difference estimate - \$2,000 to \$3,000 difference in initial capital costs
- Advanced systems better for the environment and receiving water bodies (50% Nitrogen Reduction)



New Item – Advanced Septic Systems

Policy Direction:

- Require all new and replacement septic systems to be advanced?
- Implement Countywide or Environmentally Sensitive Areas only?
- Revise the Sanitary Sewer Element of the Comprehensive Plan
 - Require new developments and redevelopments on any parcel or lot that does not tie into the sanitary sewer to install an enhanced onsite treatment and disposal system that meets NSF (National Sanitation Foundation) Standard 245 for a minimum of 50% nitrogen reduction
- Revise the LDC, Chapter 35 Subdivision Regulations to implement Comprehensive Plan Policy
 - Revise requirements for lots, minor plats, and subdivisions
- Establish a process for individual residential building permits that are not connecting to sanitary sewer to ensure compliance with the new comprehensive plan policy
 - Work with the Building Division and Health Department/DEP to ensure compliance with permitting requirements

Public Participation & Stakeholder Feedback

- **Community Meetings: Three (3)**
- **Rural Non-Residential Design Standards Community and Property Owner Meetings: Five (5)**
- **Work Sessions/Presentations to the BCC: 14 (drafts provided at last five (5) work sessions)**
- **DAB- Presented and discussed proposed changes at multiple meetings throughout process**
- **PBAS- Presented an overview of the proposed changes at PBAS on March 8, 2023**
- **Emailed draft to Stakeholders prior to last five (5) work sessions**

Citizen/Resident Stakeholders

- Cluster Subdivisions in the East Rural Area- Sec. 30.109 (would also require comp plan amendments)
- Recommend discussing/addressing with the EAR Based Amendment and follow up LDC changes

Development Advisory Board (DAB) Stakeholders

- Staff implemented several of DAB's recommendations
- In the R-3, R-3A and R-4 Multi-Family Zoning Districts prohibits garage doors from facing a public right-of-way to enhance aesthetics and walkability (DAB not in agreement with new provision)

Friends of Wekiva River Inc. Stakeholder

Request to remedy inconsistencies between the County's Wekiva River Protection Area Environmental Design Standards, Arbor Protection and the County's general arbor permitting regulations

Questions