

ORDINANCE NO. 2026-\_\_\_\_

SEMINOLE COUNTY, FLORIDA

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY IN THE FOLLOWING MANNER: CHAPTER 2 (DEFINITIONS), SECTION 2.3, TO ADD AND AMEND DEFINITIONS; CHAPTER 5 (ADMINISTRATION) TO AMEND AND UPDATE SECTION 5.19 (ADMINISTRATIVE ADJUSTMENTS) AND SECTION 5.20 (ENGINEERING MANUALS); CHAPTER 20 (DEVELOPMENT ORDERS/APPROVALS AND DENIALS OF APPLICATION FOR DEVELOPMENT APPROVALS) TO ADD SECTION 20.13 (ENFORCEMENT); CHAPTER 30 (ZONING REGULATIONS) PART 2 (ESTABLISHMENT OF DISTRICTS) TO AMEND SECTION 30.2.6 (APPLICATION OF ZONING CLASSIFICATION REGULATIONS), PART 3 (ADMINISTRATION) TO AMEND SECTION 30.3.1 (PLANNING AND ZONING COMMISSION), TO ADD 30.3.1.6 (CONVENTIONAL REZONING), TO AMEND SECTION 30.3.3 (BOARD OF ADJUSTMENT), TO AMEND AND RENAME SECTION 30.3.10 (NONCONFORMITIES), TO ADD SECTION 30.3.13 (NONCONFORMANCE DUE TO GOVERNMENT TAKING OR VOLUNTARY DEDICATION), PART 4 (ZONING DISTRICT STANDARDS) TO DELETE, AMEND AND REORGANIZE SECTION 30.4.8 (R-3 AND R-3A MULTIPLE-FAMILY DWELLING DISTRICTS), TO AMEND SECTION 30.4.9, (R-4 MULTIPLE-FAMILY DWELLING DISTRICT) AND SECTION 30.4.14 (OP OFFICE DISTRICT), PART 5 (PERMITTED USES BY ZONING DISTRICT) TO UPDATE SECTION 30.5.1 (GENERAL REQUIREMENTS) AND AMEND TABLES IN SECTION 30.5.2 (PERMITTED USE TABLE AND FOOTNOTES) AND SECTION 30.5.3 (USE CONSOLIDATION), PART 6 (ADDITIONAL USE STANDARDS) TO AMEND SECTION 30.6.1 (ACCESSORY BUILDING AND USES), SECTION 30.6.6 (ALCOHOLIC BEVERAGE ESTABLISHMENTS) AND SECTION 30.6.7 (COMMUNICATION ANTENNAS/TOWERS), TO RENAME AND AMEND SECTION 30.6.10 (COMMUNITY RESIDENTIAL HOMES, ASSISTED LIVING FACILITIES, AND CERTIFIED RECOVERY RESIDENCES), TO DELETE SECTION 30.6.12 (RESERVED), TO AMEND SECTION 30.6.16 (VACATION RENTALS), TO ADD SECTION 30.6.20 (LIVE-WORK UNITS), PART 7 (DEVELOPMENT STANDARDS) TO AMEND SECTION 30.7.2 (GENERAL STANDARDS) AND THE TABLE IN SECTION 30.7.3 (DIMENSIONAL STANDARDS TABLE), PART 8 (SPECIAL ZONING DISTRICTS) TO AMEND SECTION 30.8.3 (MM MISSING MIDDLE DISTRICT AND ALTERNATIVE STANDARDS) AND TABLE 8.3-A, TO AMEND AND REORGANIZE SECTION 30.8.5 (PD PLANNED DEVELOPMENT) AND RECODIFY SECTION 30.8.7 (UC UNIVERSITY COMMUNITY DISTRICT), PART 9 (SUPPLEMENTAL REGULATIONS) TO AMEND SECTION 30.9.5 (BOAT DOCK REQUIREMENTS), TO RENUMBER SECTION 30.9.6 (DOGS IN PUBLIC

46 **FOOD ESTABLISHMENTS), TO AMEND AND RENUMBER SECTION**  
48 **30.9.7 (ALTERNATIVE DENSITY OPTION FOR AFFORDABLE**  
50 **HOUSING) AND ADD DENSITY STANDARDS TABLE, REMOVING**  
52 **TABLE 1 AND TABLE 2, PART 10 (OVERLAY DISTRICTS) TO UPDATE**  
54 **THE SCENIC CORRIDOR MAP IN SECTION 30.10.2 (SCENIC**  
56 **CORRIDOR OVERLAY ZONING DISTRICTS), TO AMEND SECTION**  
58 **30.10.3 (LAKE MARY BOULEVARD GATEWAY CORRIDOR OVERLAY**  
60 **STANDARDS CLASSIFICATION), SECTION 30.10.8 (AIRPORTS),**  
62 **SECTION 30.10.11 (CREATION OF STATE ROAD 46 GATEWAY**  
64 **CORRIDOR OVERLAY STANDARDS ZONING**  
66 **CLASSIFICATION/DESCRIPTION OF CORRIDOR AND PROPERTY**  
68 **AFFECTED/APPLICABILITY), AND SECTION 30.10.12 (OXFORD**  
70 **PLACE OVERLAY DISTRICT), TO ADD SECTION 30.10.14 (OVERLAY**  
72 **AREAS OF THE URBAN CENTERS AND CORRIDORS OVERLAY) AND**  
74 **CORE AREA OVERLAY MAP, PART 11 (PARKING AND LOADING**  
76 **REGULATIONS) TO AMEND SECTION 30.11.4 (PARKING REDUCTION**  
78 **AND EXCEPTIONS), TO DELETE SECTION 30.11.5 (ELECTRIC**  
80 **VEHICLE READINESS), AND AMEND SECTION 30.11.7**  
82 **(MISCELLANEOUS DESIGN STANDARDS); PART 13 (SIGN**  
84 **REGULATIONS) TO AMEND AND RENUMBER SECTION 30.13.3 (SIGN**  
86 **STANDARDS) AND SECTION 30.13.5 (PROHIBITED SIGNS), TO AMEND**  
88 **SECTION 30.13.6 (NONCONFORMING SIGNS), AND TO RENAME AND**  
90 **AMEND SECTION 30.13.16 (RP SIGNAGE REGULATIONS), PART 14**  
**(LANDSCAPING, SCREENING, BUFFERING, AND OPEN SPACE) TO**  
**RENAME SECTION 30.14.1 (GENERAL PURPOSE AND WATER-**  
**EFFICIENT LANDSCAPING CRITERIA), TO AMEND, RENUMBER,**  
**AND REORGANIZE SECTION 30.14.2 (OPEN SPACE), TO RENAME,**  
**RENUMBER, AMEND AND REORGANIZE SECTIONS 30.14.3**  
**THROUGH 30.14.12 REGARDING BUFFERING REQUIREMENTS AND**  
**STANDARDS, TO AMEND SECTION 30.14.15 (SCREENING), AND TO**  
**AMEND SECTION 30.14.19 (FENCES); CHAPTER 35 (SUBDIVISION**  
**REGULATIONS), PART 2 (PROCEDURES FOR SECURING APPROVAL**  
**OF PLATS) TO AMEND SECTION 35.14 (REVIEW OF FINAL PLAT), TO**  
**UPDATE SECTION 35.16 (HOME CONSTRUCTION PRIOR TO PLAT**  
**RECORDING), PART 4 (REQUIRED SUBMITTALS), TO AMEND**  
**SECTION 35.42 (REQUIRED SUBMITTALS FOR DEVELOPMENT**  
**PLAN) AND SECTION 35.43 (REQUIRED SUBMITTALS FOR**  
**PRELIMINARY PLAN), TO AMEND AND RENUMBER SECTION 35.44**  
**(REQUIRED SUBMITTALS FOR FINAL PLAT), PART 6 (DESIGN**  
**STANDARDS) TO UPDATE SECTION 35.61 (GENERAL) AND SECTION**  
**35.72 (RURAL SUBDIVISION STANDARDS), TO ADD SECTION 35.73**  
**(ALTERNATIVE DESIGN STANDARDS), AND TO RENUMBER**  
**SECTIONS 35.74-35.80 (RESERVED), PART 13 (RECORDING OF FINAL**  
**PLAT) TO UPDATE SECTION 35.151 (RECORDING FINAL PLAT), TO**  
**AMEND AND RENAME SECTION 35.152 (NO RECORDATION IF NOT**  
**APPROVED BY THE DEVELOPMENT SERVICES DIRECTOR OR**

92           **DESIGNEE), PART 18 (ENFORCEMENT PROVISIONS) TO UPDATE**  
94           **SECTION 35.201 (GENERAL) AND SECTION 35.202 (REQUIRED**  
96           **IMPROVEMENTS); CHAPTER 70 (DREDGE AND FILLING) TO AMEND**  
98           **AND UPDATE SECTION 70.6 (PERMIT APPLICATION; PROCEDURES)**  
100           **AND SECTION 70.10 (GENERAL REGULATIONS); CHAPTER 90**  
102           **(UNIFORM BUILDING NUMBERING SYSTEM), TO AMEND AND**  
104           **UPDATE SECTION 90.4 (ADMINISTRATION OF THE UNIFORM**  
              **ADDRESSING SYSTEM), SECTION 90.5 (BUILDING AND UNIT**  
              **NUMBERING), AND SECTION 90.10 (SUBDIVISION, PLAZA AND**  
              **BUILDING NAMES); PROVIDING FOR CONFLICTS; PROVIDING FOR**  
              **CODIFICATION IN THE LAND DEVELOPMENT CODE OF SEMINOLE**  
              **COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR**  
              **AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Part II, of Florida Statutes, entitled Local Government  
106 Comprehensive Planning and Land Development Regulations Act (“Act”), empowers and requires  
              the Board of County Commissioners of Seminole County (“the Board”) to plan for the County’s  
108 future development and growth and to adopt and amend its Land Development Code, or elements  
              of portions thereof, to guide this growth and development; and



110           **WHEREAS**, the Seminole County Local Planning Agency held a public hearing, with all  
              required public notice on May 6, 2026, for the purpose of providing recommendations to the Board  
112 of County Commissioners on this Ordinance to amend the Land Development Code, and  
              recommend that the Board adopt this Ordinance; and

114           **WHEREAS**, the Board has a goal of continually updating the Land Development Code to  
              promote consistency with the latest state and federal laws and streamlining and updating the  
116 regulations contained therein to ensure the County is implementing best practices for land  
              development in Florida; and

118           **WHEREAS**, the Board desires to maintain the quality of life for Seminole County  
              residents by providing for housing needs, safeguarding environmental resources, protecting  
120 existing neighborhoods and natural amenities; and



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\* \* \*

**Architecturally compatible:** The aesthetic similarity between structures, in terms of design

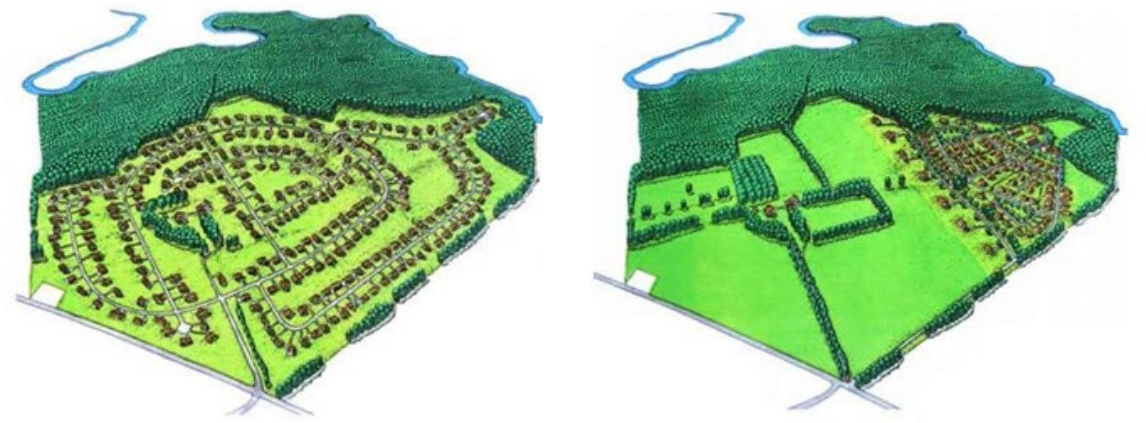
146 elements such as, color, façade appearance, roofing material, or decorative features.

\* \* \*

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***Cluster subdivision:*** A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, stands of trees, open fields, or agriculture. Cluster subdivision design must be an improvement over conventional subdivision design practice by including an improved streetscape, homes oriented to create a sense of community, and a reduction in road pavement and utility line length. A cluster subdivision must provide intervening common useable open space, passive or active parks, or conservation land between modules or clusters of homes. The example below shows a traditional subdivision on the left, and a cluster subdivision on the right (Randall Arendt, *Conservation Design for Subdivisions*, 1996).

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162 ~~**Community residential homes.** As defined in section 419.001(1)(a), Florida Statutes  
(2001), as this statute may be amended from time to time.~~

\* \* \*

164 ~~**Dwelling unit, accessory:** An ancillary or secondary living unit that has a separate kitchen,  
bathroom, and sleeping area existing either within the same structure, or the same lot, as the  
166 primary dwelling unit (Florida Statutes Section 163.31771). A dwelling unit, subordinate in size  
to the principal dwelling unit, which is attached to a principal unit or located on the same lot, and  
168 having an independent means of entry. Except as provided in Section 5.19(b), an accessory  
dwelling unit shall not exceed thirty five (35) percent of the gross floor area of the principal  
170 dwelling unit, or 1,000 square feet, whichever is less. There shall be a maximum of one (1)  
accessory dwelling unit per single family lot or parcel.~~

172 \* \* \*



~~**Florida Water Star:** A certification program for homes and commercial buildings that use  
174 less water in landscapes, irrigation systems and indoors.~~

\* \* \*

176 ~~**Live-work unit:** See Missing Middle Standards. A dwelling unit which includes a  
nonresidential use that is operated by the occupant and is consistent with the definition in the  
178 Florida Building Code for the same.~~

~~**Living Area:** The total sum of square footage within a dwelling unit utilized for living,  
180 sleeping, eating, cooking, bathing, washing and sanitation purposes.~~

\* \* \*

182 ~~**Lot, double-frontage:** A lot having two (2) or more of its nonadjoining property lines  
abutting upon a street or streets, or ingress-egress easement. Lots having frontage on a natural~~

184 ~~water body, but not a canal or stormwater retention pond, shall be considered to be double frontage~~  
~~lots.~~ A lot adjacent to an alley shall not be a double-frontage lot.

186 \* \* \*

**Multi-family:** Residential development including apartment dwellings, ~~dormitories,~~ and  
188 rooming apartments.

\* \* \*

190 **Nominal roof overhang:** The part of the roof or wall that extends beyond a lower wall. For  
purposes of applying to property setbacks, the distance of a roof overhang into a property setback  
192 shall not exceed ~~eighteen (18)~~ twenty-four (24) inches.

\* \* \*

194 **Signs:** Any surface, fabric, device, or display which bears letters, pictorial or sculptured  
matter, including forms shaped to resemble any human, animal, or product designed to convey  
196 information visually and which is exposed to public view. For purposes of this Code, the term  
"sign" shall include all structural members. A sign shall be construed to be a display surface or  
198 device containing organized and related elements composed to form a single unit. In cases where  
matter is displayed in random or unconnected manner without organized relationship of the  
200 components, each component shall be considered to be a single sign. Included within the definition  
of sign are the following types of signs:

202 **(a) Awning Sign:** a sign consisting of information painted on, sewn on, imprinted on,  
or attached to the surface of an awning.

204 **(b) Blade Sign:** a sign affixed to a building which projects in such a manner that both  
sides of the sign are visible.

206 (c) **Wall Sign:** A sign that is affixed to or directly supported by a building or structure,  
designed to identify or advertise the occupant, business, service, or activity conducted within.

208 (d) **Canopy Sign:** a sign that is part of, or attached to, a canopy.

(e)(a) **Construction sign:** Any sign giving the name or names of principal contractors,  
210 architects, engineers, and lending institutions responsible for construction on the site where the  
sign is placed.

212 (f)(b) **Directory sign:** A sign on which the names and location of occupants, use of a  
building, or parking and traffic direction is given and designed to be read primarily from on-site.

214 (g)(e) **Freestanding sign:** Any ~~mobile or portable~~ sign or sign structure ~~not~~ securely  
attached to the ground ~~or to any other structure~~. This definition shall not include trailer signs.

216 (h)(d) **Ground and/or pole sign:** Any sign which is supported by structures or supports in  
or upon the ground and independent of support from any building. Ground and/or pole signs are a  
218 type of freestanding sign.



(i)(e) **Inflatable advertisement:** Any sign or object inflated or supported by wind, air, or  
220 pneumatic non-combustible pressure.

(j)(f) **Motor vehicle sign:** A sign or advertising display mounted or painted on a motor  
222 vehicle or truck trailer.

(k)(g) **Outdoor advertising sign:** Any sign advertising a business, organization, event,  
224 person, place or thing, and is located on a separate parcel of land from the subject so advertised.  
This definition includes billboards.

226 ~~(h) **Point-of-sale sign:** Any sign designed to be viewed from off the premises,~~  
advertising or designating the use, occupancy of premises, or merchandise and products sold,

228 ~~manufactured or stored on the premises. Such signs shall be located on the premises to be~~  
~~advertised.~~

230 ~~(l)(f)~~ **Real estate sign:** Any sign which is used to offer, for sale, lease or, rent the property  
upon which the sign is placed.

232 ~~(m)~~ **Shopping Center Sign:** A type of freestanding sign used to identify multiple  
businesses located within a single development.

234 ~~(n)(f)~~ **Snipe sign:** Any sign of any material whatsoever that is attached in any way to a  
utility pole, tree, or any object located or situated on public road rights-of-way.

236 ~~(o)(k)~~ **Subdivision sign:** Any sign which indicates the name of a subdivision, planned ~~unit~~  
development or residential/agriculture project, and which is typically located onsite at an entrance  
238 to the project or development. ~~on the same property which is identified.~~

240 ~~(p)(4)~~ **Trailer sign:** Any sign mounted on a vehicle normally licensed by the State of  
Florida as a trailer or such a sign engineered as a freestanding sign, transported to the site on a  
trailer, and used for advertising or promotional purposes.

242 ~~(q)~~ **Wall Sign:** a sign erected on the wall of a building, or a sign which is affixed to or  
painted on an exterior wall, subject to the maximum copy area requirements in Chapter 30 Part 13.

244 ~~(r)~~ **Wayfinding Sign:** A sign intended to provide directional information to help people  
more easily and safely locate their intended destination.

246 ~~(s)~~ **Window Sign:** a sign graphic, or design which is painted, mounted, or otherwise  
displayed within 3 feet of a window in a manner to present a message to or attract attention of the  
248 public on adjoining streets, subject to the maximum area requirements in Chapter 30 Part 13.  
Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now  
250 hiring signs shall not be considered window signs.



268 ~~DCA: Developer's Commitment Agreement.~~

\*If administrative adjustment sought exceeds 10%, Development Review Committee  
270 review shall be required and any adjustment greater than 10% but not exceeding 15% may be  
awarded at the discretion of the Development Services Department Director.

272 ~~\*\*Maximum adjustment without public hearing.~~

~~\*\*\*In no case shall an accessory dwelling unit exceed 1,100 square feet.~~

274 (2) Developments receiving an administrative adjustment shall fully comply  
with all other applicable provisions of this Code.

276 (3) Any proposed adjustment greater than the amount permitted in Paragraph  
(b)(1) above shall be addressed through the variance and/or waiver provisions of this Code as may  
278 be applicable to the development.

(4) Multiple administrative adjustments may be considered for a single  
280 development proposal, but each adjustment must be evaluated independently and meet all criteria  
provided in Paragraph (d) below.

282 (5) Nonconforming or unpermitted use of neighboring lands, structures, or  
buildings in the same district shall not be considered grounds for an administrative adjustment.

284 (c) Review Procedure. The ~~Economic & Community~~ Development Services Director,  
or designee, shall evaluate the administrative adjustment application according to the review  
286 criteria in Section 5.19(d), and shall approve, approve with conditions, or deny the application. At  
his or her discretion, the Director may refer any application for an administrative adjustment to the  
288 Board of Adjustment or the Board of County Commissioners, as may be appropriate. In such cases,  
the applicant shall follow standard processes in this Code for obtaining a variance, waiver, change  
290 in zoning, etc.

(d) Review Criteria. All administrative adjustments shall meet the following criteria:

292 (1) The administrative adjustment will be consistent with the purposes and  
intent of the Land Development Code.

294 (2) The administrative adjustment shall not result in activities not permitted  
within the applicable zoning district, development order, developer’s commitment agreement  
296 and/or activities inconsistent with the Comprehensive Plan.

(3) Special conditions or circumstances exist.

298 (4) The adjustment will not materially and adversely affect adjacent land uses  
and the physical character of uses in the immediate vicinity of the proposed development because  
300 of inadequate buffering, screening, setbacks and other land use considerations.

(5) No standard or regulation established by the State of Florida shall be  
302 violated as a result of an administrative adjustment.

(6) No required separation of uses, such as the distance between a school and  
304 an alcoholic beverage establishment, shall be varied as a result of an administrative adjustment.

(e) Expiration and Lapse of Approval. Applicants shall have twelve (12)  
306 months from the date of approval of an administrative adjustment to secure the permit required to  
carry out the proposed improvements authorized by the administrative adjustment. If a necessary  
308 permit has not been obtained within twelve (12) months of the date of approval, the approval shall  
lapse and be of no further effect. An administrative adjustment shall also expire should the  
310 necessary permit expire.

#### **Sec. 5.20. Engineering Manuals.**

312 (a) The Public Works Department is authorized and directed to establish and maintain  
the Seminole County, Florida Public Works Engineering Manual, which contains the technical

314 requirements for transportation standards and surface water management standards. The initial  
edition of this Manual must be approved by the Board of County Commissioners before it goes  
316 into effect. The Public Works Director or his or her designee is authorized to update the technical  
requirements of this Manual as necessary with the approval of the Board of County  
318 Commissioners, by following the policies and procedures which the Board may adopt from time  
to time.

320 (b) The Utilities ~~Environmental Services~~ Department is authorized and directed to  
establish and maintain the Seminole County, Florida ~~Environmental Services~~ Utilities Engineering  
322 Manual, which contains the technical requirements for the matters stated in the title of this Manual.  
The initial edition of this Manual must be approved by the Board of County Commissioners before  
324 it goes into effect. The Utilities ~~Environmental Services~~ Director or his or her designee is  
authorized to update the technical requirements of this Manual as necessary with the approval of  
326 the Board of County Commissioners, by following the policies and procedures which the Board  
may adopt from time to time.

328 (c) The Fire ~~Public Safety~~ Department is authorized and directed to establish and  
maintain the Seminole County, Florida Fire Department ~~Public Safety~~ Technical Manual, which  
330 contains the technical requirements for public and fire safety matters. The initial edition of this  
Manual must be approved by the Board of County Commissioners before it goes into effect. The  
332 Fire Chief ~~Public Safety Director~~ or his or her designee is authorized to update the technical  
requirements of this Manual as necessary with the approval of the Board of County  
334 Commissioners, by following the policies and procedures which the Board may adopt from time  
to time.

336 \* \* \*

338 **Section 6.** Chapter 20 (Development Orders/Approvals and Denials of Application for  
Development Approvals) of the Land Development Code of Seminole County is hereby amended  
to read as follows:

340 **Chapter 20 – DEVELOPMENT ORDERS/APPROVALS AND DENIALS OF**  
**APPLICATION FOR DEVELOPMENT APPROVALS**

342 \* \* \*

**Sec. 20.13. Enforcement**

344 Violation of a development order, or any condition contained therein, will be  
enforced through the County’s code enforcement process in Chapter 53, Seminole County Code.

346 \* \* \*

**Section 7.** Chapter 30 (Zoning Regulations) of the Land Development Code of Seminole  
348 County is hereby amended to read as follows:



**Chapter 30 – ZONING REGULATIONS**

350 \* \* \*

**PART 2. ESTABLISHMENT OF DISTRICTS**

352 \* \* \*

**Sec. 30.2.6. Application of zoning classification regulations.**

354 \* \* \*

356 30.2.6.6 Un-combining platted lots in the urban area. When platted lots that are vested have  
been combined, they may only be un-combined to the original platted configuration if the  
individual lots meet the subject zoning district requirements for lot size and width, unless all the  
358 following criteria are met:

- 360 a. The properties are vested in accordance with the Comprehensive Plan Policy FLU  
3.3 and Section 15.3 of the Land Development Code; and
- b. The subject parcel is in the urban area; and
- 362 c. ~~Fifty (50)~~ Ten (10) percent or more of the lots in the same platted subdivision have  
the same character and are the size as originally platted; and
- 364 d. All existing structures on the subject property meet the setback requirements for  
the subject zoning classification; and
- 366 e. The subject property is not limited in its development potential due to wetlands and  
floodplains; and
- 368 f. The subject property has adequate access to a public right of way and roadway that  
meets the County standard per Seminole County Public Works Manual Section 1.11.1; and
- 370 g. The subject property has adequate drainage per Seminole County Public Works  
Manual Chapter 2.
- 372 h. Utility services are available, or the property is eligible for permits to install potable  
water wells and onsite sewage treatment and disposal systems, per the following conditions:
- 374 1. Utility services are available from Seminole County in accordance with  
Section 270.1 of the Seminole County Code of Ordinances or Section 381.0065(2)(a), Florida  
376 Statutes, as applicable, or
- 378 2. Utility services are available from a city or other entity regulated by the  
Public Services Commission, or
- 380 3. If the un-combined lots are unable to connect to any of the previously  
mentioned regulated potable water distribution systems, the property must be eligible for a permit  
for potable water wells with the St. Johns River Water Management District (SJRWMD) in

382 accordance with applicable SJRWMD provisions and eligible for onsite sewage treatment and  
disposal systems (OSTDS) with the local Florida Department of Health location in accordance  
384 with Section 381.0065(4), Florida Statutes, as applicable.

If the Planning Manager determines the subject property meets the criteria of Section  
386 30.2.6.6(a)—(h), the property can be un-combined to the original platted configuration and no  
variance would be required for minimum lot width and/or minimum lot size.

388 \* \* \*

### PART 3. ADMINISTRATION

#### 390 **Sec. 30.3.1. Planning and Zoning Commission**

30.3.1.1 The Board of County Commissioners of Seminole County shall appoint a  
392 commission of seven (7) qualified electors of Seminole County to be known as the Planning and  
Zoning Commission. Said members shall be appointed for four (4) year terms and not more than  
394 a minority of the terms of such members shall expire in any one (1) year.

30.3.1.2 The Board of County Commissioners may, from time to time, amend or  
396 supplement the County's land development regulations and zoning classifications. Proposed  
changes may be recommended by the Planning and Zoning Commission. Additionally, any owner  
398 of affected property may make application for a change in the property's zoning classification on  
a form prescribed by the ~~current planning office~~; Planning and Development Division; provided,  
400 however, that the applicant shall assume all of the costs of any public hearings and all other costs  
incidental to the holding of a public hearing and the application.

402 30.3.1.3 The Planning and Zoning Commission, regardless of the source of the proposal  
for change, shall hold a public hearing or hearings thereon, with due public notice, to consider the

404 proposed change and submit in writing its recommendations on the proposed change to the Board  
of County Commissioners for official action.

406 30.3.1.4 The Planning and Zoning Commission shall also constitute the County's land  
planning agency in accordance with Chapter 7 and have the duties and responsibilities set forth  
408 therein.

30.3.1.5 Special exceptions.

410 (a) The Planning and Zoning Commission shall hold a public hearing ~~or hearing~~ to  
consider a proposed special exception, and submit in writing its recommendations ~~to approve,~~  
412 approve with conditions, or deny the special exception request on the proposed action and if the  
~~special exception should be denied or granted with appropriate conditions and safeguards to the~~  
414 Board of County Commissioners for official action. After review of an application and a public  
hearing thereon, with due public notice, the Board of County Commissioner may allow uses for  
416 which a special exception is required; provided, however, that said Board must first make a  
determination that the use requested:

418 (1) Is not detrimental to the character of the area or neighborhood or  
inconsistent with trends of development in the area; and

420 (2) Does not have an unduly adverse effect on existing traffic patterns,  
movements and volumes; and

422 (3) Is consistent with the County's comprehensive plan; and

(4) Will not adversely affect the public interest; and

424 (5) Meets any special exception criteria described in Additional Use Standards;

and

426 (6) Meets the following additional requirements if located in the applicable  
zone:

428 a. If located in A-10, A-5, A-3, or A-1:

~~i-1.~~ Is consistent with the general zoning plan of the rural zoning  
430 classifications; and

~~ii-2.~~ Is not highly intensive in nature; and

432 ~~iii-3.~~ Is compatible with the concept of low-density rural land use;  
and

434 ~~iv-4.~~ Has access to an adequate level of public services such as  
sewer, water, police, fire, schools and related services.

436 b. If located in OP:

~~i-1.~~ Is consistent with the general zoning category and plan of  
438 the OP Office District.

~~ii-2.~~ Is compatible with the concept of low intensity of land usage  
440 and site coverage.

~~iii-3.~~ Has access (where applicable) to urban services, such as,  
442 sewer water, police, fire, and related services.

~~iv-4.~~ Will not create, by reason of its characteristics, a  
444 requirement for the granting of a variance as a prerequisite to the granting of said special exception,  
especially (by way of illustration and not limitation) variances relating to setbacks, lot size,  
446 building height, lot coverage, access, or parking and loading.

c. If located in RP:

448                    ~~i.~~1. Is not detrimental to the character of the area or  
neighborhood or inconsistent with the trends of development in the area; and

450                    ~~ii.~~2. Is not incompatible with the concept of low intensity of land  
usage and site coverage; and

452                    ~~iii.~~3. Does not have an unduly adverse effect on existing traffic  
patterns, movements, and intensity.

454            (b) Conditions on special exceptions. In granting any special exception, the Planning  
and Zoning Commission may recommend and the Board of County Commissioners ~~may prescribe~~  
456 require appropriate conditions and safeguards. Violation of such conditions and safeguards when  
made a part of the terms under which the special exception is granted, shall be deemed a violation  
458 of this Chapter. The Planning and Zoning Commission may recommend and the Board of County  
Commissioners may ~~prescribe~~require, a reasonable time limit within which the action for which  
460 the special exception is required shall be begun or completed, or both.

                  (c) Application for special exception. An applicant for a special exception shall file  
462 with the Planning & Development Division a written application accompanied by payment of the  
appropriate fees, and a conceptual plan. The conceptual plan should include a simple development  
464 plan drawn to an appropriate scale indicating the legal description, lot area, site dimensions, right-  
of-way location and width, tentative parking areas and number of parking spaces, proposed  
466 building location and setbacks from lot lines, total floor area proposed for building, proposed  
points of access with tentative dimensions, locations of identification signs not on building,  
468 proposed location of existing easements, location of existing trees on-site and their common name,  
number of trees to be removed and retained as required by Seminole County Arbor Regulations,  
470 and a general plan for proposed landscaping.

30.3.1.6 Conventional Rezoning.

472 (a) The Planning and Zoning Commission shall hold a public hearing to consider a  
request for conventional rezoning pursuant to the criteria below, and submit its recommendation  
474 of approval or denial, in writing, to the Board of County Commissioners for official action. After  
review of the application request and public hearing, the Board of County Commissioners may  
476 approve the request for rezoning provided that the Board determines the request:

(1) Complies and is consistent with the County’s comprehensive plan;

478 (2) Meets this Code and other applicable County regulations;

(3) Is compatible with existing and planned uses in the surrounding area;

480 (4) Will provide access sufficient to support the proposed development  
intensity and the provision of public services;

482 (5) The expected impacts on transportation facilities will be addressed by  
existing County regulations;



484 (6) Will not adversely affect environmentally critical or sensitive areas and  
natural resources; and

486 (7) Has access to and will be served by an adequate level of public services  
such as sewer, water, police, fire, schools and related services; and.

488 (8) Provides a benefit to the community by meeting Goals and Policies in the  
Comprehensive Plan.

490 (b) Application for conventional rezoning request. An applicant for a rezoning shall  
file, with the Planning & Development Division, a written application addressing the above  
492 criteria, accompanied by payment of the appropriate fees, and a survey of the property completed  
within two years of the date of submission of the application.

494 (c) Community Meeting. An applicant for a rezoning shall hold a Community Meeting  
prior to the public hearing in accordance with Section 30.3.5 of the Land Development Code.

496 \* \* \*

**Sec. 30.3.3. Board of Adjustments**

498 \* \* \*

30.3.3.3 Appeal to the Board of Adjustment from decision of the Planning Manager.  
500 Appeals to the Board of Adjustment may be ~~taken~~ brought by any person aggrieved ~~or by any~~  
~~officer, Board, or bureau of the County affected~~ by any decision of the Planning Manager under  
502 this Code. Such appeal shall be ~~taken~~ submitted within thirty (30) days ~~after such of the Planning~~  
Manager's decision is made by filing ~~with the Planning Manager~~ a written notice of appeal with  
504 the Planning Manager specifying the grounds and reasons for appeal. ~~thereof.~~ The appeal shall  
~~also be in such form which provides a notice of the~~ include a copy of the decision being appealed  
506 and a discussion of the alleged error in the decision. The Planning Manager shall, ~~upon notification~~  
~~of the filing of the appeal, forthwith,~~ transmit to the Board of Adjustment the notice of appeal and  
508 all documents, plans, papers, or other materials constituting the record of the Planning Manager's  
decision, and have the appeal set for hearing before the Board of Adjustment. ~~upon which the~~  
510 ~~action appealed from was taken.~~

30.3.3.4 Notice Required on Hearing of Appeal. The Board of Adjustment shall fix a  
512 reasonable time for ~~the hearing of the appeal,~~ give public notice thereof, as well as ~~due~~ notice to  
the parties in interest, and ~~decide same~~ the appeal within a reasonable time. ~~Upon~~ During the  
514 hearing, any party may appear in person or by agent or by attorney. For procedural purposes, ~~an~~  
~~application for a special exception and an appeal of a decision of the Planning Manager shall be~~  
516 presented by the Planning Manager before the applicant or appellant makes a presentation.

30.3.3.5 Appeals from Board of Adjustment Decision. Any person, or persons, jointly or  
518 severally, aggrieved by any decision of the Board of Adjustment may, within fifteen (15) days  
after ~~the filing of any decision in the office of the Planning Division~~ rendering of the Board of  
520 Adjustment’s decision, but not thereafter, ~~apply~~ submit a written notice of appeal to the Board of  
County Commissioners for relief. The notice of appeal must be submitted to the Planning and  
522 Development Division and include a copy of the Board of Adjustment Decision, state the grounds  
and reasons for appeal, and ~~a discussion of~~ address the alleged error in the decision being appealed.  
524 The Planning and Development Division will set the time and date of the hearing before the Board  
of County Commissioners and provide notice to the parties in interest. The appeal before the Board  
526 of County Commissioners shall be de novo. ~~The applicant for the special exception shall make the~~  
~~initial presentation to the Board after County staff has advised the Board of the procedural history~~  
528 ~~of the case.~~ At the hearing, the Board of County Commissioners shall affirm, reverse, or modify  
the Board of Adjustment’s decision. Decisions shall be rendered by filing a copy of the order of  
530 the Board of County Commissioners with the Clerk to the Board and any applicable development  
orders or permits may be issued consistent with the Board’s decision. Upon the rendering of a  
532 decision, any party may appeal to a court of competent jurisdiction.

30.3.3.6 Stay. An appeal to the Board of County Commissioners shall stay all further  
534 proceedings in ~~furtherance of~~ the action appealed from, unless the Board of County  
Commissioners determines, after considering evidence and testimony presented by County staff  
536 and the appellant, that the stay would cause imminent peril to lives or property. ~~the officer from~~  
~~whom the appeal is taken certifies to the Board of County Commissioners, after the notice of~~  
538 ~~appeal shall have been filed with him, that by reason of acts stated in the certificate, a stay would,~~  
~~in his opinion, cause imminent peril to lives or property. In such case, proceedings shall not be~~

540 ~~stayed otherwise than by a restraining order which may be granted by the Board of County~~  
~~Commissioners or by a court of record on application, on notice to the officer or Board from which~~  
542 ~~the appeal is taken, and on due cause shown. The Board of County Commissioners shall fix a~~  
~~reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to~~  
544 ~~the parties in interest, and decide the same within a reasonable time. Upon the rendering of a~~  
~~decision, any party may appeal. Decisions shall be rendered by filing a copy of the order of the~~  
546 ~~Board with the Clerk to the Board. Upon approval of a special exception or variance by the Board~~  
~~or the Board making a ruling relative to the appeal of a decision made by the Planning Manager,~~  
548 ~~any development orders or permits may be issued consistent with the Board's decision unless~~  
~~stayed or enjoined by a court of competent jurisdiction.~~

550 \* \* \*

**Sec. 30.3.10. ~~Nonconforming uses.~~ Nonconformities.**



552 30.3.10.1 In General.

(a) A nonconforming building may be maintained and repairs and alterations may be  
554 made, except that, in a building which is nonconforming as to use regulations, no structural  
alterations shall be made except those required by law. Repairs such as plumbing or the changing  
556 of partitions or other interior alterations are permitted.

(b) Buildings or structures or uses of land which are nonconforming shall not be  
558 extended or enlarged.

(c) When a nonconforming use of land has been discontinued for 180 days or longer,  
560 its future use shall revert to the uses permitted in the district in which said land is located.

(d) A ~~nonconforming~~ building or structure operating a nonconforming use, which is  
562 hereafter damaged or destroyed to the extent of fifty (50) percent or more of its value by flood,

564 tropical storm, hurricane, tornado, fire, explosion, earthquake, war, riot, or force majeure shall not  
be reconstructed or restored for the same use except in compliance with all applicable provisions  
of the Code.

566 30.3.10.2 Nonconforming mobile homes and lot sizes in Agricultural Zones.

(a) The following shall be exempt from the minimum lot requirements of this article:

568 (1) Any mobile home or recreational vehicle park within the A-10, A-5 or A-  
3 Rural District which had received zoning approval prior to September 11, 1991 for the rental of  
570 mobile home spaces shall be allowed to continue; provided, however, that such mobile home park  
shall not be extended or enlarged beyond the limits of the originally approved master plan for  
572 development.

(2) Construction on existing, legally created, lots or parcels of record platted or  
574 recorded prior to September 11, 1991, which were legally buildable as of that date.

(b) Any mobile home park within the A-1 Agriculture District which has been legally  
576 established as a special exception under ~~heretofore~~ existing A-1 Zoning Classification for the rental  
of mobile home spaces shall be allowed to continue; however, said mobile home park shall not be  
578 extended or enlarged beyond the limits of the originally approved master plan of development.

30.3.10.3 Nonconforming mobile homes and/or manufactured homes in A-1.

580 (a) All mobile ~~or manufactured~~ homes existing in the A-1 District prior to October 25,  
2011, except for those authorized under Section 6.4.4, are hereby declared to be a nonconforming  
582 ~~use~~ structure in accordance with Section 30.3.10. Any time limits enacted by the Board of  
Adjustment as a condition of special exception approval shall be null and void unless specifically  
584 related to protecting the health, safety, and welfare of the occupancy.

586 (b) Notwithstanding their nonconforming status, these mobile or manufactured homes shall fully comply with all applicable provisions of Chapter 40 of the Seminole County Code.

588 (c) Existing mobile or manufactured homes may be replaced with a manufactured home ~~of not greater than two (2) times the original floor area~~ without a special exception if the home has remained vacant for less than 180 days. If the home has been vacant for 180 days or  
590 more, replacement of such home shall require a special exception. Larger units and other alterations exceeding the provisions of Section 3.10 shall also require a special exception.

592 (d) This Section shall not affect any mobile or manufactured home approved for temporary occupancy under Section 30.6.4.4.

594 30.3.10.4 Non-conforming lots and parcels. Where lots of record no longer meet current requirements due to surveying or other errors, if both the current records of the Seminole County  
596 Property Appraiser and the original plat for the property indicate the area of the lot is a given size, then review of the proposed development shall occur as if the lot were actually the size shown in  
598 both the appraiser's records and on the original plat.

When a residential unit on a nonconforming parcel that is zoned for residential or  
600 agriculture, is destroyed by flood, tropical storm, hurricane, tornado, fire, explosion, earthquake, war, riot, or force majeure, the principal unit may be reconstructed. The reconstructed unit must  
602 conform to the setbacks required by the underlying zoning district or receive a variance.

\* \* \*

604 **Sec. 30.3.13. Nonconformance due to government taking or voluntary dedication.**

In any zoning district, should a governmental agency obtain a portion of a conforming lot  
606 for a public purpose, either through eminent domain proceedings or voluntary conveyance, and a nonconforming lot results, the Development Services Director shall have the authority to waive,

608 in whole or in part, any requirements outlined herein for said lot with respect to minimum lot  
width, minimum lot area and minimum building setbacks, parking requirements, landscape and  
610 buffering, provided all other requirements of this Code are met.

#### PART 4. ZONING DISTRICT STANDARDS

612 \* \* \*

##### **Sec. 30.4.8. R-3 and R-3A Multiple-Family Dwelling Districts.**

614 30.4.8.1 Zone Description: These Districts are composed of certain medium- to high-  
density residential areas, plus open areas, where it is likely and desirable to extend such type of  
616 development. Due to the higher-than-average concentration of persons and vehicles, these districts  
are situated where they are well serviced by public and commercial services and have convenient  
618 access to thoroughfares or collector streets.

##### 30.4.8.2 Density regulations.



620 (a) Maximum density shall be set at time of zoning; however, in no case, shall the  
density exceed:

622 (1) A maximum of thirteen (13) dwelling units per net buildable acre in the R-  
3 Multi-Family Dwelling District; or

624 (2) A maximum of ten (10) dwelling units per net buildable acre in the R-3A  
Multi-Family Dwelling District.

##### 30.4.8.3 R-3, R3-A - General Provisions and Exceptions.

626 (a) ~~Development plan drawn to an appropriate scale indicating the legal description,~~  
628 ~~lot area, site dimensions, right of way location and width, tentative parking areas and number of~~  
~~parking spaces, proposed building location and setbacks from lot lines, total floor area proposed~~  
630 ~~for building, proposed points of access with tentative dimensions, locations of identification signs~~

not on building, proposed location of existing easements, location of existing trees on site and their  
632 common name, number of trees to be removed and retained as required by Seminole County Arbor  
Regulations, and a general plan for proposed landscaping shall be submitted along with application  
634 for rezoning. Any change in development plans must be resubmitted to the Planning and Zoning  
Commission for recommendation and the Board of County Commissioners for approval prior to  
636 issuance of any site plan approval.

~~(b)(a)~~ Accessory uses may be located at the edge of the complex to serve residents  
638 provided that they are clearly subordinate and ancillary to the primary use. shall be permitted in  
accordance with the Additional Use Standards of Part 6.

~~(c)~~ Personal services uses, designed primarily for the occupants of the complex, such  
640 as, day care centers, beauty and barber shops, and health clubs, may be approved for the complex  
at time of zoning approval. However, such uses shall be limited to complexes of one hundred (100)  
642 or more units and shall not be permitted until fifty (50) percent or more of the dwelling units are  
completed. Any uses other than those approved at the time of zoning approval, must be approved  
644 by the Planning and Development Division Manager.

~~(d)(b)~~ Recreation and open space comprising no less than twenty-five (25) percent of the  
646 gross acreage, exclusive of the perimeter buffer, shall be set aside for usable recreation and open  
648 space.

~~(e)(c)~~ Within condominium projects, deed covenants shall be required to insure the  
650 maintenance and upkeep of areas and facilities retained in common ownership in order to provide  
a safe, healthful, and attractive living environment and to prevent the occurrence of blight and  
652 deterioration of the individual units within the complex.

654 ~~(f)~~(d) Prior to the issuance of building permits, a complete site plan of the project shall  
be submitted to the Planning and Development Division for approval. Detailed site plan shall  
indicate: location of buildings, parking spaces, driveways, streets, service areas, walkways,  
656 recreation facilities, open areas, any accessory uses located on-site, and landscaping.

658 ~~(g)~~(e) Site and stormwater management plans shall be approved by the County Engineer  
prior to the issuance of any building permits.

660 ~~(h)~~(f) If covered storage for vehicles is provided, garage doors may not face a public right-  
of-way

**Sec. 30.4.9. R-4 Multiple-Family Dwelling District.**

662 30.4.9.1 Zone Description: This District is composed of certain high-density residential  
areas where it is desirable to permit other specific uses, including multiple-story apartments and  
664 certain uses which are quasi-residential in character.

666 30.4.9.2 Building site area regulations. The maximum lot coverage for dwelling structures  
shall be determined in accordance with the following schedule:

Building Heights	Maximum Lot Coverage
20 feet or less	30%
20.1 feet to 30 feet	28%
30.1 feet to 40 feet	26%
40.1 feet to 50 feet	24%
50.1 feet to 60 feet	22%

30.4.9.3 General provisions and exceptions.

668 (a) ~~Development plans shall be submitted along with application for rezoning. Any  
change in development plans must be resubmitted to the Planning and Zoning Commission for  
670 recommendation and to the Board of County Commissioners for approval, prior to issuance of any  
site plan approval~~ Accessory uses shall be permitted in accordance with the Additional Use  
672 Standards of Part 6.

674 (b) Site and stormwater management plans shall be approved by the County Engineer  
prior to the issuance of any building permit.

676 (c) If covered and enclosed storage for vehicles is provided, garage doors may not be  
visible from a public right-of-way

\* \* \*

678 **Sec. 30.4.1. OP Office District.**

30.4.14.1 Zone Description: The intent of the OP Office District is to promote orderly and  
680 logical development of land for offices and service activities, to discourage integration of  
noncomplementary land uses that may interfere with the proper function of the District, and to  
682 assure adequate design in order to maintain the integrity of existing or future nearby residential  
areas. The ultimate site must provide a low intensity of land usage and site coverage to enable the  
684 lot to retain a well-landscaped image so as to readily blend with nearby residential areas; buildings  
are low profile. It is intended that a minimum number of points of ingress and egress be utilized in  
686 order to reduce the traffic impact on adjacent streets and thus enhance traffic movement. The  
District is most generally located on arterial or collector roadways.

688 Accessory uses shall be permitted in accordance with the Additional Use Standards of Part  
6.

690 \* \* \*

**PART 5. PERMITTED USES BY ZONING DISTRICTS**

692 **Sec. 30.5.1. General requirements.**

30.5.1.1 Table 5.2 specifies uses that are permitted, permitted on a limited basis, permitted  
694 by special exception, or prohibited in each zoning district. Numbers in parentheses refer to  
footnotes following the tables.

696 Uses may be subject to additional standards or restrictions based on the applicable zoning  
district or as described in:

698 (a) Part 6. Additional Use Standards

(b) Part 9. Supplemental Regulations

700 30.5.1.2 Interpretation of Permitted Uses Table.

(a) Where permitted, uses are subject to all the provisions, conditions, and standards  
702 of this Code.

(b) Unlisted Similar Use. If a use is not listed but is similar in nature and impact to a  
704 permitted use within a zoning district, the Planning Manager may interpret the use as permitted.  
The Planning Manager may refer to the North American Industry Classification System (NAICS)  
706 for a use interpretation. The unlisted use is subject to any additional standards applicable to the  
similar permitted use.



708 (c) Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar  
in nature and impact to a permitted use, the use may only be permitted if submitted to the Planning  
710 and Zoning Commission for recommendation and approved by the Board of County  
Commissioners.

712 (d) Where any cell is blank, the use is prohibited.

(e) Where a use or structure is described as accessory, this means the nature of the use  
714 is customarily incidental and subordinate to a primary use on the same lot or parcel. The accessory  
use may only be operated in conjunction with the primary use. The primary use or structure must  
716 be established first.

(f) P - Permitted Uses: Indicates the specific use is permitted in the specific zoning  
718 district.

(g) L - Limited Uses: Certain uses may be allowed when meeting specified conditions,  
720 and after review by the Planning Manager, subject to the terms and conditions contained herein.  
The Planning Manager may impose additional conditions and limitations in furtherance of the  
722 public health, safety, and welfare.

(h) S - Special Exception: The Board of County Commissioners may permit uses  
724 designated as Special Exception within a given zoning district upon making the findings of fact  
required by Section ~~30.3.3.1.5~~30.3.1.5 of this Code; providing, however, such uses may be  
726 subjected to or limited by conditions of the Board



Sec. 30.5.2. Permitted use table and footnotes.

Table 5.2 — Land Use Table																															
Use	A-10, A-5,	A-1	RC-1	R-1AAA	R-1A	R-1	R-1B	R-1BB	R-2	R-3A	R-3	R-4	R-AH	MM	RM-1	RM-2	RM-3	PLI	RP	OP	CN	CS	C-1	C-2	C-3	MUC D	M-1A	M-1	M-2		
<b>Residential and Lodging Uses</b>																															
Assisted living facility (1-6 unrelated persons)	P	P-S	P S <sup>4</sup>	P-S <sup>4</sup>	P S <sup>4</sup>	P S <sup>4</sup>	P S <sup>4</sup>	P S <sup>4</sup>	P S <sup>4</sup>	S	S	S	P	S	P S <sup>4</sup>	P S <sup>4</sup>			P	S			P <sup>13</sup>	P <sup>13</sup>		S					
Assisted living facility (7-14 unrelated persons)	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>						S <sup>4</sup>			P <sup>13</sup>	P <sup>13</sup>		P <sup>4</sup>					
Bed and breakfast	S	S																						P	P	P					
Boarding house / Dormitories										S	S	S														S					
Campground / RV Park																	P														
Community residential home/ certified recovery residences (1—6 unrelated persons)	L P	L P	L P	L P	L P	L P	L P	L P	L P		L P		L P	L P	L P	L P	L P									P					
Community residential home/ certified recovery residences (7—14 unrelated persons)	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	S <sup>4</sup>	L P <sup>4</sup>	L P <sup>4</sup>	L P <sup>4</sup>	L S <sup>4</sup>	L S <sup>4</sup>						P						L P <sup>4</sup>					
Dwelling, multiple-family										P	P	P	L	L									P <sup>13</sup>	P <sup>13</sup>		P					
Dwelling, two-family or duplex									P	P	P		P	L																	
Dwelling, single-family	P	P	P	P	P	P	P	P	P				P	L	P					P											
Dwelling unit, accessory	P	P	P	P	P	P	P	P																							
Guest cottage	P	P	P	S	S	S	S	S	S																						
Dwelling unit, accessory for employee																	L				S		S	S	S	P	P	S			
Farmworker housing	S	S																													
Hotels & motels (exc. Bed & breakfast)																P								P	P			P	P		
Home Occupation	P	P	P			P	P	P	P																						
Home Office	P	P		P	P	P	P	P	P				P																		
Live-Work Unit														L												P					
Mobile homes or manufactured homes	P	L													P	P	P														
Transient parking of recreational vehicles, campers, etc.	L	L															P														
<b>Public and Civic Uses</b>																															
Airport, public																															
Cemetery or mausoleum	S	S																													
Child-care facilities																															
Family Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P					
Day Care Center		S				S	S	S	S				S	S	S						P		P	P	P	P		P	P		
Civic Assembly																															
Neighborhood	S	L	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		L	P	S	S	P	P	P	P	L	P	P		
Community	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	P	S	S	L	L	P	P	L	L	L		
Regional																							S	S	L						
Fire Stations																					P		P	P	P	P					
Libraries																					P		P	P	P	P					
Medical facilities																															
Hospital		S										S														S	S	S	S		P
Clinic, Medical or Dental																				S	P	P	P	P	P	P	P	P	P		
Retail Pharmacy																							P	P	P	P	L <sup>27</sup>	P	P		
Pain management clinic																									P			P	P		
Residential facility, nursing home or rehabilitation center												S									S <sup>17</sup>		S	S	S	S				P	
Recreational Facilities, Private		P <sup>7</sup>		S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>			S <sup>10</sup>	S <sup>10</sup>	S <sup>10</sup>							P	P	P	S	S			
Recreational Facilities, Public																															





Sewage treatment and related facilities, public		S																P <sup>11</sup>	P									
Sewage and/or water treatment plant, subdivision				S	S	S	S	S	S							S				S								
Solid waste transfer, storage and recovery station																			<u>S</u>							S	S	
Solar Energy Systems (ES)																												
Roof-Mounted Solar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Building-Integrated Solar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Ground-Mounted Solar, Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Ground-Mounted Solar, Medium	P	P																	P		S			S	S	S		P
Ground-Mounted Solar, Large	P	P																	P							S	S	
Temporary asphalt plants for public road construction		S																	<u>P</u>									
Truck Terminal																										P	P	
Utility and service structures, public	S	S	S	S	S	S	S	S	S									P	P		S			S	S	S	S	P <sup>20</sup>
Water treatment plant		S																P <sup>11</sup>	P									
<b>Agricultural and Other Uses</b>																												
Agriculture uses generally	P <sup>2</sup>	P <sup>2</sup>																										
Commercial Pig Farm		S																										
Poultry and livestock production (except pigs)	P <sup>2</sup>	P <sup>2</sup>																										
Fishing hatcheries or fish pools	P	P																										
Equestrian Facilities																												
Keeping of horses for use of occupant	P	P	S																									
Riding stables limited to 10 lessons and/or customers per day	P	S <sup>9</sup>																										
Riding stables exceeding 10 lessons and/or customers per day	S																											
Nurseries, Greenhouses, and Silviculture																												
Landscape contractor accessory to wholesale nursery or tree farm	P	S																										
Greenhouses — Wholesale Only	P <sup>6</sup>	P <sup>6</sup>																								P		P
Plant nursery — Wholesale Only	P <sup>6</sup>	P <sup>6</sup>																							P	P	P	
Plant nursery — Retail																									P	P	P	
Plant nursery — On-site produce Only	L	L																										
Tree Farm	P	P																										

728  
 729 P — Permitted  
 730 L — Limited Uses  
 731 S — Special Exceptions  
 732

733 Footnotes to Table 5.2:

- 734  
 735 1. No overnight boarding except for animals being treated on the premises  
 736 2. Agricultural operations and attendant structures; greenhouses (not involved with retail sales to the general public); including, but not limited to, poultry production, apiculture, dairy farms, plant nurseries, dairies, silviculture (including fish hatcheries and  
 737 bait production); groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass sod and trees; pastures and grasslands for cultivation and propagation of livestock. Barns, sheds, silos, granaries, and related agricultural  
 738 structures.  
 739 3. Roadside stands for the sale of fruits, vegetables and similar products produced on the premises, provided such stand is placed no closer than twenty-five (25) feet to a property line.  
 740 4. Community residential homes having seven (7) to fourteen (14) unrelated residents, provided that the location does not create an over-concentration of such homes or substantially alter the nature and character of the area, all as defined in Florida Statutes  
 741 as amended from time to time.  
 742 5. When making use of the land with nominal impacts to natural resources as determined by the Planning Manager.  
 743 6. Plant nurseries and greenhouses not involved with retail sales to the general public.  
 744 7. Neighborhood recreation areas, when approved as part of a subdivision plat.  
 745 8. Privately owned and operated recreational facilities open to the paying public, such as, athletic fields, stadiums, racetracks, and speedways if the use is located along a major roadway or has immediate accessibility thereto.  
 746 9. Riding stables, provided that no structure housing animals is located nearer than one hundred (100) feet from a property line.  
 747 10. Private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area as determined by the Planning Manager.

- 748 11. Where no other such facilities are available. Must be located within the park and not closer than two hundred (200) feet from any property line. All such facilities shall conform to State and County water and sewer plant regulations and shall be enclosed
- 749 with a six (6) foot chain-link fence and shielded by screen planting.
- 750 12. Parking of semi-tractor trailers and cargo trailer boxes in rural areas for the sale of feed, hay, or other agricultural products when such products are offered for retail sale from said trailer and when the trailer is located outside of the urban/rural boundary.
- 751 13. Density and design criteria must conform to the standards for properties assigned the R-3 zoning classification.
- 752 14. Dry cleaners utilizing a Perman R308 dry cleaning machine or machine, found to be similar in nature by the Planning Manager, which provide dry cleaning services to only those customers bringing clothing and other materials to the site for service;
- 753 provided, however, that this provision shall not apply to dry cleaning businesses with pick-up service or satellite facilities or to a dry cleaning plant.
- 754 15. Communication towers when monopole in design if the tower is under one hundred forty (140) feet in height. Communication towers when monopole in design if the tower is over one hundred forty (140) feet in height may be permitted by Special
- 755 Exception.
- 756 16. Private vocational, business, and professional schools which do not have an industrial character. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required.
- 757 17. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required.
- 758 18. Only nonflammable solvents shall be used. (Class IV National Fire Protective Association Code.)
- 759 19. Reserved.
- 760 20. Provided, however, no sewer plant shall be located closer than two hundred (200) feet to the perimeter of the district nor shall any other utility plant, station, or distribution office be located closer than one hundred (100) feet to the perimeter of the district.
- 761 21. Reserved.
- 762 22. Outside storage of parts, supplies or materials shall be permitted only in an enclosed or fenced area.
- 763 23. Wholesale storage of gasoline, liquefied petroleum, gas, oil, or other inflammable liquids or gases, provided they meet the regulations of N.F.P.A. and the Seminole County Building Code and, further, that all overhead storage tanks are diked.
- 764 24. A service store, with living quarters, if desired, to provide groceries, bottle gas, a snack bar, and supplies for occupants of the park.
- 765 25. Recreational facilities, such as, golf courses, swimming pools, tennis courts, marinas, etc. Petroleum products may be sold in marina areas only for marina use.
- 766 26. Using only electrically fired forges
- 767 27. Retail sales if ancillary to a use permitted by this section. For purposes of this subsection, "ancillary" shall mean supplementary, or secondary, not of primary importance.
- 768 28. Subject to landscaping and screening requirements of the MUCD district.
- 769 29. No cremation.

770 **Sec. 30.5.3. Use consolidation.**

- 772 (a) Detailed use categories have been consolidated as described in the Use Consolidation Table.
- 773 (b) See table below.



Use Consolidation Table
<b>Civic Assembly, not for profit</b>
Community centers
Meeting halls
Places of worship, houses of worship, religious institutions
Recreation centers
<b>Indoor recreation</b>
Bowling Alley
Museum
Historical and cultural exhibits
Dance and music studios
<b>Indoor Private Assembly and Entertainment</b>
Arenas
Theaters
Cinemas
Banquet halls
<b>Office uses</b>
Architects
Attorneys
Engineering
Finance offices (accounting, auditing, bookkeeping)
Insurance
Medical and dental

Office showroom
Real estate
Telephone business offices and exchanges
<b>Retail sales and services, light</b>
Book, stationery, and newsstands
Candy Stores
Florist and gift shops
Hobby and craft shops
Interior decorating and draperies
Jewelry stores
Locksmiths
Luggage shops
Pharmacies
Sporting goods
Tobacco shops
Toy stores
Wearing apparel shoes
<b>Personal Services</b>
Barber and beauty shops
Shoe repair
Tailoring shops
Watch and clock repair
<b>Retail sales / service uses (general)</b>
Appliance stores
Bakeries
Pet stores
Employment agencies
Furniture stores
Hardware stores
Quick print shops
<b>Light industrial uses (exc. Water treatment plant)</b>
Bottling and distribution plants
Cold storage and frozen foodlockers
Data processing services
Laundry and dry cleaning
Machine shops
Assembling of metal, plastic or cardboard containers
Testing of materials, equipment and products
Cabinetry and woodworking shops
<b>Manufacturing, Light</b>
Garments
Photographic equipment and supplies
Bakery products
Boats
Ceramics, pottery (using electrically fired kilns)
Chemical products and processing
Dairy products
Electrical machinery and equipment
Furniture
Glass and glass products (using electrically fired kilns)
Pharmaceutical products



Shoes and leather goods (exp leather processing)
Brooms and brushes
Candy and confectionaries
Cosmetics and toiletries (exp soap)
Candles
Jewelry
Optical equipment
Perfume
Precision instruments and machinery
Plastic products (exp pyroxylin)
Silverware
Spices and spice packing
Stationary
Toys
Electronic equipment and assembling
Assembling of metal, plastic or cardboard containers
<b>Outdoor recreation uses, extensive</b>
Country Club
Golf Course
Golf Driving Range
Gun club
Fishing club or camp
Marina
<b>Outdoor recreation uses, intensive</b>
Swimming pools
Sports courts (e.g. Tennis, Basketball, Pickleball, Volleyball, Handball)
Sport fields (e.g. Baseball, Soccer, Softball)
<b>Recreational Facilities, Public</b>
Public campgrounds and RV parks
Public golf courses, playgrounds, sport fields, sport courts, and the like
Public pools, fitness centers, indoor recreation facilities, and the like
Public parks, parkways, and preserves, and related facilities
Public zoos, arboretums, museums, historic and cultural exhibits, and the like



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775

PART 6. ADDITIONAL USE STANDARDS

Sec. 30.6.1. Accessory building and uses.

30.6.1.1 Accessory uses in office and multiple-family residential uses.

(a) Accessory uses, when permitted, are intended to complement any permitted uses.

(b) Accessory uses ~~may shall include;~~ ~~but not be limited to: Drafting service or quick reproduction service, cafeteria and/or coffee shop, nurse's station, snack bar, or sales of non-prescription health and pharmaceutical products apothecary.~~

(1) OP Office District: Drafting service or quick reproduction service, cafeteria and/or coffee shop, nurse's station, snack bar, or sales of non-prescription health and pharmaceutical products apothecary. Any uses like or similar uses must be approved by the Planning and Development Division Manager.

(2) R-3A, R-3, and R-4 Multiple-Family Dwelling Districts: Personal services uses, designed primarily for the occupants of the complex, such as, day care centers, beauty and barber shops, and health clubs. However, such uses shall be limited to complexes of one hundred (100) or more units and shall not be permitted until fifty (50) percent or more of the dwelling units are completed, unless otherwise approved by the Planning and Development Division Manager. Any uses like or similar uses must be approved by the Planning and Development Division Manager.

(c) Location. In office developments, aAccessory uses shall be included as tenants within a principal office building and shall not be permitted to occupy separate buildings. In multiple-family developments, accessory uses may be located at the edge of the complex to serve residents provided that they are clearly subordinate and ancillary to the primary use.

798 (d) Floor area permitted. Accessory uses shall not occupy more than twenty (20)  
799 percent of the floor area of any building.

800 (e) Other restrictions. No display of advertising signs or merchandise which is visible  
801 from outside the building or an individual outside entrance shall be permitted for  
802 any accessory use.

803 ~~(e) — Accessory uses as described above are permitted in the following zones:~~

804 ~~(1) — OP Office District~~

805 ~~(2) — R-3A, R-3, and R-4 Multiple-Family Dwelling Districts~~

806 (f) The determination of whether a use is accessory shall be made by the Development  
807 Services Director based on the intended use, size, and transportation impacts.

808 **30.6.1.2. Accessory buildings and uses in residential areas.**

809 (a) When an accessory building is attached to a main building by a breezeway, passage,  
810 or otherwise, it shall comply with dimensional requirements of the main building.

811 (b) In no event shall an accessory building, boat dock, or structure be established prior  
812 to the principal use to which it is accessory.

813 (c) In any residential area, no livestock or fowl, other than backyard chickens in  
814 compliance with Section 30.6.19, may be housed or pastured closer than one hundred fifty (150)  
815 feet to any lot line nor may any commercial production of any stock, animal, or fowl be permitted.

816 (d) In the case of double frontage lots and where there is a conforming six (6) foot high  
817 minimum solid fence or wall to the rear of the property and in the case of detached accessory  
818 structures under two hundred (200) square feet in size and under twelve (12) feet in height, there  
819 shall be a minimum ten (10) feet rear yard setback. Specific to RC-1: Any structure used to stable

820 horses shall maintain a minimum setback of fifty (50) feet from property lines and a minimum  
821 setback of one hundred (100) feet from any residential structure on an adjacent lot or parcel.

822 (e) Accessory buildings shall not exceed the height limitations of the underlying zoning  
823 district. principal building in terms of mass, size, and height unless located in the A-1 zoning  
824 District and used for agricultural purposes such as a livestock barn or stable. When the height of  
825 an accessory structure exceeds the height of the principal structure, the structures shall be  
826 architecturally compatible. Each detached accessory structure or building shall not exceed fifty  
827 (50) percent of the living area of the principal building unless located in the A-1 zoning District  
828 and used for agricultural purposes such as a livestock barn or stable. This provision does. These  
829 provisions do not apply to accessory structures within the A-3, A-5, and A-10 zoning Districts, or  
830 properties zoned A-1 that exceed three (3) acres in total area and the accessory structure is  
831 architecturally compatible. A screened pool structure height may exceed the height of the principal  
832 structure, but no taller than permitted by the applicable zoning district.

833 (f) An accessory building or structure greater than 200 square feet and twelve (12) feet  
834 in height shall comply with the following architectural standards unless located in the A-1, A-3,  
835 A-5, and A-10 zoning districts and used for agricultural purposes such as a livestock barn or stable:  
836 the exterior and roof (if any) shall be comprised of materials commonly used throughout Seminole  
837 County in single family residential construction, such as stucco, brick, vinyl, aluminum or wood  
838 for the siding or walls and shingles, tiles or corrugated metal for the roof. Accessory Dwelling  
839 Units must conform with Section 30.6.1.3 of this Part.

840 **30.6.1.3 Accessory Dwelling Units.**

841 (a) Accessory Dwelling Units Generally.

842 (1) It is the purpose of this Section to allow accessory dwelling units (ADUs),  
843 as defined in Section 2.3, with appropriate regulations, in all Single Family, Agricultural, and Rural  
844 Districts; and in Planned Developments which are approved for single family use. It is also the  
845 purpose of this Section to create a regulatory framework that encourages the development of ADUs  
846 that are rented on the local housing market to residents of unincorporated Seminole County. The  
847 County adopts the view of the Florida Legislature as stated in section 163.31771, Florida Statutes,  
848 pertaining to the need to encourage the permitting of ADUs in single family residential areas in  
849 order to increase the availability of affordable rentals for extremely-low-income, very-low-  
850 income, low-income, or moderate-income persons.

851 (2) On any lot or parcel containing an ADU, either the principal dwelling or the  
852 ADU shall be occupied by the owner of the property. ADUs shall not be subdivided or otherwise  
853 conveyed into separate ownership from the principal dwelling. ADUs shall be rented or leased for  
854 a minimum period of thirty (30) days notwithstanding section 509.032(7)(b), Florida Statutes.

855 (3) An existing home may be utilized as an ADU upon construction of an  
856 additional unit as long as the converted structure meets the size criteria of this section. ~~at least two~~  
857 ~~hundred eighty five (285) percent of the size of the original unit. Except as authorized under~~  
858 ~~Section 5.19(b), an existing structure to be converted to an ADU may be no larger than 1,000~~  
859 ~~square feet.~~

860 (4) The provisions of this Section permitting ADUs do not authorize persons to  
861 violate applicable restrictive covenants or homeowner association rules and regulations. The  
862 County does not police or enforce private restrictive covenants or homeowner association rules  
863 and regulations. Persons obtaining approval for ADUs are solely responsible for compliance with  
864 all applicable restrictive covenants and homeowner association rules and regulations.

865 (5) ADUs shall not be permitted in association with nonconforming residential  
866 development in the Industrial, Commercial, Office, and Higher Intensity Planned Development  
867 (HIP) future land use designations.

868 (6) An accessory dwelling unit shall not exceed fifty (50) percent of the living  
869 area of the principal dwelling unit, or 1,100 square feet, whichever is less. There shall be a  
870 maximum of one (1) accessory dwelling unit per single family lot or parcel. Within the A-3, A-5,  
871 and A-10 zoning Districts, and properties zoned A-1 that exceed three (3) acres in total area, the  
872 accessory dwelling unit shall not exceed fifty (50) percent of the living area of the principal  
873 dwelling unit, or 1,600 square feet, whichever is less. Regardless of principal dwelling unit area,  
874 the accessory dwelling unit may be 700 square feet in all zoning districts that allow accessory  
875 dwelling units. The Board of Adjustment shall not consider variances ~~Variances~~ related to ADU  
876 size, or minimum area and width of any lot where an ADU is proposed are not permitted.

877 (7) A minimum of one (1) off-street parking space shall be provided for the  
878 ADU, located on the same lot or parcel and served by the same driveway as the principal dwelling  
879 unit. This space shall be paved or covered with a stabilized surface acceptable to the County  
880 Engineer. No ADU parking space shall be located within a required buffer or setback area, ~~or to~~  
881 ~~the rear of the unit.~~

882 (8) Impact Fees.

883 a. If used for affordable rental purposes, impact fees for an ADU shall  
884 be waived or reduced as dictated by the adopted Impact Fee Rates/Schedule. An application for a  
885 building permit to construct an affordable rental must include an affidavit from the applicant which  
886 attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-  
887 income, low-income, or moderate-income person or persons. Seminole County will require deed

888 restrictions or other agreements as necessary to ensure that the ADU is used for affordable housing  
889 purposes.

890           b.       If an ADU is not used for affordable rental purposes or the  
891 application does not include an affidavit which attests to the ADU as an affordable rental, impact  
892 fees will be assessed as dictated in the Seminole County Impact Fee Rate Schedule.

893           (b)       Accessory Dwelling Units in A-3, A-5, and A-10.

894           (1)       ADUs in A-3, A-5, and A-10 shall be permitted by right subject to the  
895 following requirements:

896           a.       No more than one (1) accessory dwelling unit shall be permitted on  
897 any parcel or lot;

898           b.       ~~Except as provided in Section 5.19(b),~~ Total floor area of  
899 the accessory dwelling unit shall not exceed thirty five (35) fifty (50) percent of the gross floor  
900 living area of the main residence; or one thousand (1,000) 1,600 square feet square feet, whichever  
901 is less; regardless of principal dwelling unit area, the accessory dwelling unit may be 700 square  
902 feet.

903           ~~i.~~1.       A manufactured home, as defined in Section 2.3, may be  
904 permitted as an ADU on property where the principal structure is also a manufactured home.

905           ~~ii.~~2.       The moving hitch, wheels, axles, and transporting lights  
906 shall be removed from a manufactured dwelling unit and skirting shall be placed around the base,  
907 in compliance with any regulations of the National Flood Insurance Program, to ensure  
908 neighborhood compatibility.

909 c. If located in a detached structure, the accessory dwelling unit shall  
910 maintain the same front setback as the main structure and not project beyond the established  
911 building line unless set back a minimum of one hundred (100) feet from the front property line.

912 (c) Accessory Dwelling Units in Other Districts.

913 (1) ADUs shall be permitted in all R-1 Districts, RC-1, and A-1, subject to  
914 administrative approval by the Planning Manager. In addition, ADUs shall be permitted in the PD  
915 zoning district, subject to administrative approval by the Planning Manager, on lots designated for  
916 single family residential use, having a minimum lot area of five thousand (5,000) square feet and  
917 fifty (50) feet in width.

918 (2) An ADU shall be architecturally compatible with the principal dwelling unit  
919 and subject to the same building code requirements. The following criteria shall be met, as  
920 applicable:



921 a. The ADU must have a complementary appearance to that of the  
922 principal structure. This may be achieved through use of the same natural materials used to  
923 construct the primary structure such as wood, stone, and/or manufactured products such as brick,  
924 stucco, or decorative concrete block. Also, architectural elements such as awnings, parapets,  
925 decorative molding, and windows may be utilized to create compatibility and consistency between  
926 the appearance of the principal dwelling unit and an ADU.

927 b. Building elevations shall be provided for review prior to issuance of  
928 permits.

929 ~~(3)~~(d) Impervious coverage for any lot or parcel wherein an ADU is constructed shall not  
930 exceed the following limits:


Zoning Districts	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	

931 \* \* \*

932 **Sec. 30.6.6. Alcoholic beverage establishments.**

933 30.6.6.1 Approvals on state alcoholic beverage licenses.

934 (a) Whenever any approval, consent, authorization, or similar request is made by an  
935 applicant, agency, property owner, or any other person or entity relative to the appropriateness,  
936 land use or zoning consistency or conformity,  or other similar action pertaining to location or siting  
937 of a business, person or entity distributing, selling, or bartering any alcoholic beverages; an  
938 application for the requested action shall be made on a form prescribed by the ~~planning office~~  
939 Planning and Development Division, which form shall, at a minimum, describe the uses which  
940 will occur on the property.

941 (b) To implement approval of the requested action, a development order shall be issued  
942 in accordance with this Code in a manner and form that provides that the uses identified on the  
943 application shall be uses to which the property shall be limited and that the provisions of the  
944 development order shall run with and burden the property.

945 30.6.6.2 Performance standards.

946 (a) Definitions. For the purpose of this Section, the following definitions shall apply:

947 (1) Bona fide restaurant. An establishment where a majority of sales and profit  
948 is from the serving of meals and not from the serving of alcoholic beverages. The determination  
949 of whether an establishment is a bona fide restaurant shall be made by the Planning Manager.

950 (2) Incidental sales. In the case of an establishment selling groceries and  
951 household dry goods, if the floor area for the sale of alcoholic beverages does not exceed ten (10)  
952 percent of the net sales floor area the sales from alcoholic beverages shall be deemed incidental.  
953 In the case of a bona fide restaurant, if a majority of sales and profit is from the serving of meals  
954 and not from the serving of alcoholic beverages, the sales from alcoholic beverages shall be  
955 deemed incidental.

956 (b) Special exception required. Any establishment selling alcoholic beverages, where  
957 the sale of alcoholic beverages is not incidental to other products offered for sale, either for on-  
958 premise or off-premise consumption, must apply for and be granted a special exception by the  
959 Board of County Commissioners before selling alcoholic beverages. The Board of County  
960 Commissioners may also grant a special exception to allow a bona fide restaurant, located within  
961 ~~one thousand (1,000)~~ five hundred (500) feet of a ~~church or school~~, to serve alcoholic beverages  
962 with meals. Said special exception may only be granted in those zoning classifications that allow  
963 alcoholic beverage establishments as a conditional use.

964 (c) Landscaping and buffering shall be consistent with requirements. ~~On property~~  
965 ~~where an on-premise consumption alcoholic beverage establishment is the sole use of the~~  
966 ~~development site, the opacity of all required buffers under Section 30.14.5, 30.14.7 shall be~~  
967 ~~increased by 0.2. However, this requirement shall not apply to on-premise alcoholic beverage~~  
968 ~~establishments that are part of a planned shopping center unless the Board of County~~  
969 ~~Commissioners finds that off-site impacts require such additional buffering.~~

970 (d) Separation requirements. Any establishment selling alcoholic beverages for  
971 consumption on-premise shall maintain a five hundred (500) foot separation from the nearest  
972 entrance of any public, private or parochial school. The five (500) foot separation shall be  
973 measured from the entrance of the alcoholic beverage establishment to the nearest entrance of the  
974 school. The entrance is considered to be any point of access to the building intended for use by the  
975 public, customers, students or visitors. the following separation from all churches, schools, and  
976 property assigned a residential zoning classification or land use designation, or like establishments:

977 (1) ~~Houses of Worship. No closer than one thousand (1,000) feet measured~~  
978 ~~along the shortest possible line lying entirely within public rights of way, such measurement being~~  
979 ~~between the nearest entrance to the alcoholic beverage establishment and the nearest point on the~~  
980 ~~plot occupied by the house of worship.~~

981 (2) ~~Schools public, private, and parochial. No closer than one thousand (1,000)~~  
982 ~~feet air line measurement from lot line of the alcoholic beverages establishment to the nearest lot~~  
983 ~~line of the school.~~

984 (3) ~~Residential properties. No closer than the following; provided, however,~~  
985 ~~that bona fide restaurants and establishments that are located in and are part of a planned shopping~~  
986 ~~center shall not be subject to these restrictions:~~

987 a. ~~Five hundred (500) feet, measured along the shortest possible~~  
988 ~~distance traveled by a pedestrian from the entrance of the alcoholic beverage establishment to the~~  
989 ~~boundary of any property assigned a residential zoning classification or land use designation.~~

990 b. ~~One hundred (100) feet from the closest vertical building extremity~~  
991 ~~of the alcoholic beverage establishment to the boundary of the nearest property assigned a~~  
992 ~~residential zoning classification or land use designation.~~

993           (4) ~~Like establishments. Alcoholic beverage establishments that are not part of~~  
994 ~~a planned shopping center shall not be located nearer than five hundred (500) feet from a like~~  
995 ~~establishment. For example, no cocktail lounge may be located within five hundred (500) feet from~~  
996 ~~another cocktail lounge. Measurement shall be between building entrances along the shortest~~  
997 ~~possible line lying entirely within public rights-of-way.~~

998           **Sec. 30.6.7. Communication antennas/towers.**

999           30.6.7.1 Legislative purpose and intent.

1000           (a)     The County has, on numerous occasions and with increasing frequency, received  
1001 requests to approve sites for communication towers. Land development regulations have not  
1002 adequately identified specific procedures to address recurring issues relating to the approval of  
1003 locations for communication towers. The inadequacy of such regulation, in light of the growing  
1004 influx of requests, may have resulted in the placement of towers in less than optimal locations with  
1005 less than optimal conditions placed upon such uses. The Board of County Commissioners finds  
1006 and determines that the placement of communication towers in less than optimal locations or with  
1007 inadequate consideration being given to sound land use planning and principles may cause a  
1008 detriment to the citizens of the County and surrounding communities. Therefore, it is the intent of  
1009 Sections 30.6.7.1 through 30.6.7.9 to address the recurrent issues pertaining to the approval of  
1010 communication towers upon parcels located in the County.

1011           (b)     Among the chief purposes of Sections 30.6.7.1 through 30.6.7.9 are the following  
1012 goals, objectives, and policies:

1013                   (1)     To accommodate the growing need for communication towers;

1014                   (2)     To encourage and direct the location of communication towers in the  
1015 County to the most appropriate locations considering sound planning and land use practices, to

1016 ensure compatibility between communication towers and abutting land uses, to provide for  
1017 adequate setback requirements between communication towers and abutting and proximate land  
1018 uses, to provide for adequate separation requirements between communication towers, to provide  
1019 for the needs of the communication industry, to provide for the needs of the public, to provide for  
1020 the protection of private property rights, to provide for developments in technology, impacts, and  
1021 to provide for the requirements of federal, state and local law;

1022 (3) To protect residential areas and land uses from the potential adverse impacts  
1023 of communication towers when placed at inappropriate locations or permitted without adequate  
1024 controls and regulation consistent with the provisions of law;

1025 (4) To minimize the adverse visual impacts resulting from communication  
1026 towers through sound and practical design, siting, landscape screening, and innovative  
1027 camouflaging techniques all in accordance with generally acceptable engineering and planning  
1028 principles and the public health, safety, and welfare;

1029 (5) To avoid potential damage to adjacent properties through sound engineering  
1030 and planning and the prudent and careful approval of communication tower sites and structures;

1031 (6) To promote and encourage shared use of existing and new communication  
1032 tower sites and towers as a primary option rather than construction of additional single-use towers;


1033 (7) To evaluate current trends and projected areas of advancement relative to  
1034 communication towers, the telecommunications industry, and related matters on an ongoing basis;

1035 (8) To provide the County with the information pertaining to enhanced and new  
1036 uses of communication towers and the systems to which they relate.

1037 (c) The Board of County Commissioners hereby finds and determines that the  
1038 provisions of this Code are consistent with the provisions of the Seminole County Comprehensive

1039 Plan, the Strategic Regional Policy Plan, the State Comprehensive Plan, as well as the provisions  
1040 of state and federal law.

1041 (d) The Board of County Commissioners recognizes the fact that technological  
1042 developments in the area of telecommunications occur at a pace that is difficult to keep pace with  
1043 and that it is essential to the public interest for local governments to continually develop land  
1044 development regulations that protect the public health, safety, and welfare of the citizens of the  
1045 County. As technologies such as cable microcell integrator transceiver technology and other  
1046 similar technologies develop, it is the intent of the County to encourage the use of such technology  
1047 to the extent practicable and lawful, with full consideration being given to the protection of the  
1048 property rights of the public in public right-of-way.

1049 (e) Nothing in Sections 30.6.7.1 through 30.6.7.9 shall be construed to grant any person  
1050 or entity a permit, license, entitlement, or right of any type whatsoever to use the right-of-way,  
1051 property, or property rights of the County. 

1052 30.6.7.2 Applicability/administration.

1053 (a) All new communication towers in unincorporated Seminole County shall be subject to  
1054 the land development regulations set forth in this Part, all other applicable land development  
1055 regulations set forth in this Code, and all federal and state laws relating thereto.

1056 (b) For purposes of measurement, communication tower setbacks, and separation  
1057 distances, as outlined in Section 30.6.7.3, shall be calculated and applied to facilities located  
1058 anywhere in Seminole County, irrespective of municipal and County jurisdictional boundaries.

1059 (c) All new communication antennas which are not attached to communication towers shall  
1060 comply with Section 30.6.7.6.

1061 (d) All communication towers existing prior to the effective date of Sections 30.6.7.1  
1062 through 30.6.7.9 shall be permitted to continue to be used as they presently exist. Routine  
1063 maintenance (including replacement with a new tower, or tower of less impact, of like  
1064 construction; provided, however, that any such tower shall be the same or less height of the tower  
1065 as it existed on the effective date of this Part) shall be permitted on such existing communication  
1066 towers; provided, however, that replacement of the communication tower shall require the entire  
1067 site be brought into compliance with Section 30.6.7.4. New construction, other than routine  
1068 maintenance of an existing communication tower, shall comply with any adopted land  
1069 development regulations, applicable building codes and related codes.

1070 (e) A communication tower that has received County approval in the form of either a  
1071 special exception or building permit, but has not yet been constructed, shall be considered an  
1072 existing tower if such approval is valid, current, and not expired.

1073 (f) AM array consisting of one (1) or more tower units and supporting a ground system that  
1074 functions as one (1) AM broadcasting antenna shall be considered one (1) communication tower.  
1075 Measurements for setbacks and separation distances shall be measured from the outer perimeter  
1076 of a communication tower included in the AM array. Additional tower units may be added within  
1077 the perimeter of the AM array by right.

1078 (g) The determination as to whether placement of a communication tower on property  
1079 assigned the PD zoning classification shall be based on the identified zoning or use for that tract  
1080 within the development.

1081 (h) Determinations of compliance with the provisions of Sections 30.6.7.1 through 30.6.7.9  
1082 or with regard to any matter relating to communication towers shall be made by the Planning  
1083 Manager subject to the appeal processes and procedures as set forth at Sections 30.3.2 and 30.3.3.

1084 (i) To ensure that the least intrusive methods for communication service are implemented,  
1085 the Planning Manager may require detailed written reports from applicants explaining and  
1086 detailing, among other things, the reasons that collocation, camouflaging, alternative site, or a less  
1087 intrusive tower or antenna was not proposed.

1088 30.6.7.3 Performance standards.

1089 (a) Setbacks.

1090 (1) Communication tower setbacks shall be measured from the outer extremity  
1091 of the base of the communication tower to the property line of the parcel on which it is located.

1092 (2) Communication towers shall be located on parcels that comply with the  
1093 minimum setback and lot size requirements of the zoning classification assigned to the property  
1094 on which they are located.

1095 (3) For towers located on properties assigned to the PD zoning classification,  
1096 the setback requirements for the parcel outlined in the PD approval shall apply.

1097 (4) In cases where there are non-conforming residential uses on the property  
1098 that is not assigned a residential zoning classification, a reduction of fifty (50) percent of the side  
1099 or rear yard setback distance opposite the non-conforming residential use shall be permitted by the  
1100 Planning Manager unless the side or rear yard proposed for reduction is assigned a residential land  
1101 use designation or zoning classification.

1102 (b) Minimum Separation From Off-Site Uses/Designated Areas.

1103 (1) Communication tower separation shall be measured from the outer  
1104 extremity of the base of the tower to the closest property line of the off-site use as specified in  
1105 Table 1 below.

1106 (2) Separation requirements for communication towers shall comply with the  
1107 minimum standards established in Table 1 below unless otherwise provided.

1108 (3) Reduced separation distances may be reduced by the Planning Manager  
1109 when written consent as set forth in a recordable instrument is obtained from all property owners  
1110 within the applicable separation distance.

1111 (4) Separation distances may be decreased ~~or increased~~ by the Board of  
1112 ~~Adjustment~~ County Commissioners. The requirements to obtain a separation decrease are set forth  
1113 in Table 1 below. in accordance with the procedural requirements for variances as set forth in this  
1114 Code and the substantive determinations as set forth in Table 1 below, when considering whether  
1115 to approve a special exception, if competent substantial evidence is presented demonstrating  
1116 unique planning considerations and compatibility impacts.


TABLE 1 MINIMUM SEPARATION FROM OTHER USES	
Off-site Use	Separation Distance
Property assigned a single-family (includes modular homes and mobile homes used for living purposes), duplex, or multi-family residential zoning classification or future land use designation or with an existing residential use.	Two hundred (200) feet or three hundred (300) percent height of tower, whichever is greater. <u>The separation distance can be reduced if</u> <del>except when</del> <u>the Board of County Commissioners determines, based on competent substantial evidence, a variance is granted based upon findings that the aesthetic impacts of the tower are</u> <del>enhanced</del> <u>mitigated, that compatibility with abutting property owners</u> <del>are</del> <u>is maintained, and the approval of the tower in the proposed location is</u> <del>would be</del> <u>consistent with and furthers the provisions of Section 30.6.7.1. The standard relative to variances as otherwise set forth in this Code may be considered in determining whether to approve a variance hereunder, but shall not be determinative as to whether the variance may be granted.</u>
Property assigned a non-residential zoning classification or future land use designation or property with an existing non-residential use	None. Only district setbacks apply

1117 (c) Separation Distances Between Communication Towers.

1118 (1) Separation distances between communication towers shall be measured  
1119 between the communication tower proposed for approval and those towers that are permitted or  
1120 existing.

1121 (2) The separation distances shall be measured by drawing or following a  
1122 straight line between the GPS coordinate of the center of the existing or permitted communication  
1123 tower and the proposed GPS coordinate of the center of the proposed communication tower as  
1124 depicted on a site plan of the proposed tower.

1125 (3) The separation distances, listed in linear feet, shall be as set forth in Table 2 below:

TABLE 2 SEPARATION DISTANCES BETWEEN COMMUNICATION TOWERS					
Description	Existing Towers				
	Lattice	Guyed 	Monopole 75 ft. in Height or Greater	Monopole Less than 75 ft. in Height	Camouflage
Lattice	5,000	5,000	1,500	750	0
Guyed	5,000	5,000	1,500	750	0
Monopole 75 ft. in Height or Greater	1,500	1,500	1,500	750	0
Monopole Less than 75 ft. in Height	750	750	750	750	0
Camouflage	0	0	0	0	0

1126 (4) Minimum separation distances between communication towers, as set forth in  
1127 Table 2, may be decreased ~~A variance from the minimum separation distances between~~  
1128 ~~communication towers as set forth in Table 2 may be granted~~ when two (2) or more communication  
1129 tower owners or operators agree to collocate their communication antennas on the same  
1130 communication tower and upon findings ~~being made~~ that the aesthetic impacts of the tower are  
1131 ~~enhanced~~, mitigated, that compatibility with abutting property owners is maintained, and the

1132 approval of the proposed tower ~~would be~~ is consistent with and furthers the provisions of Section  
1133 30.6.7.1. ~~The standard relative to variances as otherwise set forth in this Code may be considered~~  
1134 ~~in determining whether to approve a variance hereunder, but shall not be determinative as to~~  
1135 ~~whether the variance may be granted.~~

1136 (d) Measurement of Height. Measurement of communication tower height shall  
1137 include antenna, base pad, and any and all other appurtenances and shall be measured from the  
1138 finished grade of the parcel on which the communication tower is located.

1139 30.6.7.4 Design criteria.

1140 (a) Illumination. Communication towers shall not be artificially ~~lighted~~ lit except to  
1141 ~~assure~~ ensure human safety or as required by the Federal Aviation Administration (FAA). At time  
1142 of construction of a communication tower in cases where there is property assigned a residential  
1143 future land use designation, a residential zoning classification or has a valid residential use located  
1144 within a distance from the tower which is equal to or less than three hundred (300) percent of the  
1145 height of the communication tower, dual mode lighting shall be requested by the applicant from  
1146 the FAA.

1147 (b) Finished Color. Communication towers not requiring FAA painting/marketing shall  
1148 have either a galvanized finish, shall be painted a non-contrasting gray finish, or shall be painted  
1149 in a finish to enhance camouflaging as determined by the Planning Manager.

1150 (c) Fencing. A chain link fence or a wall not less than eight (8) feet in height from  
1151 finished grade shall be installed by the applicant around each communication tower. Barbed wire  
1152 or another fencing method to prevent pedestrian access to the tower, as approved by the Planning  
1153 Manager, shall be installed along the top of the fence or wall, but shall not be included when  
1154 calculating the height of the fence or wall. Access to the tower through the fence or wall shall be

1155 through a gate which shall be locked at all times that the person or entity in charge of the  
1156 communication tower or site is not occupying the communication tower site.

1157 (d) Landscaping.

1158 (1) The visual impacts of each communication tower shall be mitigated through  
1159 landscaping or other screening materials at the base of the communication tower and ancillary  
1160 structures in order to maintain visual aesthetics for those who must view the site on a regular basis  
1161 including, but not limited to, proximate residents and the traveling public.

1162 (2) The following landscaping and buffering requirements shall apply to each  
1163 communication tower around the perimeter of the tower and accessory structures; provided,  
1164 however, that these standards may be determined by the Planning Manager, based upon the intent  
1165 of this Section and sound and generally acceptable planning principles, to be unnecessary for those  
1166 sides of the property on which a proposed tower will be located that are near to lands that are not  
1167 likely to be developed or that are not likely to be adversely impacted by the communication tower  
1168 or when the property on which the communication tower will be located is not in public view.

1169 (3) Landscaping shall be installed on the outside of fences.

1170 (4) The use of existing vegetation shall be preserved to the maximum extent  
1171 practicable and may be used as a substitute of or in supplement to meeting landscaping  
1172 requirements.

1173 (5) A row of canopy trees a minimum of eight (8) feet tall, two and one-half  
1174 (2½) inches in caliper, and a maximum of ten (10) feet apart shall be planted around the perimeter  
1175 of the fence or at locations which enhance greater screening from other uses as determined by the  
1176 Planning Manager.

1177                   (6)     A continuous hedge at least twenty-four (24) inches high at planting of  
1178 sufficient health and quality able to attain a height of at least thirty-six (36) inches within twelve  
1179 (12) months shall be planted in front of the tree line.

1180                   (7)     All landscaping shall be of the evergreen variety, being a minimum quality  
1181 of Florida #1.

1182                   (8)     All landscaping shall be xeriscape tolerant or irrigated and properly  
1183 maintained to ensure good health and viability.

1184                   (e)     Structural Design.

1185                   (1)     Communication towers shall be constructed in accordance with the most  
1186 current edition of the EIA/TIA 222-E Standards, as published by the Electronic Industries  
1187 Association, any and all Seminole County construction/building codes, all applicable land  
1188 development regulations, and federal and state law.

1189                   (2)     Any improvements and/or additions to a communication tower, such as, by  
1190 way of example only, antenna or satellite dishes, must be submitted for approval to the County  
1191 and shall require submission of plans sealed and verified by a professional engineer licensed in the  
1192 State of Florida which provides substantial competent evidence of compliance with the then  
1193 current EIA/TIA Standard. Said site plan shall be submitted to and subject to the approval of the  
1194 Seminole County Building Official or his or her designee.

1195                   (f)     No commercial signage or advertising shall be permitted on a communication tower  
1196 unless otherwise required by law or the signage pertains only to the posting of the property relative  
1197 to trespassing.

1198                   30.6.7.5 Abandonment.

1199 (a) In the event the communication tower is found by the Planning Manager to be  
1200 abandoned, the owner/operator of the communication tower or the owner of the property on which  
1201 the communication tower is located shall have one hundred eighty (180) days from the date of the  
1202 Planning Manager's finding of abandonment within which to:

1203 (1) Reactivate the use of the communication tower or transfer the tower to  
1204 another owner/operator who must make actual use of the tower as previously permitted within  
1205 ninety (90) days of the transfer, or

1206 (2) Dismantle and remove the communication tower.

1207 (b) Determination of the date of abandonment shall be made by the Planning Manager,  
1208 who shall have the power to request documentation and affidavits from the communication tower  
1209 owner/operator regarding the issue of communication tower usage. The communication tower  
1210 owner/operator shall provide all requested information within five (5) working days of a request  
1211 being made.



1212 (c) With regard to towers that received special exception and/or variance approval, one  
1213 hundred eighty (180) days after dismantling or the expiration of the three hundred sixty (360) day  
1214 period as set forth in this Section, the special exception and/or variance for the tower shall  
1215 automatically expire.

1216 (d) Each owner/operator of a communication tower shall post a surety bond, or other  
1217 instrument or guarantee of a form acceptable to the County Attorney, ~~with the Planning Manager~~  
1218 in favor of the County in an amount, as estimated by the owner/operator's engineering consultant,  
1219 ~~to found by the Planning Manager to be reasonably necessary~~ that includes all work necessary to  
1220 remove the communication tower and return the site to the condition it existed prior to the  
1221 placement of the communication tower on the site. ~~in the event of abandonment.~~ The County

1222 Engineer shall review the bond estimate provided by the owner/operator to determine whether or  
1223 not the amount of the bond is sufficient to cover the work required and either approve or require  
1224 the owner/operator to revise the estimate. Planning Manager is hereby granted authority to  
1225 establish this amount based on policy guidelines adopted by the Board of County Commissioners.  
1226 The contents of such bond shall include, or the bond shall be accompanied by, a contingent right  
1227 of entry in favor of the County ~~which that runs with the land to authorize~~ authorizing entry upon  
1228 the property in the event that it is necessary to remove the abandoned tower.

1229 \* \* \*

1230 30.6.7.7 Collocation of communication tower antennas.

1231 (a) General policy relating to collocation. To minimize adverse visual impacts  
1232 associated with the proliferation and clustering of communication towers, collocation of  
1233 communication antennas by more than one (1) carrier on existing or new communication towers  
1234 is encouraged. Additional communication antennas proposed on existing Communication Towers  
1235 are permitted uses and may collocate onto existing communication towers if they satisfy the  
1236 requirements of this Section and no special exception is required. If collocation requires utilization  
1237 of real property for construction of ancillary facilities, such as equipment rooms, and such use or  
1238 uses are expressly prohibited by the existing special exception, then an amendment to the special  
1239 exception will be required.

1240 (b) Procedure for administrative granting of ~~special exceptions~~ collocation. ~~If co-~~  
1241 ~~location requires utilization of real property for construction of ancillary facilities such as~~  
1242 ~~equipment rooms, which uses were not permitted under the applicable zoning code and which uses~~  
1243 ~~are expressly prohibited by prior special exceptions, then such ancillary facilities such as~~

1244 ~~equipment rooms shall not be deemed a permitted use as a matter of right under this Section unless~~  
1245 ~~and until a special exception is issued pursuant to the provisions of this subsection.~~

1246 (1) The Planning Division Manager, after consultation with the applicant, shall  
1247 ~~determine in conjunction with the Development Services Director~~, consistent with sound and  
1248 generally accepted planning and land use principles, whether co-location of ancillary equipment,  
1249 such as equipment room, in support of co-located communication antennae are appropriate and  
1250 meet the criteria of this Section.

1251 (2) Upon a determination that the collocation of ancillary facilities, including  
1252 equipment rooms, is appropriate for a parcel, the Planning Division Manager shall issue an  
1253 approval to allow the co-location of Communication Tower ancillary structures (including  
1254 equipment rooms) as proposed. ~~cause a "Notice of Intent to Allow Co-Location of Communication~~  
1255 ~~Tower Ancillary Facilities, Including Equipment Rooms" to be published in a newspaper of~~  
1256 ~~general circulation. The Notice shall, at a minimum, state the address of the real property and the~~  
1257 ~~proposed use. The Notice shall further state that any person objecting to the use of the property as~~  
1258 ~~described must file a notice of objection with the Planning Division within fifteen (15) days of the~~  
1259 ~~publication.~~

1260 (3) Upon a determination that collocation of Communication Tower ancillary facilities  
1261 (including equipment rooms) is not appropriate for the subject property, the applicant may appeal  
1262 said decision the Board of County Commissioners by filing a notice of appeal with the Planning  
1263 Division within fifteen (15) days of the rendering of the decision. The Planning Division shall  
1264 schedule the appeal before the Board. The Board may approve or deny the co-location.

1265           ~~(4) If the Planning Division receives no objections to the Notice, in his or her sole~~  
1266 ~~discretion, then the Planning Manager shall allow the co-location of Communication Tower~~  
1267 ~~ancillary structures (including equipment rooms) as proposed.~~

1268           ~~(5)(4) The Development Services Director~~ Planning Division Manager shall issue a  
1269 development order or denial development order consistent with the determination made under this  
1270 Section.

1271           (c) Type of construction. A communication tower that is modified or reconstructed to  
1272 accommodate the co-location of an additional communication antenna shall be of the same tower  
1273 type or a lesser impact tower type, as determined by the Planning Manager based upon the intent  
1274 of Sections 30.6.7.1 through 30.6.7.9 and sound and generally acceptable planning practices and  
1275 principles, as the existing communication tower.

1276           (d) Height. An existing communication tower may be modified or rebuilt to a taller  
1277 height, not to exceed twenty (20) feet over the tower's existing height, to accommodate the  
1278 collocation of an additional communication antenna. Such a height increase may only occur one  
1279 (1) time per communication tower and may be allowed for those sites, which obtained previous  
1280 special exception approval. The additional height authorized herein shall not require an additional  
1281 distance separation as described in Table 1, Section 30.6.7.3(b). The communication tower's pre-  
1282 modification height shall be used to calculate such distance separations.

1283           (e) Site location. A communication tower that is being rebuilt to accommodate the  
1284 collocation of an additional communication antenna may be moved on the site to an area located  
1285 within fifty (50) feet of its existing location and may also be relocated, with the approval of the  
1286 Planning Manager based upon sound planning and land use principles and upon a finding that such  
1287 approval would be consistent with and further the intent of this Code, in the same manner on a site

1288 which received a previous special exception notwithstanding any condition of approval relating to  
1289 the grant of the special exception. After a communication tower is rebuilt to accommodate  
1290 collocation, only one (1) tower may remain on the site. A communication tower relocated on a site  
1291 shall continue to be measured from the original tower location for purposes of calculating  
1292 separation distances between communication towers. A communication tower that has been  
1293 relocated on a site and which intrudes into the separation distances required with regard to property  
1294 described in Table 1, Section 30.6.7.3(b), shall only be permitted when written consent as set forth  
1295 in a recordable instrument is obtained from all property owners within the applicable separation  
1296 distance.

1297 ~~(f) Filing of a master plan. To enhance the County's ability to promote the co-location~~  
1298 ~~of communication towers, any communication company that owns or operates a communication~~  
1299 ~~tower in the County or intends to install a communication tower in the County shall file with the~~  
1300 ~~Planning Division a master plan indicating the site of all existing communication towers, any and~~  
1301 ~~all proposed communication tower sites and a statement describing the anticipated communication~~  
1302 ~~tower needs over the next ten (10) years; provided, however, that disclosure of marketing~~  
1303 ~~strategies, trade secrets, commercially privileged information or any other information that the~~  
1304 ~~provider deems would adversely affect his, her or its ability to compete is not required to be~~  
1305 ~~disclosed and the determination of the communication company shall be conclusive. The master~~  
1306 ~~plan shall be filed on or before January 1 of each year. The master plan is not binding. Its primary~~  
1307 ~~purpose is to serve as a mechanism of coordinating collocation of communication towers between~~  
1308 ~~persons and entities involved in that industry.~~

1309 30.6.7.8 Certification of compliance with FCC NIER Standards. Prior to receiving final  
1310 inspection by the County the applicant shall provide certification to the FCC, with copy to the

1311 current planning office, verifying that the communications facility complies with all current FCC  
1312 regulations for NIER.

1313 30.6.7.9 Nonconforming uses. Bona fide nonconforming communications towers or  
1314 antennas that are damaged or destroyed may be rebuilt without being required to comply with  
1315 applicable separation requirements. The type, height, and location of a replacement  
1316 communication tower shall be of the same type and intensity or of a type and intensity of less  
1317 impact as the communication tower that was damaged or destroyed. Building permits to rebuild a  
1318 communication tower shall comply with all building codes and must be obtained within one  
1319 hundred eighty (180) days from the date the facility is damaged or destroyed. If no permit is  
1320 obtained or if a permit that was issued expires, the communication tower shall be deemed  
1321 abandoned in accordance with Section 30.6.7.5.

1322 30.6.7.10 Camouflage towers; where permitted. The Planning Manager may permit  
1323 camouflage communication towers on any parcels which is not assigned a residential zoning  
1324 classification provided that the Planning Manager makes the findings set forth in the definition of  
1325 the term "camouflage communication tower."

1326 \* \* \*

1327 **30.6.10. Community residential homes, ~~and assisted living facilities,~~ and Certified**  
1328 **Recovery Residences.**

1329 ~~30.6.10.1 Statement of intent.~~

1330 ~~(a) In order to prevent concentration of foster care and group home facilities and the~~  
1331 ~~detrimental impact to a neighborhood caused by a high concentration of these facilities, the Board~~  
1332 ~~of County Commissioners shall exercise care in considering a request to establish a foster care or~~  
1333 ~~group home facility by determining that the approval of the new facility or addition to an existing~~

1334 facility, when considered in light of the number of other such facilities licensed by the state  
1335 (excluding foster homes) in the vicinity of the proposed site will not stress the limited capacity of  
1336 a neighborhood's existing social structure to accommodate foster care and group home facilities.  
1337 A second intention of this provision is to protect existing foster care and group home facilities  
1338 from the possibility that an over concentration of such facilities in a neighborhood might develop  
1339 which may inadvertently recreate an institutional setting. Such a setting is an impediment to the  
1340 successful functioning of foster care and group home facilities.

1341 (b) — To help fulfill this intent the applicant is required to provide a list of the location of  
1342 all group care facilities indicating the number of clients at each facility. The list is to be certified  
1343 by the State department licensing such facilities.

1344 30.6.10.21 Community residential homes, may be approved by the Planning Manager as a  
1345 Limited Use, providing, in addition to all other required findings:

1346 That the location does not create an over concentration of such homes or substantially alter  
1347 the nature and character of the area as defined in Section 419.001(3)(c), Florida Statutes (2020),  
1348 as this statute may be amended from time to time. In the event that the provisions of this Section  
1349 conflict with the provisions of Section 419.001(3)(c), Florida Statutes (2020), as this statute may  
1350 be amended from time to time, Section 419.001(3)(c) shall govern.

1351 “Community residential home” means a dwelling unit licensed to serve residents who are  
1352 clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the  
1353 Department of Juvenile Justice, or the Department of Children and Family Services or licensed by  
1354 the Agency for Health Care Administration which provides a living environment for 7 to 14  
1355 unrelated residents who operate as the functional equivalent of a family, including such

1356 supervision and care by supportive staff as may be necessary to meet the physical, emotional, and  
1357 social needs of the residents.

1358 (a) Community residential homes of six or fewer residents which otherwise meet the  
1359 definition of a community residential home shall be deemed a single-family unit and shall be  
1360 considered a “Dwelling, single-family,” as listed in Sec. 30.5.2. - Permitted use table.

1361 (b) Community residential homes with seven (7) to fourteen (14) unrelated residents  
1362 shall be considered a permitted use in multifamily zoning districts, as shown in Sec. 30.5.2. -  
1363 Permitted use table, and subject to the site selection criteria in s. 419.001, Florida Statutes.

1364 (c) Community residential homes with seven (7) to fourteen (14) unrelated residents  
1365 may be approved by the Board of County Commissioners as a special exception per Sec. 30.5.2. -  
1366 Permitted use table, provided that, in addition to all other required findings:

1367 (1) The proposed community residential home is not located within a radius of  
1368 1,200 feet of another existing community residential home. All distance requirements in this  
1369 section shall be measured from the nearest point of the existing home or area of single-family  
1370 zoning to the nearest point of the proposed home.

1371 (2) In single- and two-family residential districts (including A-1 and RC-1)  
1372 when the Board of County Commissioners determines that the proposed community residential  
1373 home is compatible with the neighborhood in its physical size.

1374 (3) In multiple-family residential districts, the Board of County Commissioners  
1375 determines that the proposed use is compatible with the area in its intensity of land use.

1376 ~~30.6.10.32 Community residential homes with seven (7) or more unrelated residents and~~  
1377 ~~assisted living facilities may be approved by the Board of County Commissioners as a special~~  
1378 ~~exception, providing, in addition to all other required findings: Assisted Living Facilities.~~

1379           ~~(a) — That the location does not create an over-concentration of such homes or~~  
1380 ~~substantially alter the nature and character of the area as defined in Section 419.001(3)(c), Florida~~  
1381 ~~Statutes (2020), as this statute may be amended from time to time. In the event that the provisions~~  
1382 ~~of this Section conflict with the provisions of Section 419.001(3)(c), Florida Statutes (2020), as~~  
1383 ~~this statute may be amended from time to time, Section 419.001(3)(c) shall govern.~~

1384           ~~(b) — In single and two family residential districts (including A-1 and RC-1), the Board~~  
1385 ~~of County Commissioners shall determine that the proposed structure (facility) is compatible with~~  
1386 ~~the neighborhood in its physical size.~~

1387           ~~(c) — In multiple family residential districts, the Board of County Commissioners shall~~  
1388 ~~determine that the proposed use is compatible with the area in its intensity of land use.~~

1389           ~~(d) — A copy of the application to the appropriate State agency shall accompany the~~  
1390 ~~application for the special exception.~~




1391           “Assisted living facility” means any building or buildings, section or distinct part of a  
1392 building, private home, boarding home, home for the aged, or other residential facility, regardless  
1393 of whether operated for profit, which through its ownership or management provides housing,  
1394 meals, and one or more personal services for a period exceeding 24 hours to one or more adults  
1395 who are not relatives of the owner or administrator. Facilities with a licensed capacity of six or  
1396 fewer persons shall comply with the provisions of Chapter 419, Florida Statutes.

1397           (a) Assisted living facilities of six or fewer residents which otherwise meet the  
1398 definition of an assisted living facility shall be deemed a single-family unit and shall be considered  
1399 a “Dwelling, single-family,” as listed in Sec. 30.5.2. - Permitted use table.

1400 (b) Assisted living facilities with seven (7) to fourteen (14) unrelated residents shall be  
1401 considered a permitted use in multifamily zoning districts, as shown in Sec. 30.5.2. - Permitted use  
1402 table, and subject to the site selection criteria in s. 419.001, Florida Statutes.

1403 (c) Assisted living facilities with seven (7) to fourteen (14) unrelated residents may be  
1404 approved by the Board of County Commissioners as a special exception per Sec. 30.5.2. -  
1405 Permitted use table, provided that, in addition to all other required findings:

1406 (1) The proposed assisted living facility is not located within a radius of 1,200  
1407 feet of another assisted living facility. All distance requirements in this section shall be measured  
1408 from the nearest point of the existing home or area of single-family zoning to the nearest point of  
1409 the proposed home.

1410 (2) In single- and two-family residential districts (including A-1 and RC-1), the  
1411 Board of County Commissioners determines that the proposed assisted living facility is compatible  
1412 with the neighborhood in its physical size. 

1413 (3) In multiple-family residential districts, the Board of County Commissioners  
1414 shall determine that the proposed use is compatible with the area in its intensity of land use.

1415 30.6.10.43 Certified recovery residences.

1416 (a) Purpose and applicability. The purpose of this subsection is to establish procedures  
1417 for review and approval of reasonable accommodation requests to County land use and zoning  
1418 ordinances, rules, regulations, policies, and procedures that may prohibit establishment of certified  
1419 recovery residences pursuant to section 397.487, Florida Statutes. Facilitating reasonable  
1420 accommodation requests ensures that individuals with a disability and/or handicap have equal  
1421 opportunity to use and enjoy dwellings, buildings or structures, or to provide accessibility in  
1422 another manner, as provided by the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et

1423 seq.) ("FHA") and Title II of the Americans with Disabilities Amendments Act (42 U.S.C. Section  
1424 12131 et seq.) ("ADA"). For purposes of this procedure, a "disabled" individual or person is an  
1425 individual that qualifies as disabled and/or handicapped under the FHA and/or ADA. Any person  
1426 who is disabled or a provider of services to disabled individuals qualifying for a reasonable  
1427 accommodation, may request a reasonable accommodation allowing for the establishment of a  
1428 certified recovery residence pursuant to the procedures set forth herein.

1429 (b) Applicant. Any person who is disabled or a provider of services to disabled  
1430 individuals qualifying for a reasonable accommodation, collectively referred to as "Applicant" in  
1431 this subsection, may request a reasonable accommodation to the County's land use and zoning  
1432 ordinances, rules, regulations, policies, and procedures that prohibit establishment of certified  
1433 recovery residences. It is the responsibility of the Applicant to establish that they, or those who are  
1434 being provided recovery services, are protected individuals under the FHA and/or ADA by  
1435 demonstrating that the proposed accommodation is reasonable and necessary to afford the  
1436 Applicant, or those who are being provided services, an equal opportunity to use and enjoy a  
1437 residential dwelling.

1438 (c) Application Procedure. A request for reasonable accommodation shall be made to  
1439 the Planning and Development Division by an Applicant. An application for reasonable  
1440 accommodation must, at a minimum, provide the following:

1441 (1) Name and contact information of the Applicant or the Applicant's  
1442 authorized representative;

1443 (2) Property address and parcel identification number of where the reasonable  
1444 accommodation is being requested. If the Applicant is not the owner of the property, then the  
1445 contact information for the owner and an owner's authorization form is also required;

1446 (3) A description of the accommodation needed, identifying the ordinances,  
1447 rules, regulations or policies from which the Applicant is requesting a reasonable accommodation  
1448 and why the requested accommodation is necessary;

1449 (4) A certification signed by the Applicant stating; I CERTIFY UNDER  
1450 PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS REQUEST IS  
1451 TRUE AND CORRECT. I UNDERSTAND THAT IF I KNOWINGLY PROVIDE FALSE  
1452 INFORMATION WITH THIS REQUEST, MY REQUEST SHALL BECOME NULL AND  
1453 VOID;

1454 (5) Signature of the Applicant and date;

1455 (6) A verification of disability status form executed by someone with personal  
1456 knowledge of the Applicant's, or those who are being provided services', disability, such as a  
1457 medical or social services professional;



1458 (7) Any additional information or documents the Applicant feels is necessary  
1459 to supplement the request for reasonable accommodation.

1460 The Planning and Development Division will date-stamp the application upon  
1461 receipt and notify the applicant, in writing, within 30 days if additional information  
1462 is required. The Applicant must provide the additional information within 30 days.

1463 Failure of the Applicant to provide a response within 30 days will result in the  
1464 application being denied, unless the applicant requests an extension of time in  
1465 writing.

1466 (d) Review. Within 60 days of receiving a completed application, the Development  
1467 Services Director, or designee, shall review the request for reasonable accommodation and make  
1468 a determination consistent with the FHA and/or ADA, after considering all of the following:

1469 (1) Whether the Applicant has established that they are protected under the  
1470 FHA and/or ADA by demonstrating that they or those being provided recovery services, are  
1471 handicapped or disabled, as defined in the FHA and/or ADA. To do this, the following must be  
1472 shown:

- 1473 a. A physical or mental impairment which substantially limits one (1)  
1474 or more major life activities;
- 1475 b. That they are regarded as having such impairment; and
- 1476 c. A record of having such impairment.

1477 (2) Whether the requested accommodation is reasonable and necessary to  
1478 afford the Applicant an equal opportunity to use and enjoy the dwelling, building or structure, or  
1479 provides accessibility in another manner.

1480 (3) Whether the requested accommodation would impose an undue financial or  
1481 administrative burden on the County. 

1482 (4) Whether the requested accommodation would require a fundamental  
1483 alteration in the nature of the land use and zoning regulations of the County.

1484 If the Development Services Director, or designee, finds that the requested  
1485 accommodation will impose an undue financial or administrative burden on the County or will  
1486 require a fundamental alteration in the nature of the County’s land use and zoning regulation, they  
1487 may consider whether an alternative reasonable accommodation exists which would effectively  
1488 meet the disability-related need. An alternative reasonable accommodation may be the requested  
1489 accommodation with conditions. In conducting the review, the Development Services Director, or  
1490 designee, may make a site visit to the property where the reasonable accommodation is being  
1491 requested.

1492 (e) Determination. Once review of the request is complete, the Development Services  
1493 Director, or designee, will make a determination, in writing, to:

1494 (1) Approve the reasonable accommodation request in whole or in part, with or  
1495 without conditions; or

1496 (2) Deny the reasonable accommodation request, in accordance with state and  
1497 federal law, and state the objective evidence-based reasons for denial and identify any deficiencies  
1498 or actions necessary for reconsideration.

1499 The written determination by the Development Services Director, or designee, shall  
1500 also include the Applicant's right and method to appeal the determination. If the written  
1501 determination is not issued within 60 days after receipt of the completed application, the reasonable  
1502 accommodation request is deemed approved unless the parties agree in writing to a reasonable  
1503 extension of time.



1504 (f) Appeals. Applicant has 30 days from the date of the Development Services  
1505 Director's, or designee's, written determination to appeal the determination or any conditions  
1506 included therein, to the County Manager. Appeals must be made in writing and include the name  
1507 of the Applicant, address and contact information, a written summary of the reason for the appeal,  
1508 an explanation of why the determination or condition is in error, and a copy of the written  
1509 determination. Appeals shall be submitted to the Planning and Development Division. The County  
1510 Manager shall issue a final decision on the appeal within 45 days of submitting the appeal to the  
1511 Planning and Development Division.

1512 (g) No fee. There shall be no fee imposed by the County for the reasonable  
1513 accommodation request process outlined in this subsection.

1514 (h) Stay of Enforcement. While a request for reasonable accommodation, or its appeal,  
1515 is pending, the County will not enforce any applicable land use and zoning ordinances, rules,  
1516 regulations, policies, and procedures against the Applicant.

1517 (i) General Provisions. The following general provisions are applicable to all  
1518 reasonable accommodation requests:

1519 (1) The Applicant may apply for a reasonable accommodation on their own  
1520 behalf or may be represented at all stages of the reasonable accommodation process by an attorney,  
1521 legally appointed guardian, or other person designated by Applicant as a power of attorney.

1522 (2) In the event that a reasonable accommodation is granted, the Applicant shall  
1523 continue to comply with any and all other applicable building and/or engineering permitting  
1524 processes required by the County’s Code of Ordinances and Land Development Code and all other  
1525 state and federal laws.



1526 (3) A reasonable accommodation is specific to the Applicant and does not run  
1527 with the subject property.

1528 (j) Revocation. A reasonable accommodation approval may be revoked by the  
1529 Development Services Director for cause, including, but not limited to, violation or lapse of the  
1530 conditions of approval or failure to maintain state licensure as a certified recovery residence (if  
1531 applicable) for more than one hundred eighty (180) days.

1532 \* \* \*

1533 **30.6.12. Home Office. Reserved.**

1534 ~~A home office may be used only by immediate family members actually living on a full~~  
1535 ~~time basis at the residence in which the office is located. If a residence is used as a home office,~~

1536 ~~signage and deliveries that are not typical for a residence use and commercial meetings with~~  
1537 ~~customers, clients, patients or similar persons are prohibited.~~

1538 \* \* \*

1539 **30.6.16. Vacation rentals.**

1540 30.6.16.1. Definitions pertaining to vacation rentals. For purposes of the regulation of  
1541 vacation rentals in Sections 30.6.16.1 through 30.6.16.4 of this Code, the following terms shall  
1542 have the meaning given herein.

1543 (a) Hallway: An internal passageway within the vacation rental into which rooms in  
1544 the vacation rental may open, is enclosed by partitions or walls, has a ceiling above and a floor at  
1545 its base, and enables the transient occupants to reach the exit from within the vacation rental.

1546 (b) Responsible party: The property owner or person/entity designated by the property  
1547 owner to be called upon for matters regarding the vacation rental, including but not limited to the  
1548 maintenance and upkeep of the property, requests for inspection, emergencies, and to answer for  
1549 the conduct and acts of the occupants and guests of the vacation rental. The Responsible Party  
1550 shall be available to be contacted at any hour of the day, any day of the week, during any period  
1551 of time that the vacation rental is occupied.

1552 (c) Sleeping room: A fully enclosed portion of a dwelling unit, which is directly  
1553 connected to a hallway or the exterior of the vacation rental by a door that can be closed and locked  
1554 for privacy; not accessed solely by another sleeping room; primarily designed or intended for  
1555 sleeping; not equipped with nor wired for cooking facilities; excludes living rooms, kitchens,  
1556 bathrooms, hallways, laundry rooms, pantries and the like; and may have a clothing closet and/or  
1557 bathroom within.

1558 (d) Transient occupant: A person who occupies a dwelling unit that is a Transient  
1559 Public Lodging establishment.

1560 (e) Transient public lodging establishment: As defined in Section 509.013(4)(a)(1),  
1561 Florida Statutes, as may be amended or replaced.

1562 (f) Vacation rental: As classified in Section 509.242, Florida Statutes, as may be  
1563 amended from time to time. However, Section 30.6.16 shall not apply to any dwelling unit that is  
1564 owner-occupied on a full-time basis and provided the means of ingress and egress is through a  
1565 hallway internal to the unit to the sleeping room(s) leased by the transient occupant(s).

1566 30.6.16.2 Registration required.

1567 (a) Each vacation rental being advertised or offered to the public must be registered by  
1568 the Responsible Party with a third-party vendor authorized by Seminole County prior to  
1569 commencement of operation. The Responsible Party for all new and existing vacation rentals  
1570 located in unincorporated Seminole County must register beginning October 1, 2020.

1571 (b) A completed vacation rental registration form, and all other required forms and  
1572 attachments, must be submitted as part of the registration with the third party vendor to assert and  
1573 demonstrate compliance with the requirements of this Ordinance.

1574 (1) The registration form will be made available via online/electronic  
1575 submission through the third party vendor and will include:

1576 a. An acknowledgment to comply with existing Seminole County  
1577 regulations of noise, solid waste, urban bear management, sexual offenders and sexual predators.

1578 b. An active license number provided by the Florida Department of  
1579 Business and Professional Regulation.

1580 c. An active registration with the Florida Department of Revenue.

1581 d. A local tourism tax account number provided by the Office of the  
1582 County Tax Collector, or proof that a peer-to-peer platform entity through which the rental is  
1583 booked will be remitting all such taxes associated with the vacation rental on the owner's behalf.

1584 e. Proof of payment of local business taxes in compliance with  
1585 Seminole County Code Chapter 45, Part 1, Local Business Taxes.

1586 f. An acknowledgment to provide the "Transient Occupation  
1587 Information" binder in all vacation rental units.

1588 (2) Other required forms and attachments include:

1589 a. Acknowledgment to comply with Section 30.6.16.3(a) of the  
1590 Seminole County Land Development Code regarding maximum occupants and guests authorized  
1591 to occupy the vacation rental unit.

1592 b. For a vacation rental with five (5) or more bedrooms, a survey,  
1593 scaled sketch or photograph of the vacation rental property identifying the location(s) and  
1594 dimensions of the required parking spaces assigned to and reserved specifically for the vacation  
1595 rental on the same parcel as the rental, pursuant to Section 30.6.16.3(a)(5) of the Seminole County  
1596 Land Development Code.

1597 (c) The registration in the third-party Vacation Rental Registry shall be valid for one  
1598 year from the date of application approval or until any of the following circumstances occur:

1599 (1) A change in ownership of the vacation rental; or

1600 (2) A change to the sleeping rooms in the vacation rental.

1601 (d) The following changes/events must be submitted through the Responsible Party's  
1602 Vacation rental registration account online via the County's third-party vendor but does not require  
1603 an additional fee:

- 1604 (1) A notice of change of the Responsible Party (non-owner); and  
1605 (2) A change to the parking spaces for a vacation rental.  
1606 (e) Annual renewal of the vacation rental registration with Seminole County's third-  
1607 party vendor shall be required. All or a portion of the County's proceeds from the registration fees,  
1608 as determined by resolution of the Board of County Commissioners, may be allocated to an  
1609 Affordable Housing Trust Fund

1610 30.6.16.3 Minimum vacation rental standards to be verified by ~~self-certification through~~  
1611 ~~registration~~ inspection performed by Seminole County Code Enforcement Division.

- 1612 (a) Minimum standards:  
1613 (1) Maximum occupants and guests. The maximum amount of transient  
1614 occupants authorized to stay overnight at any individual vacation rental shall be limited to two (2)  
1615 persons per sleeping room. Additionally, a maximum of four (4) persons under the age of thirteen  
1616 (13) shall also be authorized to stay overnight, not to be counted against the maximum occupancy.  
1617 The maximum amount of persons allowed to visit as non-overnight guests of the transient  
1618 occupants shall not exceed two (2) times the amount of maximum occupants authorized to stay  
1619 overnight.

1620 (2) Local telephone service. At least one (1) telephone (landline or cellular)  
1621 with the ability to contact Seminole County Emergency 911 Communications Center on a 24-hour,  
1622 7-day-a-week basis shall be provided in the main common area of the vacation rental and be clearly  
1623 marked as the Emergency Communications Center contact telephone.

1624 (3) Fire extinguisher. At least one (1) fully charged, portable, multi-purpose,  
1625 dry chemical ABC fire extinguisher shall be installed and maintained in a clearly marked location  
1626 in a centrally located area near sleeping rooms on each floor of the vacation rental. Additionally,

1627 at least one (1) Class K fire extinguisher shall be installed and maintained in a clearly marked  
1628 location in a centrally located area near the kitchen of the vacation rental.

1629 (4) Transient occupant information. A binder, book, or file folder clearly  
1630 labeled "Transient Occupant Information" with the full address of the vacation rental must be  
1631 located in a conspicuous area of the vacation rental, and must contain, at a minimum, all  
1632 regulations with which transient occupants and their guests must comply, including:

1633 a. Chapter 165 Noise, Seminole County Code of Ordinances;

1634 b. Section 30.16.2 Noise, Seminole County Land Development Code;

1635 c. Section 30.11.1 Off-street parking requirements, Dwelling  
1636 Structures, Seminole County Land Development Code;

1637 d. Section 30.6.16.3(a)(5) Parking Standards, Seminole County Land  
1638 Development Code;

1639 e. Chapter 228 Sexual offenders and sexual predators, Seminole  
1640 County Code of Ordinances;

1641 f. Chapter 235 Solid Waste, Seminole County Code of Ordinances;

1642 g. Chapter 258 Urban Bear Management, Seminole County Code of  
1643 Ordinances, with Map;

1644 h. The 24-hour, 7-day-a-week telephone number of the Responsible  
1645 Party;

1646 i. A copy of the survey, scaled sketch, or picture depicting the  
1647 location(s) of parking spaces reserved for the vacation rental with a statement that the transient  
1648 occupant parking is limited to the area(s) identified on the graphic; and

1649 j. The locations of all nearby hospitals, walk-in clinics, and free-  
1650 standing emergency room(s).

1651 (5) Parking standards:

1652 a. Per Section 30.11.3 of the Seminole County Land Development  
1653 Code, the minimum required amount of parking spaces for a single-family dwelling, duplex halves,  
1654 or multi-family dwelling is two (2). In addition to the minimum requirement of Section 30.11.3 of  
1655 the Seminole County Land Development Code, for each sleeping room in excess of four (4), one  
1656 (1) additional parking space must be provided.

1657 b. All required parking spaces must comply with minimum net area,  
1658 length, and width standards set forth in Section 30.11.3 of the Seminole County Land Development  
1659 Code and may be provided in carports, garages, parking lots, or on paved driveways or a driveway  
1660 with a stabilized surface that is not part of landscaping. Spaces shall not be provided, nor parking  
1661 allowed, in any drainage swale, on a public sidewalk, in the street right-of-way where parking is  
1662 not otherwise permitted, in a pedestrian way, bicycle path, or hiking trail.

1663 (6) Non-compliance inspections. In cases of reasonable indication of non-  
1664 compliance with the above standards, Seminole County, through Code Enforcement, reserves the  
1665 right to perform an inspection of the vacation rental to ensure compliance within the bounds of  
1666 applicable law.

1667 (b) Posting of parking information and emergency information.

1668 (1) There shall be posted on the interior of the main egress door of the vacation  
1669 rental, the following information:

1670 a. For a vacation rental unit with five (5) or more bedrooms, a survey  
1671 or scaled sketch showing the location(s) of all parking spaces assigned to the vacation rental, both

1672 on the property where the vacation rental is located, and any parking spaces that are located on a  
1673 separate property pursuant to a signed, notarized agreement with the owner of that separate  
1674 property, or within a shared parking lot or structure, pursuant to a letter from those responsible for  
1675 the shared parking; and

1676 (2) There shall be posted on the interior of the main egress door and the inside  
1677 of the doors of all sleeping rooms, a poster labeled "Emergency Information" in capital letters and  
1678 BOLDFACE type, with the following emergency information:

- 1679 a. The full street address for the vacation rental;
- 1680 b. The location of the vacation rental's telephone to reach the Seminole  
1681 County 911 Emergency Communications Center;
- 1682 c. The 24-hour, 7-day-a-week telephone number of the Responsible  
1683 Party; and
- 1684 d. The location of the "Transient Occupant Information".



1685 30.6.16.4 Violations procedure.

1686 (a) The response to a potential violation of Section 30.6.16.1, Section 30.6.16.2, or  
1687 Section 30.6.16.3 of the Seminole County Land Development Code may, without limitation, be  
1688 addressed by the provisions of Sections 53.14 and 53.24, regarding violations procedure, Seminole  
1689 County Code of Ordinances.

1690 (b) Complaints of violations of these Sections are to be filed by affected members of  
1691 the general public with the Code Enforcement Division. ~~Officer. Code violations can be reported~~  
1692 ~~to the Seminole County Sheriff's Office at (407) 665-6650 or online~~  
1693 ~~at <https://www.seminolesheriff.org/forms/ReportCodeViolation.aspx>.~~

1694 (c) The regulations of vacation rentals as set forth in Sections 30.6.16.1 through  
1695 30.6.16.3 of the Seminole County Land Development Code do not authorize persons to violate  
1696 applicable restrictive covenants or homeowner association rules and regulations. The County does  
1697 not police or enforce private restrictive covenants or homeowner association rules and regulations.  
1698 Persons obtaining a Vacation Rental registration certificate under Sections 30.6.16.1 through  
1699 30.6.16.3 of this Code are solely responsible for compliance with all applicable restrictive  
1700 covenants and homeowner association rules and regulations.

1701 \* \* \*

1702 **30.6.20. Live-work Units.**

1703 **(a) General Requirements.**

1704 (1) Must be consistent with Florida Building Code as follows:

1705 a. The maximum total area of a live/work unit is 3,000 square feet;

1706 b. The nonresidential area shall be limited to 50 percent of the total

1707 area;

1708 c. The nonresidential function shall be limited to the first or main floor

1709 of the structure only;

1710 d. Not more than five (5) employees may occupy the nonresidential

1711 area at any one time;

1712 (2) A live-work unit may be a detached structure, an attached structure, or a

1713 unit within a multi-unit structure; and

1714 (3) Access to each unit must be clearly separated from other live-work units.

1715 (b) Use Regulations. The non-residential component of the unit shall be limited to the

1716 uses permitted in the underlying zoning district, except for the following prohibited uses.

- 1717                   (1) Adult entertainment activities/businesses;
- 1718                   (2) Animal hospitals and clinics;
- 1719                   (3) Automotive and other vehicle repair, services, painting, storage, or  
1720 upholstery, or the repair of engines, including automobiles, boats, motorcycles, trucks, or  
1721 recreational vehicles;
- 1722                   (4) Boatmaking;
- 1723                   (5) Mobile food vendors such as coffee carts, or tack trucks;
- 1724                   (6) Gun and weapons sales;
- 1725                   (7) Theaters
- 1726                   (8) Uses which involve medical procedures;
- 1727                   (9) Uses that require the handling of any hazardous (including biologically  
1728 hazardous) or toxic, materials, substances or wastes, except for small, nonreportable or unregulated  
1729 quantities that are used in woodworking, painting, or photography, or in the making of jewelry,  
1730 ceramics, pottery, and sculpture;
- 1731                   (10) Uses that require explosives or highly combustible materials;
- 1732                   (11) Welding, machine shop operations, or metal fabricating (except for artisan  
1733 metal sculpture); and
- 1734                   (12) Other uses that the director determines to be similar in character to those  
1735 listed above.

**PART 7. DEVELOPMENT STANDARDS**

**Sec. 30.7.2. General standards.**

\* \* \*

30.7.2.4 Location of swimming pools and pool screen enclosures.

1740 (a) The water's edge of a pool shall be located a minimum distance of ten (10) feet  
1741 from the side and rear property line of a lot, parcel, or piece of land upon which it is located. It  
1742 shall not be located any closer to the front lot line of a lot, parcel, or piece of land than the main  
1743 or Principal Building or residence. For the purpose of this Section, any corner lot shall be treated  
1744 as having front yards on any side abutting a road right-of-way.

1745 (b) Any pool screen enclosure shall comply with the side yard setback requirement for  
1746 the Principal Building and shall be located a minimum distance of five (5) feet from the rear  
1747 property line. It shall not be located nearer to the front lot line of a lot, parcel, or piece of land than  
1748 the Principal Building. For the purpose of this Section, any corner lot shall be treated as having  
1749 front yards on any side abutting a road right-of-way.

1750 (c) In the case of double frontage lots and where there is a conforming six (6) foot high  
1751 minimum solid fence or wall at the rear of the property, a swimming pool shall be no closer than  
1752 ten (10) feet to the rear property line and the pool screen enclosure no closer than five (5) feet to  
1753 the rear property line.

1754 (d) Refer to Section 30.7.2.3 for specific setback standards for pools near a Natural  
1755 Water Body.

1756 (e) Pool grading shall not affect adjacent properties, and the pools shall be designed so  
1757 that the backwash discharges to the street unless otherwise approved by the Public Works Director  
1758 or designee. All pool construction and maintenance must comply with Chapter 270, Part 9, Storm  
1759 Sewer System Discharges, of the Seminole County Code of Ordinances and Chapter 2.6, Erosion  
1760 and Sediment Control, of the Public Works Department Engineering Manual.

1761 (f) Pool screen enclosures may exceed the height of the principal structure, but be no  
1762 taller than permitted by the applicable zoning district.

1763 30.7.2.5 Yards. On double-frontage lots, the required front yard shall be provided on each  
1764 street. Whenever a lot abuts upon an alley, one half (1/2) of the alley width may be considered as  
1765 a portion of the required rear yard.

1766 \* \* \*

1767 30.7.2.11 Easements. Any structures or fences, temporary or permanent, shall not impede  
1768 the intended purpose of an easement. Any structures, fences, or objects placed in an easement that  
1769 impedes the intended purpose of the easement shall be removed by the property owner at the  
1770 expense of the property owner.

1771 **Sec. 30.7.3. Dimensional Standards Table.**

1772 30.7.3.1 Dimensional and other standards associated with conventional residential zoning  
1773 districts and select Special Zoning districts are described in the table below.

1774 30.7.3.2 Dimensional and other standards associated with conventional non-residential  
1775 zoning districts and select Special Zoning districts are described in the table below.



Development Standards																	
Area and Dimension Regulations	RESIDENTIAL																Unit of Measure
	Single- and Two-Family Dwelling Districts									Multiple Family Dwelling Districts			Mobile Home Districts			Other	
	RC-1	R-1AAAA	R-1AAA	R-1AA	R-1A	R-1	R-1B	R-1BB	R-2	R-3	R-3A	R-4	RM-1	RM-2	RM-3	RP	
Min. Lot Area Required	43,560	21,780	13,500	11,700	9,000	8,400	6,700	5,000	9,000				7,000	5,000	1,500 or 2,400 <sup>(14)</sup>	9,000	Sq. Feet
Min. Parcel/Lot Width at Building Line	120	100	100	90	75	70	60	50	75				70	50 <sup>(6)</sup>	30 or 40 <sup>(14)</sup>	75	Feet
Min. Front Yard Requirement	35	<del>25-20</del>	<del>25-20</del>	<del>25-20</del>	<del>25-20</del>	<del>25-20</del>	20	20	25	25 <sup>(13)</sup>	25 <sup>(13)</sup>	25	20 <sup>(8)</sup>	20	25 <sup>(9)</sup>	25	Feet
Min. Side Yard Requirement	20	10	10	<del>10-5</del>	<del>7.5-5</del>	<del>7.5-5</del>	<del>7.5-5</del>	5	10	25 <sup>(13)</sup>	25 <sup>(13)</sup>	25 <sup>(5)</sup>	10 <sup>(8)</sup>	10	25 <sup>(9)</sup>	10	Feet
Min. Side Yard abutting street or road	35	<del>25-15<sup>(3)</sup></del>	<del>25-15<sup>(3)</sup></del>	<del>25-15<sup>(3)</sup></del>	15 <sup>(3)</sup>	15 <sup>(3)</sup>	15 <sup>(3)</sup>	15 <sup>(3)</sup>	15 <sup>(3)</sup>				20 <sup>(8)</sup>	20	25 <sup>(9)</sup>	25	Feet
Min. Rear Yard Requirement	35	<del>30-20</del>	<del>30-20</del>	<del>30-20</del>	<del>30-20</del>	<del>30-20</del>	<del>25-20</del>	20	30	25 <sup>(13)</sup>	25 <sup>(13)</sup>	25 <sup>(5)</sup>	20 <sup>(8)</sup>	15	25 <sup>(9)</sup>	30	Feet
Open Space <sup>(11, 12)</sup>	-	-	-	-	-	-	-	-	-	25%	25%	35%	25%	25%	25%	25%	% of Parcel Area
Maximum Building Height	35	35	35	35	35	35	35	35	35	35	35	60 <sup>(4)</sup>	35	35	35	1 Story <sup>(7)</sup>	Feet
Minimum Living Area Per Unit:	700	700	700	700	700	450	450	450	450	-	-	-	-	-	-	-	Sq. Feet
<b>Accessory Structures<sup>(1)</sup></b>																	
Min. Front Yard Requirement	(10)	(10)	(10)	(10)	(10)	(10)	(10)	(10)	(10)	(2)	(2)	(2)	(2)	(2)	(2)	(10)	Feet
Min. Side Yard Requirement	20	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	Feet
Min. Rear Yard Requirement	20	10	10	10	10	10	10	10	10	(2)	(2)	(2)	(2)	(2)	(2)	(2)	Feet

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Footnotes:

- (1) Accessory buildings exceeding 200 sq. ft. in size and/or 12 feet in height, and any accessory dwelling unit, regardless of size, shall meet all of the district setbacks and other requirements applicable to the main residential structure located on the same parcel.
- (2) Yard requirements shall be the same as those for the primary structure.
- (3) Greater setbacks may be required on intersections with geometric restrictions or other sight limitations. If corner sight obstructions or restrictions exist due to the horizontal or vertical controls, each case shall be individually reviewed and approved by the Traffic Engineer to ensure a safe design in accordance with the A.A.S.H.T.O. requirements.
- (4) No building or structure shall exceed sixty (60) feet in height, and F.A.A. approval shall be obtained for buildings exceeding thirty-five (35) feet in height.
- (5) Increased an additional ten (10) feet for each story over one (1) story.
- (6) Each mobile home residence space shall be not less than five thousand (5,000) square feet and have a minimum average width of fifty (50) feet.
- (7) For new construction only.
- (8) A setback of fifty (50) feet shall be provided from lot lines and any street right-of-way which borders the RM-1 Mobile Homes District.
- (9) The entire park, except for access and egress, shall be set back twenty-five (25) feet from any property line.
- (10) Structure shall not project forward of the front building line of the principal structure.
- (11) 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.
- (12) Open space features and configuration shall be consistent with the requirements of Part 14, Chapter 30.
- (13) In the R-3 and R-3A Multi-Family Dwelling Districts, minimum setbacks shall be established from each dwelling structure to the overall project boundary.
- (14) Each dependent travel trailer or tent camping site shall be not less than an average width of thirty (30) feet and fifteen hundred (1,500) square feet of area. Each independent travel trailer site shall be not less than an average width of forty (40) feet and twenty-four hundred (2,400) square feet

Development Standards															
Area and Dimension Regulations	AGRICULTURE				COMMERCIAL						INDUSTRIAL			Other	Unit of Measure
	A-10	A-5	A-3	A-1	OP	CN	CS	C-1	C-2	C-3	M-1A	M-1	M-2	PLI	
Min. Parcel Area Required	10 Acres	5 Acres	3 Acres	1 Acre	15,000	<sup>(7)</sup>	<sup>(7)</sup>	<sup>(7)</sup>	<sup>(7)</sup>	<sup>(7)</sup>	N/A	N/A	N/A	-	Sq. Feet
Min. Parcel Width at Building Line	150	150	150	150	100	-	-	-	-	-	-	-	-	-	Feet
Min. Front Yard Requirement	50	50	50	50	25	50	50	25	25	25	50 <sup>(9)</sup>	50 <sup>(9)</sup>	50 <sup>(9)</sup>	25	Feet
Min. Side Yard Requirement	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(10)</sup>	10 <sup>(10)</sup>	10 <sup>(10)</sup>	25	Feet
Min. Side Yard abutting street or road	50	50	50	50	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(6)</sup>	10 <sup>(10)</sup>	10 <sup>(10)</sup>	10 <sup>(10)</sup>	25	Feet
Min. Rear Yard Requirement	30 <sup>(3)</sup>	30 <sup>(3)</sup>	30 <sup>(3)</sup>	30 <sup>(3)</sup>	10	10 <sup>(8)</sup>	10 <sup>(8)</sup>	10 <sup>(8)</sup>	10 <sup>(8)</sup>	10 <sup>(8)</sup>	10	10	10	25	Feet
Open Space <sup>(11)</sup>	-	-	-	-	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	% of Parcel Area
Maximum Building Height	35 <sup>(1)</sup>	35 <sup>(1)</sup>	35 <sup>(1)</sup>	35 <sup>(1)</sup>	35	35	35	35	35	35	35	35	35	35	Feet
<b>Structures Accessory to Residences<sup>(4)</sup></b>															
Min. Front Yard Requirement	(2, 3)	(2, 3)	(2, 3)	(2, 3)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	Feet
Min. Side Yard Requirement	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(3)</sup>	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	Feet
Min. Rear Yard Requirement	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(3)</sup>	10 <sup>(3)</sup>	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	Feet

1794 Footnotes:

1795 (1) Silos, granaries, windmills, barns, and other structures concurrent to the operation of an agriculture enterprise may exceed the height limit.

1796 (2) Setback shall be equal to or greater than the main residence unless setback is equal to or greater than 100 feet.

1797 (3) Barns & structures for livestock, structures for agricultural use shall have minimum 50 ft. front, side and rear setbacks be distanced a minimum of 100 ft. from any residential structure on an adjacent lot or parcel.

1798 (4) Accessory buildings exceeding 200 sq. ft. in size and/or 12 feet in height, and any accessory dwelling unit, regardless of size, shall meet all of the district setbacks and other requirements applicable to the main residential structure located on the same parcel.

1799 (5) Yard requirements shall be same as the primary structure

1800 (6) Side yard setback may be reduced to zero (0) feet except when a side lot line abuts property assigned a residential zoning classification or land use designation.

1801 (7) No minimum building site area required; however, adequate space will be provided for off-street parking, loading, and landscaping requirements.

1802 (8) Rear yard setback shall be a minimum of ten (10) feet unless a rear lot line abuts property assigned a residential zoning classification or land use designation.

1803 (9) Front yards shall be not less than fifty (50) feet in depth as measured from the front property line to any building. The twenty-five (25) feet of such yard nearest to the front property line shall remain unpaved except for normal entrance drives, and shall be landscaped as required in Part 14. The remaining twenty-five (25) feet of such yard may be used for the parking of passenger vehicles only. Front setbacks for property located internal to an industrial park may utilize a front yard setback of not less than twenty-five feet (25') in depth from the front property line if not less than ten feet (10') of such yard nearest to the front property line is retained as a landscaped green area which is unpaved except for normal entrance drives, and sufficient area for the loading and unloading of vehicles is provided, consistent with generally accepted engineering practices and principles.

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1807 (10) Rear. A rear yard of not less than ten (10) feet shall be provided, except that, on a lot having a double frontage, the front yard requirements shall apply on both streets. Rear yards may be reduced to zero (0) when the rear property line coincides with a railroad siding; however, no trackage shall be located nearer than three hundred (300) feet to any residential district.

1808

1809 (11) 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

1810 \* \* \*

1811 **PART 8. SPECIAL ZONING DISTRICTS**

1812 **Sec. 30.8.1. Description of Special Zoning Districts.**

1813 \* \* \*

1814 **Sec. 30.8.3. MM Missing Middle District and Alternative Standards.**

1815 30.8.3.1 Intent and Purpose. The purpose of the Missing Middle District and Alternative  
1816 Standards is to encourage a wider range of housing choices in central locations accessible to  
1817 services. This includes permitting smaller units and more compact site plans to increase  
1818 affordability without subsidies.

1819 30.8.3.2 Definitions. Missing Middle Housing is defined as residential units meeting any  
1820 of the following definitions which may be alone or in groupings of multiple typologies:

1821 (a) *Small Lot Single-Family*: Single-family homes on small sized lots designed to  
1822 increase yield while remaining detached. These types often use unconventional lot dimensions and  
1823 site plans responsive to the specific unit design and layout.

1824 (b) *Cottage Court*: A group of small, detached structures arranged around a shared  
1825 court visible from the street. The shared court replaces the function of a rear yard. Unit entrances  
1826 should be from the shared court.

1827 (c) *Duplex—Side-by-Side*: A duplex with units ~~detached structure that consists of two~~  
1828 ~~(2) dwelling units~~ arranged side-by-side with an entry from the street. This type has the appearance  
1829 of a small-to-medium single-unit house.

1830 (d) *Duplex—Stacked*: A duplex with units ~~detached structure that consists of two (2)~~  
1831 ~~dwelling units~~ arranged one above the other, each with an entry from the street. This type has the

1832 appearance of a small-to-medium single-unit house and fits on narrower lots than the side-by-side  
1833 duplex.

1834 (e) *Townhouse*: ~~An attached structure that consists of four (4) to six (6) multi-story~~  
1835 ~~dwelling units placed side-by-side. Entries are on the narrow side of the unit and typically face a~~  
1836 ~~street or courtyard. A single-family dwelling constructed as a part of a series of dwellings, all of~~  
1837 ~~which are either attached to the adjacent dwelling or dwellings by party walls or are located~~  
1838 ~~immediately adjacent thereto with no visible separation between walls or roofs.~~

1839 (f) *Triplex—Stacked*: A detached structure that consists of three (3) dwelling units  
1840 typically stacked on top of each other on consecutive floors, with an entry for the ground floor unit  
1841 and a shared entry for the units above.

1842 (g) *Fourplex—Stacked*: A detached structure with four (4) dwelling units, two (2) on  
1843 the ground floor and two (2) above, with shared or individual entries from the street. This type has  
1844 the appearance of a medium-sized single-unit house.

1845 (h) *Six-plex*: A detached structure that consists of six (6) dwelling units arranged side-  
1846 by-side and/or stacked, typically with a shared entry from the street.

1847 (i) *Courtyard Building*: A medium-sized (1 to 3.5-story) detached structure consisting  
1848 of multiple side-by-side and/or stacked dwelling units oriented around a courtyard or series of  
1849 courtyards. Each unit is accessed from the courtyard or a public sidewalk and shared stairs each  
1850 provide access to up to three (3) units.

1851 (j) *Live-Work Unit*: ~~An attached or detached structure consisting of one dwelling unit~~  
1852 ~~above or behind a fire-separated flexible ground floor space that can accommodate a range of non-~~  
1853 ~~residential uses. The flex space and residential unit typically have separate street entrances. A~~

1854 dwelling unit which includes a nonresidential use that is operated by the tenant and is consistent  
1855 with the definition in the Florida Building Code for the same.

1856 30.8.3.3 Review of Development Proposals

1857 (a) ~~Final Development Conceptual~~ Plan Required with application. At the time of  
1858 application for rezoning to Missing Middle, Prior to subdivision or site plan approval the applicant  
1859 must submit a final development conceptual plan consistent with the development criteria of Sec.  
1860 30.8.3. to illustrate the general configuration of the proposed project. and limitations in the Missing  
1861 Middle and Alternative standards and any conditions of approval. This plan must be reviewed and  
1862 approved by the Development Services Director or designee. The conceptual plan may include, at  
1863 a minimum, the following components:

1864 (1) Overall Site Boundary and Orientation. Show property boundaries, major  
1865 adjacent streets, and general orientation (north arrow and scale).

1866 (2) Typology or Mixture of Typologies. Indicate the general location, size, and  
1867 relationship of proposed land use areas (e.g., residential, commercial, open space, recreation, or  
1868 conservation). Each typology shall be labeled with:

1869 a. Proposed use category;

1870 b. Maximum development intensity or density (dwelling units per acre  
1871 or FAR); and

1872 c. Approximate acreage.

1873 (3) Access and Circulation Concept. Identify primary vehicular access points,  
1874 internal circulation patterns, and general pedestrian or bicycle connections. Street names are not  
1875 required, but overall connectivity should be demonstrated.

1876 (4) Open Space and Environmental Features. Show the general location and  
1877 proportion of open space, greenways, parks, natural areas, or stormwater features intended to serve  
1878 the development.

1879 (5) Transition and Compatibility Areas. Illustrate how the development will  
1880 transition to adjacent land uses (e.g., the use of buffers, step-downs in density, or open space  
1881 separations).

1882 (6) Phasing Concept. If the development is proposed to be developed in phases,  
1883 show general phase boundaries and describe the order of development.

1884 (7) Context Relationship Diagram. Include a small inset map or diagram  
1885 illustrating the project’s relationship to surrounding zoning, major roads, and nearby public  
1886 facilities or amenities.

1887 (8) A summary table identifying total acreage, typology mix, gross density,  
1888 maximum building heights, and open space percentages.

1889 The conceptual plan is intended to demonstrate that the site can accommodate the  
1890 Missing Middle design standards, but the overall plan may be adjusted at any time prior to  
1891 development as long as the design requirements are still met.

1892 (b) Building Elevations Required. Prior to subdivision or site plan approval, the  
1893 applicant must submit building elevations for all proposed Missing Middle Housing Typologies  
1894 for review by the Development Services Director or designee.

1895 30.8.3.4 Applicability

1896 (a) Missing Middle (MM) standards may be applied in the following conditions:

1897 (1) MM Zoning District: Where the MM District is applied, typologies within  
1898 a proposed development or development types are limited by the applicable Future Land Use

1899 District as described in Table 8.3-A. A development within the MM Zone may include single-  
1900 family development consistent with R-1BB standards subject to compliance with Chapter 35.

1901 (2) PD Zoning District: Missing Middle Housing may be approved as part of a  
1902 new PD application or a substantial change to an existing PD. Allowable typologies within a PD  
1903 are limited by the applicable Future Land Use District as described in the Seminole County  
1904 Comprehensive Plan.

1905 30.8.3.5 Specified Zoning Districts. Missing Middle and Alternative Standards may be  
1906 used in the zones and under the conditions specified in Table 5.2–8.3-A with limitations on  
1907 typology and development type as described.

1908 (a) Missing Middle Development Types:

1909 (1) Missing Middle Development: A development in which only Missing  
1910 Middle Typologies are proposed.



1911 (2) Mixed Housing Development: A development in which both Missing  
1912 Middle Typologies and Typologies otherwise permitted in the underlying zone are proposed.

1913 30.8.3.6 Allowable Typologies and Densities

1914 (a) Typologies are permitted where described in this Section. The net density of a  
1915 proposed development must be consistent with the applicable Future Land Use District.

Table 8.3-A: Permitted Missing <del>Housing</del> -Middle <u>Housing</u> Types										
Applicable Zoning	Permitted Types					Type of Development				
	Small lot Single-Family	Cottage Court	Duplex	Triplex / Quadplex	Townhouse	Sixplex	Courtyard	Live-work	Mixed Housing Development	Missing middle development
In Centers & Corridors:										
R-1, R-1A	●	●	○*	○*					●	●

R-1B, R-1BB	●	●	●	○*	○				●	●
In-USA (Urban Service Area)										
R-2	●	●	●	○**					●	●
R-3, R-3A, R-4	●	●	●	●	●	●	●	●	●	●
C-1, C-2				●	●	●	●	●	●	
OP								●	●	●
MUCD	●	●	●	●	●	●	●	●	●	●
MM or PD Rezoning by FLU										
LDR	●	●	●						●	●
MDR	●	●	●	●	●	●	●		●	●
HDR	●	●	●	●	●	●	●	●	●	●
MXD	●	●	●	●	●	●	●	●	●	●
Commercial				●	●	●	●	●	●	●
Notes: ● Permitted ○ Permitted with a maximum of two (2) Stories * Maximum Living Area per Building: 3,000 SF ** Maximum Living Area per Building: 4,000 SF										

1916  
1917           **(b)**     In addition to the uses and typologies described in Table 8.3-A, any other permitted  
1918 use in the underlying zoning district is allowed within a Missing Middle Development or a Mixed-  
1919 Housing Development. Other permitted uses may be horizontally or vertically integrated with any  
1920 of the allowable typologies subject to meeting the site and building requirements of this Section.  
1921 Live-work units are subject to the limitations of Sec. 30.6.20.

1922           **(c)**     Where the Comprehensive Plan limits percentage of a property that can be  
1923 residential, any lot or land area that is devoted to a mixed-use or live/work building or supporting  
1924 parking areas shall be considered non-residential. Buildings must meet all Florida Building Code  
1925 requirements associated with the designation.

1926           30.8.3.7 Site Regulations:

- 1927           **(a)**     Missing Middle typologies may be clustered or distributed throughout the project.
- 1928           **(b)**     No single Missing Middle typology may exceed five (5) acres of developable land.

1929 (c) Development includes a connected street grid which is accomplished by meeting  
1930 the following conditions:

1931 (1) No portion of the project may be gated.

1932 (2) Existing or new streets/drives, whether public or private, shall divide the  
1933 site into blocks. Block perimeters must not exceed two thousand (2,000) feet except where access  
1934 management criteria for existing County roadways require greater lengths. The block perimeter is  
1935 measured as the total length of a line enclosing the block along thoroughfare rights-of-way, internal  
1936 streets, and civic spaces.

1937 (3) Sidewalks are required on both sides of every street.

1938 (4) ~~Dead end streets, hammerheads, and culs-de-sac are prohibited except~~  
1939 ~~where specifically approved by the Development Services Director when wetlands, water bodies,~~  
1940 ~~or infrastructure corridors prevent connections.~~ Connection to adjacent streets is required where  
1941 feasible. Feasibility will be determined by the presence of wetlands, waterbodies, infrastructure  
1942 corridors, or other features that may limit or prohibit connectivity. Dead end streets, hammerheads,  
1943 and culs-de-sac may be allowed where specifically approved by the Development Services  
1944 Director, and pedestrian connectivity is provided.

1945 (5) ~~The development must provide connections to all adjoining public streets~~  
1946 ~~and trails and existing "stub-outs" on adjacent properties.~~

1947 (6) ~~The development must provide "stub-outs" for future connectivity to~~  
1948 ~~adjacent vacant lots.~~

1949 (7)(5) Pedestrian or vehicular connections to existing commercial uses should be  
1950 provided where feasible.

1951 (d) Restrictions near development boundaries:

1952 (1) Buildings are limited to two stories within one hundred (100) feet of a  
1953 district boundary with an existing single-family development or single-family residential zone.

1954 (2) The lowest intensity typologies within the project shall abut boundaries with  
1955 an existing single-family development or single-family residential zone.

1956 30.8.3.8 Additional Site and Building Requirements:

1957 (a) Open Space: Where Open Space is required in the applicable zoning district, those  
1958 standards shall be applied. If Open Space is not otherwise required, the standards below shall  
1959 apply.

1960 (1) For lots with greater than eight (8) units and a minimum of two (2) acres, a  
1961 minimum eight (8) percent of net buildable acreage shall be set aside as Open Space that meets  
1962 the standards described below.

1963 (2) Open Space may be provided in multiple locations subject to the following  
1964 requirements. Each qualifying Open Space must be:

1965 a. Bordered by streets, stormwater ponds, natural lakes, or commonly  
1966 accessible pedestrian pathways.

1967 b. A minimum of .20 contiguous acres.

1968 c. A minimum of forty (40) feet in width, except that open space areas  
1969 adjacent to a stormwater pond or natural lake must be a minimum of twenty (20) feet in width  
1970 from the top of berm to the public right of way or lot line or a dog park.

1971 d. Open Space shall be proximate to Missing Middle units.

1972 (b) Street Trees. Street trees are required in Missing Middle Developments and on all  
1973 streets abutting Missing Middle Typologies in Mixed-Use Developments. Street trees must meet  
1974 the following standards:

1975 (1) Be planted an average of forty (40) feet on center on both sides of internal  
1976 streets and on existing rights of ways adjoining the site.

1977 (2) Be located in a planting strip or tree well with a minimum width of eight (8)  
1978 feet. Tree wells or planting strips less than ten (10) feet in width must incorporate a root barrier at  
1979 the edge of pavement.

1980 (3) Be selected from the list of approved Canopy Street Trees (30.14.15(j)).

1981 (4) Meet the standards of Sec. 30.14.16. - General provisions for all landscaped  
1982 areas.

1983 (c) Minimum Parking Requirements:

1984 (1) Two parking spaces are required per unit except that parking for units less  
1985 than 1000 sq. ft. may be reduced to 1.5 spaces per unit.

1986 (2) On-street parking is required on streets adjacent to missing middle units.

1987 (3) Required parking may be located in common areas or on-street provided  
1988 that such parking is within 150 feet of the unit.

1989 (d) Building Frontage:

1990 (1) Buildings not fronting on a street must front on a common open space, a  
1991 pedestrian pathway or a multi-use trail.

1992 (2) Buildings not fronting on a street must be part of a common emergency  
1993 access plan or be adjacent to an alley built to emergency access standards.

1994 (3) Up to six (6) lots may be accessed by a commonly held easement drive that  
1995 is non-gated and designed to allow fire access (aka parking court).

1996 30.8.3.9 Missing Middle Dimensional Standards. Designated Missing Middle Units must  
1997 meet the alternative design and dimensional standards described in this Section and in Table 8.3-  
1998 B.

1999 (a) Garages, carports, open or screened porches or breezeways may not be counted  
2000 toward the Minimum Living Area requirement in Table 8.3-B.

2001 (b) Duplexes, Cottage Court, and High-Density Single-Family structures may be  
2002 located on a common lot. Where units are located on a common lot, minimum separation between  
2003 structures must be ten (10) feet.

2004 (c) Minimum lot size requirements are not applicable to Missing Middle units

Table 8.3-B: Missing Middle Dimensional Standards								
	Small lot Single-Family	Cottage Court	Duplex	Townhouse	Triplex / Quadplex	Sixplex	Courtyard	Live-work
Minimum Yards in feet:								
o Front	10	10	10	10	10	10	10	15
o Side	5	5	5	5	5	5	10	7.5
o Street Side	10	10	10	10	10	10	10	15
o Rear	5	5	5	5	5	5	5	5
Rear (Accessory Structure)	5	5	5	5	5	5	5	5
Min. Living Area Per Unit (sq. Ft)	400	400	400	400	400	400	400	400
Max Height (in feet)	35	35	35	40	40	40	40	40

2005 \* \* \*

2006 **Sec. 30.8.5. PD Planned Development.**

2007 30.8.5.1 Intent and purpose. The Planned Development (PD) District is intended to  
2008 promote flexibility and innovation to meet the needs of County residents and businesses by  
2009 facilitating innovative design solutions and development plans, that may be difficult to achieve

2010 under conventional zoning regulations. Planned developments shall promote flexibility and  
2011 creativity in addressing changing social, economic and market conditions, especially where they  
2012 are used to implement adopted policies of the Comprehensive Plan.

2013 Examples of development concepts that may be appropriate for PD zoning include, but are  
2014 not limited to, enhanced protection of natural resource areas, mixed use or transit-oriented  
2015 development, and infill development or redevelopment. An increase in density or intensity alone  
2016 shall not be a sufficient justification for seeking an alternative to conventional zoning districts.

2017 Development standards to be applied within a planned development shall be established by  
2018 the Board of County Commissioners (BCC) at the time of rezoning. Such rezoning shall be  
2019 conditioned upon a master development plan and a written development order. Specific criteria for  
2020 the development may address, but are not limited to, compatibility with surrounding land uses,  
2021 road access, availability and efficient use of utility capacity, coordination with transit, etc.  
2022 Architectural and other appearance-related design elements should be included as approval  
2023 conditions where the BCC finds they will support goals, such as economic development,  
2024 neighborhood compatibility, or aesthetic or environmental enhancement of an area.

2025 General standards of this Code that are not specific to any zoning district, such as parking,  
2026 stormwater management, lighting, and landscaping, shall apply within a planned development  
2027 unless variations are approved through a PD master development plan and/or development order.

2028 30.8.5.2 Permitted uses—(PD). Except as stated herein, no use shall be specifically  
2029 permitted or prohibited within a planned development by requirement of this Part. Uses which are  
2030 permitted, permitted subject to conditions, or prohibited within an individual planned development  
2031 shall be noted as such through the master development plan and/or development order. In all cases,  
2032 allowable uses, including density and intensity limits, shall be consistent with the Comprehensive

2033 Plan. ~~Any use requiring licensing or other approval by the State of Florida or the Federal~~  
2034 ~~government shall obtain such approval as a condition for inclusion within any planned~~  
2035 ~~development.~~


2036 (a) Accessory dwelling units within any single-family residential lots in a PD may be  
2037 administratively approved by the Planning Manager subject to the requirements of Section  
2038 30.6.1.3.

2039 (b) For properties seeking Planned Development approval in the Higher Intensity  
2040 Planned Development - Airport Future Land Use Designation, the following uses shall be  
2041 considered airport-supportive and permitted:

- 2042 (1) Commercial kennels
- 2043 (2) Fire stations
- 2044 (3) Hotels & motels (excluding Bed & breakfast)
- 2045 (4) Hospitals
- 2046 (5) Rental car facilities
- 2047 (6) Light commercial
- 2048 (7) Industrial trade schools
- 2049 (8) Flight schools
- 2050 (9) Light Industrial (See Sec. 30.5.3.)
- 2051 (10) Manufacturing, Light (See Sec. 30.5.3.)
- 2052 (11) Office uses (See Sec. 30.5.3.)
- 2053 (12) Restaurants (standard and drive-through)

2054 (c) For properties seeking Planned Development approval in the Higher Intensity  
 2055 Planned Development- Target Industry Land Use Designation, the following uses shall be  
 2056 considered permitted:

<u>Category</u>	<u>Industries</u>
<u>Manufacturing</u>	<u>Plastics and Commercial Printing</u> <u>Electronics/Mechanical Assembly</u> <u>Auto Parts</u> <u>Fasteners/Spacers</u> <u>Construction Products</u> <u>Food Processing</u> <u>Machinery</u> <u>Transport Aircraft</u> <u>Maintenance and Modification</u> <u>Aircraft Manufacturing</u> <u>Aerospace equipment</u>
<u>Advanced Technologies</u>	<u>Research &amp; Development</u> <u>Space Technology</u> <u>Simulation &amp; Training</u> <u>Laser Technology</u> <u>Robotics</u>
<u>Technical and Research Services*</u>	<u>General Management Consulting</u> <u>Marketing</u> <u>Interior Design</u> <u>Graphic Design Services</u> <u>Human Resources and Executive Search</u> <u>Environmental Engineering and Consulting</u> <u>Precision Instruments</u> <u>Civil Engineering</u> <u>Surveying and Mapping</u> <u>Telecommunications</u> <u>Industrial Design</u> <u>Lasers and Photonics</u>
<u>Distribution</u>	<u>Food Products</u> <u>Consumer Products</u> <u>Restaurant/Commissary</u> <u>Airline Services</u> <u>Aircargo/Mail Services</u> <u>Durable Goods Distribution</u> <u>Non Durable Goods Distribution</u>
<u>Financial and Information Services*</u>	<u>Legal Services</u> <u>Architectural Services</u> <u>Publishers</u> <u>Associations</u>

	<u>CPA’s</u> <u>Headquarters</u> <u>Insurance</u> <u>Banks</u> <u>Telemarketing Bureaus</u> <u>Financial Transactions Processing</u> <u>Public Relations Agencies</u> <u>Credit Bureaus</u> <u>Advertising Agencies</u> <u>Consumer Lending</u> <u>Title Companies</u> <u>Computer Software and Design</u>
<u>Life Sciences*</u>	<u>Hospitals and Medical Education</u> <u>Diagnostic Imaging Centers</u> <u>Medical Laboratories</u> <u>Agriscience Facilities</u> <u>Outpatient Facilities</u> <u>Blood and Organ Banks</u> <u>Research Laboratories</u> <u>Nursing Care Facilities</u> <u>Veterinary Services</u> <u>Pharmaceuticals Manufacturing and Research</u>
<u>Digital Media*</u>	 <u>Motion Picture and Video Production</u> <u>Simulation and Training</u> <u>Teleproduction</u> <u>Graphic Design</u> <u>Computer Hardware/Software Design and Development</u> <u>Animation</u>
<u>Other</u>	<u>Long Stay Tourism</u> <u>Hotels and Lodging</u> <u>International Trade</u> <u>Sports Associated Industries</u> <u>Other basic businesses and industries with high annual average wages</u>
<u>*SeminoleWAY Industry and Facility Analysis: Real Estate Research Consultants, Inc.; May 1, 2008.</u>	

2057                    30.8.5.3 Review criteria.

2058                    (a)      Comprehensive Plan Consistency. In approving a planned development, the Board  
2059 of County Commissioners shall affirm that the proposed development is consistent with the

2060 Comprehensive Plan, and effectively implements any performance criteria that the Plan may  
2061 provide.

2062 (b) Greater Benefit and Innovation Criteria. In addition, PD zoning may be approved  
2063 only when the Board determines that the proposed development cannot be reasonably implemented  
2064 though existing provisions of this Code, and that a PD would result in greater benefits to the County  
2065 than development under conventional zoning district regulations. Such greater benefits must  
2066 include two or more of the following:

2067 (1) Natural resource preservation.

2068 (2) ~~Crime Prevention (CPTED).~~ Undergrounding of all utilities within the  
2069 development and, if feasible, at the property boundaries.

2070 (3) Neighborhood/community amenities.

2071 (4) Provision of affordable or workforce housing.

2072 (5) Reduction in vehicle miles traveled per household.

2073 (6) Transit-oriented development.

2074 (7) Provision of new multimodal connectivity.

2075 (8) Innovation in water or energy conservation such as use of Florida Water  
2076 Star practices.

2077 (9) Innovative development types not currently provided within the County but  
2078 consistent with the goals of the Comprehensive Plan.

2079 (10) Demonstrate consistency with DarkSky International Five Principles for  
2080 Responsible Outdoor Lighting through the development including the use of DarkSky Approved  
2081 Luminaires or equivalent for outdoor lighting fixtures.

2082                   (11) Additional landscaping, above that which is required, consists of a  
2083 substantial proportion of native plants as identified in the IFAS Florida-Friendly Landscaping™  
2084 Plant Guide and is accompanied by a maintenance plan.

2085           (c)     In addition, any proposed development under the PD ordinance must address the  
2086 following goals:

2087                   (1)     Meet or exceed the arbor, tree preservation, and tree planting requirements  
2088 of this Code on a project-wide basis.

2089                   (2)     Minimize transportation impacts through design elements, which may  
2090 include but are not limited to: multimodal connectivity; electric vehicle charging; infrastructure of  
2091 pedestrian or bicycle infrastructure exceeding the minimum standards; shared transportation  
2092 parking or devices; pedestrian-oriented architectural design; ~~accommodation or neighborhood~~  
2093 ~~electric vehicles~~; transportation demand management; or permitting complementary uses.

2094                   (3)     If the proposed development falls within an overlay, the development must  
2095 comply with the standards of that overlay.

2096           (d)     The PD application shall include a narrative addressing the following:

2097                   (1)     How the proposed development addresses the goals of the Comprehensive  
2098 Plan.

2099                   (2)     ~~Why~~How the proposed development provides a use or design approach that  
2100 cannot be achieved under an existing conventional or special zoning district.

2101                   (3)     How the proposed development provides an innovative approach to land  
2102 development.

2103                   (4)     A description of the greater benefits to the County as described in (b). ~~that~~  
2104 ~~cannot be achieved under the existing provisions of this Code.~~

2105 (e) — Residential PD Design Standards:

2106 (1) — If lot width is less than forty five (45) feet, homes must be rear loaded,  
2107 unless otherwise approved by the Board of County Commissioners.

2108 (2) — Front facing garage doors must be set back a minimum of twenty (20) feet.

2109 (3) — Minimum front and rear setbacks at project boundaries shall be twenty five  
2110 (25) feet, or twenty (20) feet for accessory structures not exceeding one story.

2111 (4) — Required setbacks adjacent to existing residential development will increase  
2112 based on elevation/grade changes between developments and proposed building heights, as  
2113 determined by the Board of County Commissioners.

2114 (f) — Required Residential Neighborhood Improvements:

2115 (1) — Street trees are required in generous planting strips to provide for the health  
2116 of the trees. The street trees may count towards required open space. Street trees shall:

2117 a. — Be planted an average of forty (40) feet on center on both sides of  
2118 internal streets and on existing rights-of-way adjoining the site.

2119 b. — Be in a planting strip or tree well with a minimum width of eight (8)  
2120 feet. Planting strips less than ten (10) feet in width must include a root barrier.

2121 c. — Be selected from the "Approved Plant Species List: Canopy Trees,"  
2122 except that Laurel Oaks may not be used as street trees.

2123 d. — Meet the standards of Section 30.14.16, General provisions for all  
2124 landscaped areas.

2125 (2) — Fifty (50) percent of pond frontage must be open to streets or community  
2126 parks.


2127 a. ~~Where pond frontage is along a park, a walkway (minimum five (5)~~  
2128 ~~feet in width) is required unless adjacent to a street with a sidewalk.~~

2129 b. ~~Landscaped areas must comply with the provisions of Section~~  
2130 ~~30.14.16 (General provisions for all landscaped areas) and (Water efficient landscaping design~~  
2131 ~~requirements).~~

2132 ~~(g)~~(e) Common Useable Open Space:

2133 ~~(1) In addition to the t~~Twenty-five (25) percent minimum open space  
2134 ~~requirements listed in Section 30.8.3.8, commonly accessible open space is required subject to the~~  
2135 ~~following standards: criteria of Section 30.14.2.~~

2136 a. ~~Minimum eight (8) percent of net buildable acreage utilized for open~~  
2137 ~~space.~~

2138 b. ~~Open Space may be provided in multiple locations however each~~  
2139 ~~location must be:~~ 

2140 1. ~~Bordered by streets, stormwater ponds, natural lakes, or~~  
2141 ~~commonly accessible pedestrian pathways.~~

2142 2. ~~Not less than 0.25 contiguous acres. Dog parks and tot lots~~  
2143 ~~that are a minimum of seventy five (75) square feet per dwelling unit are also exempt from this~~  
2144 ~~requirement and may count towards open space. Dog parks must contain waste disposal~~  
2145 ~~receptables and appropriate signage.~~

2146 3. ~~A minimum of forty (40) feet in width. Except that open~~  
2147 ~~space areas adjacent to a stormwater pond or natural lake may be a minimum of twenty (20) feet~~  
2148 ~~in width from the top of berm to the public right of way or lot line.~~

2149 \* \* \*

2150 30.8.5.8 PD ~~revisions~~ amendments.

2151 (a) Any proposed substantial change to an approved PD, including, but not limited to,  
2152 revisions: affecting the intent and character of the development; affecting land use patterns;  
2153 affecting phasing that will impact off-site infrastructure; changing the location or dimensions of  
2154 major streets or access points; adding property to the PD representing a substantial increase in  
2155 density or intensity; or which involve similar substantial changes, shall be considered major  
2156 amendments and shall require approval by the Board of County Commissioners. A major  
2157 amendment shall be treated as rezoning from PD to PD, revising the development criteria for the  
2158 PD zoning, and the associated development order shall be revised or re-issued accordingly.

2159 (b) Non-substantial changes to an approved planned development shall be considered  
2160 minor amendments and may be approved by the Development Services Director. Multiple  
2161 revisions may be proposed which cumulatively cause the Director to deem them a major  
2162 amendment. Minor amendments shall be accomplished through addendum to the development  
2163 order and/or a developer's commitment agreement. Minor amendments may include, but are not  
2164 limited to, the following:

2165 (1) Additions to structures that do not exceed ten (10) percent of the overall  
2166 density or intensity approved within the PD. Additions of ten (10) percent or greater may be  
2167 granted as provided in Section 5.19(b)(1).

2168 (2) The addition of accessory structures if the location of such structures does  
2169 not interfere with approved site layout (e.g. circulation, parking, loading, storm water management  
2170 facilities, open space, landscaping or buffering).

2171 (3) Additions to parking areas that do not encroach into required buffer areas  
2172 or otherwise interfere with the approved site layout.

2173 (4) Additional clearing that does not exceed five thousand (5,000) square feet  
2174 in area or ten (10) percent of the site. Greater amounts may be approved consistent with Section  
2175 5.19(b)(1).

2176 (5) Adjustment of internal property lines or tract boundaries, setback lines,  
2177 realignment of internal roads and driveways consistent with the approved site layout and  
2178 development concepts.

2179 (6) The removal of property from the PD, provided such removal does not have  
2180 a substantial impact on the density or intensity of the PD or on elements of the PD such as buffering  
2181 and open space. Property removed from a PD must be rezoned immediately upon such removal.

2182 (7) Other amendments that would not be deemed substantial as described in  
2183 subsection 30.8.5.8(a).

2184 (c) Property owners within a planned development may not make incremental  
2185 revisions to an approved development plan that adversely affect existing owners or to avoid  
2186 classification as a major amendment. Where amendments are allowed under this Section, such  
2187 amendments must remain compatible with the balance of the project and consistent with the overall  
2188 concept(s) and greater benefits referenced in Section 30.8.5.3, under which the development was  
2189 initially approved. Amendment to the PD zoning shall not be pursued to reduce the benefits that  
2190 justified the original assignment of PD zoning without replacement of an equivalent benefit.

2191 30.8.5.9 Planned development time limitations. The criteria to determine whether or not  
2192 substantial development has occurred within a planned development will be set forth in the  
2193 development order approving the planned development. In instances where the development order  
2194 does not address the criteria for substantial development, the Development Services Director shall  
2195 make a determination based on the current available capacity and infrastructure to support the

2196 remaining development approved by the development order. If substantial development, ~~as~~  
2197 ~~determined by the Development Services Director,~~ has not begun within eight (8) years after  
2198 approval of the master development plan, the approval of the planned development will be  
2199 reviewed by the Planning and Zoning Commission to determine the appropriateness of the planned  
2200 ~~unit~~ development zoning classification for the subject property. The Board of County  
2201 Commissioners shall consider the recommendations of the Planning and Zoning Commission and  
2202 may move to rezone the property to a more appropriate zoning classification or shall extend the  
2203 deadline for the start of construction. If an extended deadline granted by the Board is not met, the  
2204 foregoing procedures shall reapply.

2205 30.8.5.10 Binding nature of approved development plan. An approved master or final  
2206 development plan along with any associated conditions of approval shall be binding upon the  
2207 applicant or any successors in interest in the planned development. Deviations from an approved  
2208 development plan not in accordance with Section 30.8.5.8 above shall constitute a violation of this  
2209 Part and may be subject to code enforcement procedures.

2210 30.8.5.11 Development standards for planned developments. The development standards  
2211 for planned developments are as follows:

2212 (a) Relation to Zoning Districts. An approved PD shall be considered to be a separate  
2213 zoning district in which the master development plan and PD development order, as approved by  
2214 the Board of County Commissioners, or the Development Services Director as permitted in this  
2215 Part, establishes the restrictions, regulations, and district description according to which the  
2216 development shall occur. Upon approval, the official zoning map will be changed to indicate the  
2217 area as PD and the master development plan and PD development order shall be filed with the

2218 Clerk to the Board of County Commissioners and a copy retained within the Planning and  
2219 Development Division.

2220           Density and Intensity. The density based on net residential acreage permitted in each PD  
2221 shall be established by the Board of County Commissioners, upon recommendation of the Planning  
2222 and Zoning Commission. The criteria for establishing the appropriate density includes surrounding  
2223 density of existing and approved development, adequacy of existing and proposed public facilities  
2224 and services, conformance with the Comprehensive Plan, and site characteristics. Dwelling units  
2225 approved in the master development plan for a given tract may be shifted within the PD subject to  
2226 the approval of the Development Services Director.

2227           Intensity of commercial or industrial uses within a Planned Development shall be measured  
2228 in terms of Floor Area Ratio (FAR) and shall be consistent with the maximum FAR for the  
2229 development site established in the Comprehensive Plan. The Board of County Commissioners  
2230 may approve such development with a lesser intensity in order to achieve compatibility with  
2231 adjoining uses.

2232           (b)     Phasing

2233           (1)     Where a planned development is to be built in phases, the PD application  
2234 shall include a proposed phasing plan for the site, including a schedule for completion of all  
2235 improvements shown on the approved master development plan. Once a phasing plan has been  
2236 approved, no land may be used and no building may be occupied except in accordance with such  
2237 plan.

2238           (2)     The purpose of a phasing plan is to ensure that crucial features serving the  
2239 development are provided as needed and not delayed to the detriment of property owners and other  
2240 users of the site. Such features may include, but are not limited to, buffers, stormwater retention,

2241 road access points and transit shelters. Phase configurations shall be logical and consistent with  
2242 the purposes of the approved PD master plan. The Board of County Commissioners may stipulate  
2243 that any or all portions of required landscaping and/or buffering, or other improvements and  
2244 amenities be provided during the first phase of development, even though some buffer areas,  
2245 improvements, or amenities or portions thereof lie outside the phase.

2246 (3) Each phase, at a minimum, must include adequate parking, stormwater  
2247 management facilities, landscaping, and all other features needed to serve that portion of the  
2248 development. In order to ensure the efficient implementation of the approved PD master  
2249 development plan concepts, the Board may require that selected site improvements be constructed  
2250 at a faster rate than the overall development. These improvements may be related to engineering  
2251 design, general requirements of this Code, or other provisions of the approved master development  
2252 plan and may include, but are not limited to parking, stormwater management facilities, erosion  
2253 control measures, buffering, and supporting retail or other employment uses. Where the applicant  
2254 agrees to provide off-site improvements, such as traffic signals, turn lanes, and sewer lines, the  
2255 Board of County Commissioners may require such improvements to be in place upon completion  
2256 of any phase of the development.

2257 (4) Where a planned development must achieve a minimum density or intensity  
2258 due to requirements of the Comprehensive Plan or other considerations, each phase shall  
2259 individually achieve such density or intensity unless the master development plan or PD  
2260 development order provide otherwise. Where a PD has been approved as a specific type of  
2261 development in support of Comprehensive Plan policies (e.g., including but not limited to transit  
2262 oriented development, mixed use in the MXD future land use), each phase shall substantially  
2263 advance the approved concepts for the overall development.

2264 (c) Dimensional, bulk and height restrictions. The location of all proposed building  
2265 sites shall be as shown on the master development plan subject to the minimum lot sizes, setback  
2266 lines, lot coverage, maximum/minimum building height, or floor area, specified in the master  
2267 development plan and/or PD development order, as approved by the Board of County  
2268 Commissioners.

2269 (d) Commonly Accessible Open space. Open space area requirements for planned  
2270 developments ~~shall be provided as indicated below, and unless otherwise stated within the master~~  
2271 ~~development plan or PD development order,~~ shall meet the criteria of Section 30.14.2. unless  
2272 otherwise approved within the master development plan or PD development order.

2273 ~~(1) A minimum eight (8) percent of net buildable acres shall be designed as~~  
2274 ~~commonly accessible open space, which shall be included as a part of total open space~~  
2275 ~~requirements.~~



2276 ~~(2) Open Space may be provided in multiple locations however each location~~  
2277 ~~must be:~~

2278 a. ~~Bordered by streets, stormwater ponds, natural lakes, or commonly~~  
2279 ~~accessible pedestrian pathways.~~

2280 b. ~~Not less than 0.25 contiguous acres.~~

2281 c. ~~A minimum of forty (40) feet in width. Except that open space areas~~  
2282 ~~adjacent to a stormwater pond or natural lake may be a minimum of twenty (20) feet in width from~~  
2283 ~~the top of berm to the public right of way or lot line. Dog parks and tot lots that are a minimum of~~  
2284 ~~seventy five (75) square feet per dwelling unit are also exempt from this requirement and may~~  
2285 ~~count towards open space. Dog parks must contain waste disposal receptacles and appropriate~~  
2286 ~~signage.~~

2287                   (3) ~~Required sidewalks may be incorporated into the park areas as ADA-~~  
2288 ~~compliant pathways subject to Crime Prevention Through Environmental Design (CPTED) design~~  
2289 ~~principles (pathways should not be obscured behind hedges, utility structures, or other large~~  
2290 ~~objects).~~

2291                   (4) ~~Stormwater ponds must be amenitized as follows:~~

2292                   a. ~~Stormwater ponds must be open to the community and not fenced.~~

2293                   b. ~~Fifty (50) of pond frontage must be open to streets or parks. Where~~  
2294 ~~pond frontage is along a park, a walkway (minimum five (5) feet in width) is required unless~~  
2295 ~~adjacent to a street with a sidewalk.~~

2296                   c. ~~Landscaped areas must comply with the provisions of Section~~  
2297 ~~30.14.16 (General provisions for all landscaped areas) and (Water efficient landscaping design~~  
2298 ~~requirements).~~



2299                   (e) Access and parking

2300                   (1) All streets, thoroughfares, and accessways shall be designed to be consistent  
2301 with the roadway functional classification system and other policies of the Transportation Element  
2302 of the Comprehensive Plan.

2303                   (2) Off-street parking shall be provided in accordance with Section 30.11.2  
2304 and/or Section 5.19, unless the applicant can demonstrate the appropriateness of alternate  
2305 standards. Such standards must be enumerated in the development order and approved by the  
2306 Board of County Commissioners in order to be used within a planned development.

2307                   (3) Pedestrian, bicycle and vehicular traffic circulation systems shall be  
2308 designed to integrate the proposed development into the surrounding community and to provide  
2309 safe and convenient access to public use, common use and other community services, facilities

2310 and activities located both within the proposed development and beyond the boundaries of the  
2311 proposed development. Local residential streets shall be designed to discourage travel speeds in  
2312 excess of the posted speed and to discourage or restrict their use by through traffic.

2313 (4) ~~Hammerhead turnarounds shall be prohibited.~~ Connection to adjacent  
2314 streets is required where feasible. Feasibility will be determined by the presence of wetlands,  
2315 waterbodies, infrastructure corridors, or other features that may limit or prohibit connectivity.  
2316 Dead end streets, hammerheads, and culs-de-sac may be allowed where specifically approved by  
2317 the Development Services Director, and pedestrian connectivity is provided.

2318 (f) Perimeter requirements

2319 (1) Planned developments shall utilize the buffering standards of Part 14 to  
2320 maintain compatibility with adjoining properties and uses. ~~However, the Board of County~~  
2321 ~~Commissioners may vary these standards as appropriate to meet the unique needs of the proposed~~  
2322 ~~PD.~~ A planned development may not decrease any buffer requirement except in accordance with  
2323 the following:

2324 a. Reduced Buffer Widths. Required buffers may be adjusted to add or  
2325 subtract land area, or to modify specific requirements for structures or landscape plantings. Buffers  
2326 having less than the standard widths established in Sec. 30.14.6 “Standard buffers” shall be subject  
2327 to an increased landscape planting requirement as per the following:

<u>Opacity</u>	<u>Buffer Width (ft.)</u>	<u>Number of Plant Groups per 100 feet</u>	<u>Enhancement Required</u>
<u>0.3</u>	<u>10</u>	<u>3.00</u>	<u>3' hedge</u>
<u>0.4</u>	<u>10</u>	<u>2.50</u>	<u>3' open metal fence and 3' hedge</u>
<u>0.5</u>	<u>15</u>	<u>3.25</u>	<u>6' masonry wall*</u>
<u>0.6</u>	<u>20</u>	<u>4.00</u>	<u>6' masonry wall*</u>
<u>0.7</u>	<u>30</u>	<u>3.50</u>	<u>6' masonry wall*</u>

\*May be reduced to 3' open metal fence and 3' hedge adjacent to a street.

2328                    b. Reduced Buffer Widths may not be applied to required buffers  
2329 within a specific overlay.

2330                    ~~(2)(3)~~ Increased setbacks from the PD perimeter may also be imposed to maintain  
2331 compatibility with adjacent existing uses.

2332                    (g) Residential PD Design Standards:

2333                    (1) If lot width is less than forty-five (45) feet, homes must be rear loaded to  
2334 avoid undue frequency of conflicts with pedestrians on the sidewalk, unless the access is from a  
2335 private street and the Development Services Director determines that rear access is not feasible  
2336 due to site constraints.

2337                    (2) Front-facing garage doors must be set back a minimum of twenty (20) feet  
2338 from the back of the sidewalk in order to maintain sufficient space for a vehicle to park without  
2339 blocking the sidewalk.



2340                    (3) Minimum front and rear setbacks at project boundaries shall be twenty-five  
2341 (25) feet, or twenty (20) feet for accessory structures not exceeding one story, unless otherwise  
2342 approved by the Board of County Commissioners.

2343                    (4) Required setbacks adjacent to existing residential development will increase  
2344 based on elevation/grade changes between developments and proposed building heights, as  
2345 determined by the Development Services Director and approved by the Board of County  
2346 Commissioners.

2347                    (5) Street trees are required in planting strips to provide for the health of the  
2348 trees. The street trees may count towards required open space. Street trees shall:

2349                    a. Be planted an average of forty (40) feet on center on both sides of  
2350 internal streets and on existing rights-of-way adjoining the site.

2351                    b. Be in a planting strip or tree well with a minimum width of eight (8)  
2352 feet. Planting strips less than ten (10) feet in width must include root barriers.

2353                    c. Be selected from the Approved Plant Species List: Canopy Trees in  
2354 Figure 14.1 except that Laurel Oaks may not be used as street trees.

2355                    d. Meet the standards of Section 30.14.16, General provisions for all  
2356 landscaped areas.

2357                    30.8.5.12 Control of area following completion

2358                    (a) After completion of a planned development, the use, modification or alteration of  
2359 any buildings, structures, or land areas within the development shall be in accordance with the  
2360 approved master development plan and the PD development order. Notwithstanding subsequent  
2361 platting or other forms of dividing ownership of the planned development, the entire site shall be  
2362 subject to the approved master development plan and PD development order.

2363                    (b) Amendments to the approved master development plan and/or PD development  
2364 order shall be in accordance with Section 30.8.5.8.

2365                    \*           \*           \*

2366                    **Sec. 30.8.7. UC University Community District.**

2367                    Sec. 30.8.7.1. - Description of district.

2368                    The purpose of the University Community District (UC) shall be to provide for the  
2369 appropriate development and arrangement of land uses for the community area comprising and  
2370 surrounding a university, college, theological school, or other institutions of higher learning; to  
2371 assure a land use development pattern which is compatible with university operations; to further  
2372 encourage the grouping of those land uses having specific interrelationships; and to protect and  
2373 promote the long-term stability of both the university and its surrounding area.

2374 Sec. 30.8.7.2. - Permitted uses.

2375 The following uses shall be permitted within the University Community District:

2376 (a) Universities, colleges, theological schools, or other institutions of higher learning,  
2377 including buildings owned or leased for administrative and faculty offices, classrooms,  
2378 laboratories, chapels, auditoriums, lecture halls, libraries, observatories, heating and power plants,  
2379 laundries, parking facilities, student and faculty centers, athletic facilities, dormitories, fraternities  
2380 and sororities, and such other facilities normally provided by a college or university. These uses  
2381 shall not be construed to include trade schools or colleges operated for a profit or to include use of  
2382 any building, stadium, or other facility for commercial purposes other than under jurisdiction of a  
2383 university or college administration.

2384 (b) Public and private schools.

2385 (c) Churches, including educational buildings, kindergartens, voluntary  
2386 prekindergarten education programs, and child care facilities, when operated by said church.

2387 (d) Research laboratories or building devoted to commercial, industrial, or scientific  
2388 research.

2389 (e) Institutional headquarters for educational, professional, or religious nonprofit  
2390 organizations.

2391 (f) Libraries or museums.

2392 (g) Open land uses, including botanical gardens, game preserve, golf courses, and  
2393 noncommercial parks and outdoor recreation areas.

2394 (h) Hospitals, public or private, providing health services primarily for inpatients,  
2395 medical or surgical care of the sick or injured, and including related facilities, such as, laboratories,

2396 out-patient departments, training facilities, central service facilities, staff offices, and staff housing  
2397 which are integral parts of the facility.

2398 Public or private hospitals shall have provision for such of the following facilities as may  
2399 be required in order to be accredited by the Joint Commission on Accreditation of Hospitals  
2400 sponsored by the American.

2401 College of Physicians, American College of Surgeons, American Hospital Association, and  
2402 the American Medical Association.

2403 Emergency facilities, pediatric and obstetric facilities, surgical facilities, pathology and  
2404 radiology facilities, pharmacy facilities, dietary department, medical records facilities, medical  
2405 library facilities, laundries, and other services and facilities.

2406 Hospitals shall provide for a minimum of one hundred (100) beds, exclusive of bassinets,  
2407 and shall have a minimum gross floor area of six hundred (600) square feet per bed. The minimum  
2408 site area shall be thirty (30) acres, and the minimum width of the site shall be six hundred (600)  
2409 feet

2410 Hospital may consist of a main building and necessary auxiliary buildings.

2411 (i) Medical centers, consisting of a group of facilities providing health services,  
2412 including medical research and other related facilities, such as, laboratories, in-patient and out-  
2413 patient departments, training facilities, central service and living quarters operated as integral parts  
2414 of said centers.

2415 (j) Rehabilitation centers, operated for the primary purpose of assisting in the  
2416 rehabilitation of disabled persons and in which a coordinated approach by many professions is  
2417 made to the physical, mental, and vocational evaluation of such persons and for the furnishing of  
2418 such services as are required.

2419 (k) Public health centers, primarily utilized for the provision of public health services,  
2420 including related facilities, such as, laboratories, clinics, and administration offices operated in  
2421 connection therewith.

2422 (l) Schools of nursing where affiliated with hospitals or universities.

2423 (m) Offices or clinics (medical, dental, psychiatric, child guidance, and medical  
2424 research).

2425 Sec. 30.8.7.3. - Special uses.

2426 The following special uses may be permitted, subject to review of a site plan by the  
2427 Planning and Zoning Commission to determine that the proposed location and site arrangement  
2428 shall make the uses compatible with adjacent established uses and the existing utility and  
2429 transportation systems are adequate to accommodate the proposed development:

2430 (a) Single-family dwellings.



2431 (b) Multi-family dwellings.

2432 (c) Neighborhood commercial developments, designed as a unit to service adjacent  
2433 land uses, consisting of such commercial uses as are permitted in the C-1, Retail Commercial  
2434 District, except no alcoholic beverages may be sold.

2435 Sec. 30.8.7.4. - Review of development proposals.

2436 Prior to issuance of any building permit within a UC District, a complete site plan, in  
2437 accordance with the provisions contained in Chapter 40, shall be reviewed and approved by the  
2438 Planning and Zoning Commission.

2439 Sec. 30.8.7.5. - Lapse of development plan approval.

2440 Any approval granted by the Planning and Zoning Commission, for any site plan or special  
2441 use, shall expire at the end of six (6) months if building permits incorporating the proposal have  
2442 not been issued.

2443 Sec. 30.8.7.6. - Site regulations, permitted uses.

2444 (a) Minimum lot size—Ten thousand (10,000) square feet, unless otherwise specified.

2445 (b) Open space requirements—See Part 14, Chapter 30.

2446 (c) Maximum height—One hundred (100) feet.

2447 (d) Setbacks—Minimum of twenty-five (25) feet from all property lines.

2448 (e) Buffer requirements—Part 14, Chapter 30 shall apply.

2449 Sec. 30.8.7.7. - Site regulations, special uses.

2450 (a) All single-family development shall comply with the R-1AA Single-Family  
2451 Dwelling District Development Standards.



2452 (b) All multi-family developments shall comply with the R-3A Multi-Family Dwelling  
2453 District Development Standards. Number of dwelling units, including breakdown of units by  
2454 bedroom type, shall be established at time of site plan approval.

2455 (c) All commercial development shall comply with the development standards and  
2456 permitted uses contained in the C-1 Retail Commercial District; however, the sale of alcoholic  
2457 beverages is prohibited.

2458 Sec. 30.8.7.8. - Off-street parking.

2459 Off-street parking and landscaping shall comply with the requirements contained in Sec. 30.11.6,  
2460 Part 11, Chapter 30.

2461 **PART 9. SUPPLEMENTAL REGULATIONS**

2462 \* \* \*

2463 **Sec. 30.9.5. Boat Dock Requirements.**

2464 30.9.5.1 General Regulations.

2465 (a) Where boat docks or boathouses are a permitted use the following requirements  
2466 must be met prior to issuance of any applicable permit:

2467 (1) The lot upon which the structure will be developed must have a minimum  
2468 thirty (30) feet of frontage on the subject water body.

2469 (2) The lot upon which the structure will be developed must be a legal lot of  
2470 record and must meet minimum lot size requirements.

2471 (3) The lot upon which the structure is located must have adequate off-street  
2472 parking for at least two (2) vehicles.

2473 (4) The applicant must demonstrate compliance with all local, state and federal  
2474 regulations and permit requirements.



2475 (b) No boat dock or boathouse may be rented or leased, and no vessel can be rented  
2476 from a residential dock or boathouse.

2477 (c) A boathouse may not be higher than fifteen (15) feet above the normal high water  
2478 elevation, as measured in accordance with the definition of "building, height of" in Chapter 2,  
2479 Section 2.3 of this Code. The Board of County Commissioners may permit a taller boathouse upon  
2480 a determination that the view of the water body from neighboring properties will not be adversely  
2481 affected.

2482 (d) No more than three vessel slips per single residential dock and no more than three  
2483 vessels moored at any single residential dock or boathouse.

2484 30.9.5.2 Waterfront residential lots. Each residential lot is permitted one (1) boat dock and  
2485 one (1) associated boathouse when accessory and incidental to the principal dwelling.

2486 30.9.5.3 Boat dock and floating boat dock setback requirements; permit required.

2487 (a) Setbacks applicable to docks - Side yard accessory use setbacks are applicable to  
2488 all boat docks and floating boat docks except for docks at common property lines if approved by  
2489 the Planning Manager, or designee, based upon sound and generally accepted land use and  
2490 planning principles.

2491 (b) It is unlawful to construct, accomplish construction work, or place at a location any  
2492 boat dock or floating boat dock without obtaining a building permit and all required State permits  
2493 prior to such activity

2494 ~~30.9.5.4 Dogs in Public food establishments.~~ **Sec. 30.9.6. Dogs in Public food**  
2495 **establishments.**

2496 \* \* \*

2497 **Sec. 30.9.7. Alternative density option for affordable housing.**



2498 30.9.7.1 Purpose and intent.

2499 (a) The alternative density option (hereinafter referred to as the "ADO"), is designed  
2500 to encourage maximum private sector participation in the development of affordable housing  
2501 opportunities within the County. It is the intent of the ADO to reduce development costs by  
2502 permitting flexibility in the application of design and development standards where such flexibility  
2503 can be reasonably made without reducing the overall quality of life for present and future residents  
2504 of the County. It is also the intent of the ADO to reduce the time required for development review  
2505 to further facilitate private sector development of affordable housing.

2506 (b) In order to meet the intent of this Part, unless the property is located in an area  
2507 designated as a CDBG Target Area designated by the Board of County Commissioners, the  
2508 percentage of dwelling units which are provided as very low and low income housing units within

2509 an ADO development shall be not less than ten (10) percent and the number of low income units  
2510 subject to the deed restriction ~~provided~~ shall not exceed ~~thirty (30)~~ fifty (50) percent of the total.  
2511 This provision is intended to ensure that ~~low income~~ affordable units are mixed in with other  
2512 income units to prevent concentrated pickets of low income households and to maintain  
2513 neighborhood viability.

2514 30.9.7.2. Applicability; compliance. The ADO is not a separate zoning classification, but  
2515 is a development option for properties with zoning that permits residential development. ~~assigned~~  
2516 ~~the R-1, R-1A, R-1AA, R-1AAA, R-1AAAA, R-2, R-3, R-3A, and R-4 zoning classifications~~. An  
2517 applicant may submit plans and an application for development approval pursuant to the standards  
2518 for the property's assigned ~~these zoning classifications~~ as set forth in this Code ~~or may submit~~  
2519 ~~plans and applications for development approval pursuant to the standards and procedures set out~~  
2520 ~~in this Part~~. To the extent that the provisions of this Part are in conflict with other provisions of  
2521 this Code, the provisions of this Part shall prevail. Election to use the ADO permits the submission  
2522 and review of plans and applications for development approval using the procedures and standards  
2523 in this Part. Failure to comply with all mandatory provisions of this Part shall be cause for  
2524 revocation of any approvals which have been issued and shall result in transfer of the review to  
2525 the conventional process, and shall require compliance with all applicable provisions of this Code  
2526 as if the ADO had not been used.

2527 30.9.7.3 Procedure.

2528 (a) It is the intent of this Part that the procedure for submission, review, and  
2529 consideration of a proposed development under the ADO provisions of this Part be streamlined to  
2530 facilitate rapid and efficient review and consideration. Accordingly, the submission, review, and  
2531 procedure set forth below incorporate the procedures established in this Code for subdivision

2532 review and site plan review with limited changes. The applicant may elect to pursue approval of a  
2533 development under the provisions of this Part through use of following procedures:

2534 (1) Pre-application meeting. Prior to submittal of a subdivision or site plan, the  
2535 applicant shall request a pre-application meeting. Such meeting shall be coordinated by the  
2536 Development Services Director and with appropriate Development Review Committee staff. At  
2537 this meeting, the applicant shall informally, but comprehensively, review his plans and each  
2538 agency represented shall discuss procedures and regulations which shall apply. In addition to  
2539 submission and review requirements under this Code, all specific requirements of this Part shall  
2540 be discussed. The purpose of the meeting shall be to expedite the preparation and review of plans.  
2541 Failure of a review department to inform the applicant of a specific requirement at the pre-  
2542 application meeting shall not authorize non-compliance with that requirement.

2543 ~~(2) Staff review coordinator. The Development Services Director shall assign~~  
2544 ~~a staff review coordinator to facilitate the review process. It shall be the staff review coordinator's~~  
2545 ~~responsibility to ensure that all reviews are completed in an expeditious manner and that~~  
2546 ~~information from the review process is conveyed to the applicant on a timely basis. The staff~~  
2547 ~~review coordinator shall advise the Development Services Director and other reviewers of any~~  
2548 ~~deadlines for the review, as well as any relevant new information. The staff review coordinator~~  
2549 ~~shall also be responsible for arranging any meetings of the Development Review Committee and~~  
2550 ~~for keeping central records on the review process for the application.~~

2551 ~~(3)~~(2) Preliminary sSubdivision plan, master development plan, development or  
2552 site plan review. Following the pre-application meeting, the applicant shall submit a preliminary  
2553 subdivision plan, master development plan, or a site plan as set forth in this Code. In addition to  
2554 the other required submittals in this Code, the applicant shall provide the following:

2555 a. A description of the dwelling unit types, sizes and prices (or price  
2556 ranges) projected for the development;

2557 b. A description of the recreational and community facilities to be  
2558 included within the development, and the services to be provided in conjunction with those  
2559 facilities;

2560 c. A description of the phasing of the development, including the mix  
2561 of dwelling units and facilities to be included within each phase;

2562 d. A draft affordability agreement guaranteeing limitations on the sale  
2563 or rental prices to be charged for the housing;

2564 e. A description of the ~~tenants and/or~~ property owners or homeowners  
2565 association(s) to be formed along with an explanation of the means which will be used to ensure  
2566 adequate maintenance of any common land or facilities which will become the responsibility of  
2567 the residents of the development;

2568 f. The ~~development~~ preliminary subdivision, master development  
2569 plan, or site plan and documents required shall be reviewed and approved as provided in this Code.  
2570 The draft affordability agreement and additional documents required herein shall be reviewed by  
2571 the ~~Development Review Committee~~ Community Services Director and ~~by the County Attorney's~~  
2572 Office.

2573 ~~(4)(3)~~ Board review and approval of preliminary ~~plans~~ subdivision plan, master  
2574 development plan, and final site plans. After review and approval of the preliminary subdivision  
2575 plan and/or the site plan by the ~~Development Review Committee~~ Planning and Development  
2576 Division, the ~~application~~ affordability agreement shall be submitted for consideration by the Board

2577 as a consent item. Issuance of a development order and execution of the affordability agreement  
2578 will occur upon approval by the Board of County Commissioners.

2579 ~~(5)(4)~~ Waivers. ~~Any substantive requirement or standard of this Part may be~~  
2580 ~~waived by the Board at the time of preliminary subdivision plan and site plan approval if such~~  
2581 ~~waiver is permitted by state law and upon the Board finding that such waiver will result in the~~  
2582 ~~construction of affordable housing in the County, except that~~ The minimum provisions for mix of  
2583 affordable housing as set forth in this Code shall not be waived. All development permits and  
2584 inspection fees may be waived by the Board for applications meeting the minimum requirements  
2585 of the ADO if the Board finds that said waiver advances the provision of affordable housing in  
2586 Seminole County.

2587 ~~(6)(5)~~ Final ~~plan~~ Plat. The applicant shall have ~~one (1)~~ two (2) years from the date  
2588 of preliminary subdivision plan approval to file for final ~~plan~~ plat approval for all of the areas  
2589 covered in the preliminary subdivision plan or the ~~preliminary~~ approval shall lapse. An extension  
2590 of the preliminary subdivision plan approval may be granted by the Board of County  
2591 Commissioners for good cause upon written request of the applicant and the Board finding that  
2592 good cause has been demonstrated by the applicant.

2593 30.9.7.4 Affordability agreement. Upon approval of an ADO, the applicant shall execute  
2594 an affordability agreement in a form acceptable to the County. Such agreement shall include, but  
2595 is not limited to, the following:

2596 (a) Assurance that the mix of affordable housing units will be implemented as required  
2597 in this Code and that the initial sales prices or rental amounts will be set within a range which is  
2598 consistent with the definitions of affordable housing;


2599 (b) Provision that there will be no modification of any portion of the approval without  
2600 review of all portions to ensure that the purposes of this Part are complied with.

2601 30.9.7.5 ~~Development~~ Density standards table.

2602 Within the LDR, MDR, HDR, and MXD Future Land Use Designations, the density bonus  
2603 shall be established based on the quantity of affordable units provided. For example: for each very  
2604 low income unit provided, two (2) additional market rate units may be permitted for a project with  
2605 a Low Density Residential designation.

2606 In no case shall the density exceed the maximum density permitted by the Comprehensive  
2607 Plan. The maximum bonus shall be calculated according to the table below:

<b><u>Density Standards Table</u></b>			
<b><u>FLU Designation and Unit Type</u></b>	<b><u>Quantity of affordable units</u></b>	<b><u>Quantity of bonus market rate units</u></b>	<b><u>Example project using 10 acres of buildable area</u></b>
<b><u>Low Density Residential (LDR)</u></b>			
<u>Maximum density without bonus: 4 units per net buildable acre</u>			
<u>Maximum density with bonus: 7 units per net buildable acre</u>			
<u>Low Income Units</u>	<u>1</u>	<u>1.5</u>	<u>12 affordable units = 18 extra market rate (max 70 units)</u> <u>(40 units without bonus)</u>
<u>Very Low Income Units</u>	<u>1</u>	<u>2</u>	<u>10 affordable units = 20 extra market rate (max 70 units)</u> <u>(40 units without bonus)</u>
<b><u>Medium Density Residential (MDR)</u></b>			
<u>Maximum density without bonus: 10 units per net buildable acre</u>			
<u>Maximum density with bonus: 12 units per net buildable acre</u>			
<u>Low or Very Low Income Rental</u>	<u>1</u>	<u>1</u>	<u>10 affordable units = 10 extra market rate (max 120 units)</u> <u>(100 units without bonus)</u>
<u>Low or Very Low Income Ownership</u>	<u>1</u>	<u>3</u>	<u>5 affordable units = 15 extra market rate (max at 120 units)</u> <u>(100 units without bonus)</u>
<b><u>High Density Residential (HDR)</u></b>			
<u>Maximum density without bonus: 20 units per net buildable acre</u>			
<u>Maximum density with bonus: 22 units per net buildable acre</u>			

<u>Low Income Units</u>	<u>1</u>	<u>1</u>	<u>10 affordable units = 10 extra market rate (max 220 units) (200 units without bonus)</u>
<u>Very Low Income Units</u>	<u>1</u>	<u>3</u>	<u>5 affordable units = 15 extra market rate (max at 220 units) (200 units without bonus)</u>
<b><u>Mixed Development (MXD)</u></b>			
<u>Maximum density without bonus: 30 units per net buildable acre</u>			
<u>Maximum density with bonus: 50 units per net buildable acre</u>			
<u>Low Income Units Rental</u>	<u>1</u>	<u>1.5</u>	<u>80 affordable units = 120 extra market rate (max 500 units) (300 units without bonus)</u>
<u>Very Low Income Units Rental</u>	<u>1</u>	<u>3</u>	<u>50 affordable units = 150 extra market rate (max 500 units) (300 units without bonus)</u>
<u>Low Income Units Ownership</u>	<u>1</u>	<u>3</u>	<u>50 affordable units = 150 extra market rate (max 500 units) (300 units without bonus)</u>
<u>Very Low Income Units Ownership</u>	<u>1</u>	<u>4</u> 	<u>40 affordable units = 160 extra market rate (max 500 units) (300 units without bonus)</u>

2608 (a) — ~~Minimum size of project/location of project. A parcel must be at least five (5)~~  
 2609 ~~acres and under single ownership or control or be located within a CDBG Target Area~~  
 2610 ~~designated by the Board of County Commissioners.~~

2611 (b) — ~~Uses. Residential uses shall be permitted, subject to the provisions of this Code.~~  
 2612 ~~Residential dwelling types which may be permitted include: single family dwellings (including~~  
 2613 ~~zero lot line dwellings), duplex dwellings, triplex dwellings and quadraplex dwellings. It is the~~  
 2614 ~~intent of this Part to provide for livable communities with appropriate ancillary community uses~~  
 2615 ~~and services. Accordingly, other non-residential uses may be approved by the Board at the time~~  
 2616 ~~of approval of the preliminary subdivision plan or final site plan. These uses may include:~~

2617 (1) — ~~Day care facilities;~~


2618 (2) — Community centers; or

2619 (3) — Houses of worship.

2620 (c) — Location of uses. Multifamily and non-residential uses shall be located near to the  
2621 center of the development to be accessible to the internal circulation system and so as to be  
2622 remote from adjoining development. Limited passive recreational areas such as walkways and  
2623 other low-intensity recreational activities may be incorporated in residential areas near the  
2624 periphery of the development to act as a buffer from surrounding neighborhoods, subject to  
2625 Board approval. In permitting these uses, the Board shall consider the location, character, and  
2626 extent of the uses and the degree to which noise, light, glare, traffic, or other impacts of the uses  
2627 or access facilities will adversely impact on the development or surrounding areas.

2628 (d) — Density and dimensional regulations.

2629 (1) — The overall density of development permitted in an ADO project shall be  
2630 the same as established for the zoning district in which it is located, provided that the density  
2631 may be increased as follows if low income housing is provided:



Percentage of Low Income Housing Units	Maximum Dwelling Units (DUS) Per Buildable Acre
10 to 15 percent	5 DUS/acre
15 to 20 percent	6 DUS/acre
20 to 30 percent	7 DUS/acre

2632 (2) — Table 1 in an attachment to this Part sets forth the density, lot and bulk  
2633 standards applicable to specific types of development under the provisions of this Part. These  
2634 standards are designed to ensure usable rear yards for zero lot line and duplex structures and  
2635 adequate open space between triplex and quadraplex units to maintain the livability of ADO

2636 units. Innovative lot design and alternative lot, yard and unit sizes may be approved on a case-  
2637 by case basis upon the Board finding that the proposed design meets the intent of this provision.

2638 (e) — Compatibility with adjacent development. Where an ADO development abuts an  
2639 existing single family use and development, certain additional restrictions apply. Table 2 in an  
2640 attachment to this Part shows which specific uses are permitted in areas immediately adjacent to  
2641 the boundary of the development when an ADO abuts a single family district. For the purposes  
2642 of this Section, setbacks shall be measured from property line separating the developments and  
2643 lot widths shall refer to the lot dimension along the property line with the adjacent development.

2644 (1) — Lot widths. A wide divergence of lot widths provides the needed  
2645 flexibility for developing affordable housing units. Lot widths, however, should be controlled on  
2646 periphery lots adjacent to single family neighborhoods to maintain compatibility. The number of  
2647 units visible from the adjacent backyards should be the same to maintain compatibility.



2648 Minimum lot widths shall be as follows:

Minimum Lot Width Standards	
Adjacent Neighborhood	ADO Project
150 feet	100 feet
100 feet	90 feet
90 feet	75 feet
75 feet	70 feet
70 feet	60 feet
60 feet	50 feet

2649 (2) — Minimum house size. Affordable housing units may be smaller than  
2650 typical single family units. For single family and zero lot line units on peripheral lots, minimum  
2651 house sizes to adjacent units shall be as follows:

Minimum House Size	
Adjacent Neighborhood	ADO Project

A-1	1,300 square feet
RC1	1,300 square feet
R1AAAA	1,100 square feet
R1AAA	1,100 square feet
R1AA	700 square feet
R1A	700 square feet
All Other Single-family Residential Districts	700 square feet

2652 (f) — ~~Parking. Each dwelling unit shall be provided with not less than two (2) off-street~~  
 2653 ~~parking spaces. In addition, one (1) or more separate areas may be set aside in each development~~  
 2654 ~~for supplemental parking of motor vehicles. Such area(s) shall provide for adequate space for~~  
 2655 ~~vehicles which might otherwise park on streets, but shall not exceed four (4) spaces for each ten~~  
 2656 ~~(10) dwelling units. Such common parking areas shall be located within four hundred (400) feet~~  
 2657 ~~of the units they serve.~~

2658 (g) — ~~Subdivision standards. Upon making findings that it would be in the best interests~~  
 2659 ~~of the public and that the inventory of affordable housing in the County will increase as a result~~  
 2660 ~~of a waiver, the Board may waive appropriate subdivision standards. The developer is~~  
 2661 ~~encouraged to utilize innovative techniques that can reduce the costs of housing. The County~~  
 2662 ~~shall review such proposals on a case by case basis.~~

2663 (h) — ~~Common recreation areas. Each ADO project, except those located within CDBG~~  
 2664 ~~Target Areas designated by the Board of County Commissioners, shall provide common~~  
 2665 ~~recreational facilities to serve development residents. Neighborhood parks shall be provided for~~  
 2666 ~~all ADO projects and community centers may be required for projects which exceed twenty (20)~~  
 2667 ~~acres in size. At a minimum, neighborhood parks of a minimum of one-half (½) acre in size shall~~  
 2668 ~~be located within walking distance (1,320 feet) of each residential unit. Depending on the~~  
 2669 ~~configuration and size of the ADO project, these parks may be located centrally or may be~~

2670 required to consist of two (2) or more parks located throughout the development. Each park shall  
2671 be equipped with play equipment, benches, lighting and minimum landscaping and be readily  
2672 accessible from sidewalk and pedestrian ways. This requirement may be satisfied if the units are  
2673 within walking distance (one thousand three hundred twenty (1,320) feet) of an existing or  
2674 planned off site public recreational facility.

2675 (i) Community facilities. A community center area may be created to serve the  
2676 development. This area shall be located near the physical center of the development and where it  
2677 can be served by the internal principal street system. The community center area shall be under  
2678 the management responsibility of the residents association. The community center area may  
2679 provide facilities for day care, meetings and activities, and a common recreation area.

2680 (j) Owners associations/community associations. An association or associations shall  
2681 be established in connection with any development under these ADO provisions except for those  
2682 developments located within CDBG Target Areas as designated by the Board of County  
2683 Commissioners. The purpose of such associations shall be to enable the residents of the project  
2684 to achieve the maximum benefit therefrom, to facilitate the management of the project in the  
2685 mutual interests of the residents and to maximize the continuing overall quality of the  
2686 development. Those portions of a development which consist of rental housing shall provide for  
2687 a tenants association. Those portions of a development which consist of non-rental units shall  
2688 provide for a homeowners association. Where a development includes both rental and non-rental  
2689 units, a separate umbrella association covering all residents shall be provided in addition to  
2690 separate associations for owners and renters, except that a single association may represent all  
2691 interests if less than ten (10) percent of the units are in either the rental or home sales category.

TABLE 1: SEMINOLE COUNTY UNIT TYPE DESIGN STANDARDS
---

Use	Minimum Lot Size	Minimum Lot Width	Yards			Minimum House Size	Maximum Coverage
			Front	Rear	Side		
Single-family	11,700	90	25	30	10	1,300 s.f.	—
Single-family	9,000	75	25	30	10	1,100 s.f.	—
Single-family	8,400	70	25	30	10	700 s.f.	30%
Single-family	6,700	60	25	30	10	700 s.f.	30%
Single-family	5,000	50	25	30	10	700 s.f.	40%
Zero Lot Line:	Same standards apply except one yard may be 0 feet wide will other side yard will be twice the standard.						
Two-Family Dwelling Units							
—1. (Duplex) Units on same parcel	9,000	75	25	30	10	700 s.f.	30%
—2. (Twins) Units on different parcels	9,000*	37.5	25	30	10	700 s.f.	40%
Three-Family Dwelling Units							
—1. Units on same parcel	10,000	100	25	30	10	700 s.f.	30%
—2. Units on different parcels	12,000*	34	25	30	10	700 s.f.	30%
Four-Family Dwelling Units							
—1. Units on same parcel	12,000	100	25	30	10	700 s.f.	30%
—2. Units on different parcels	14,000*	34	25	30	10	700 s.f.	30%

2692

\*Total for ALL units.

TABLE 2: SEMINOLE COUNTY PERIPHERAL COMPATIBILITY						
Uses Permitted	Adjoining Zoning District					
	R-1B	R-1	R-1A	R-1AA	R-1AAA	R-1AAAA
A. Single-Family Detached	R-1BB	R-1B	R-1	R-1A	R-1AA	R-1AAA
B. SFD Zero Lot Line*	Yes	Yes	Yes	Yes	Yes	Yes

<del>C. Two Family Dwelling Units</del>						
<del>—1. Duplex— Units on same parcel</del>						
<del>—2. Twin— Units on separate parcels</del>	<del>Yes</del>	<del>Yes</del>	<del>No</del>	<del>No</del>	<del>No</del>	<del>No</del>
<del>D. Three Family Dwelling Units</del>	<del>Not permitted without rezoning approval.</del>					
<del>E. Four Family Dwelling Units</del>	<del>Not permitted without rezoning approval.</del>					

2693           \*~~Built to the above conventional standards.~~

2694           Source: Florida Planning Group, Inc., 1991.

2695           \*       \*       \*

**PART 10. OVERLAY DISTRICTS**



2697           \*       \*       \*

**Sec. 30.10.2. Scenic Corridor Overlay Zoning District.**

2699           \*       \*       \*

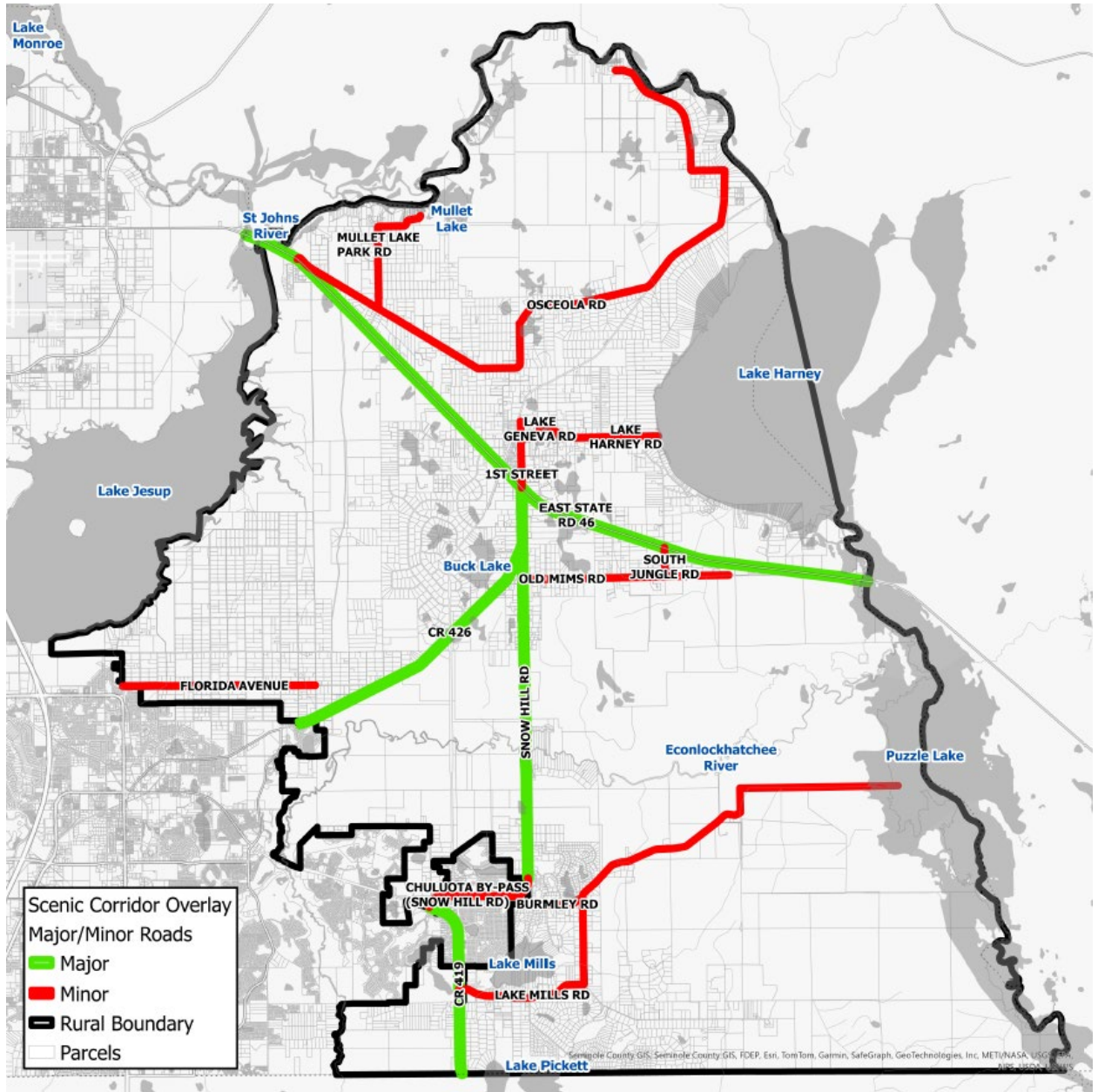
30.10.2.5 Establishment of scenic corridors.

2701           (a)     Scenic corridors, in addition to those designated in subsection (b) of this Section,  
2702 shall be established by the Board of County Commissioners pursuant to the procedures for  
2703 designating land uses on the future land use map of the Comprehensive Plan and as an amendment  
2704 to this Code.

2705           (b) The following scenic corridors are hereby designated within the East Area Study  
2706 Boundary of Seminole County as depicted in the map below:

2707                     (1) Major roads (as the term is used in this Part): County Road 419 from Lockwood  
2708 Road to the Seminole County line, State Road 46 from Lake Jesup to the Seminole County line,





2718

2719 \* \* \*

2720 **Sec. 30.10.3. Lake Mary Boulevard Gateway Corridor Overlay Standards**

2721 **Classification.**

2722 \* \* \*

2723 30.10.3.2 Purpose. The purpose of this Part is to ~~insure~~ensure that the designated Gateway

2724 Corridor is developed in a manner which:

- 2725 (a) ~~Insures~~Ensures the roadway is developed into a well landscaped, scenic gateway;
- 2726 (b) Provides uniform design standards to establish high quality development;
- 2727 (c) Prevents visual pollution caused by unplanned and uncoordinated uses, buildings
- 2728 and structures;
- 2729 (d) Maximizes traffic circulation functions from the standpoint of safety, roadway
- 2730 capacity, vehicular and non-vehicular movement;
- 2731 (e) Maintains and enhances property values;
- 2732 (f) Preserves natural features to the extent practicable; and
- 2733 (g) Recognizes and makes allowances for existing uses and buildings

2734 \* \* \*

2735 30.10.3.7 Signage. Signs shall be erected or installed according to the following criteria:

2736 (a) Wall signs. The maximum allowable wall sign area shall be one and one-half (1.5)

2737 square feet per one (1) linear foot of building frontage. Total sign area shall be the sum of all sign

2738 areas excluding window signs or opening banners. No individual wall sign shall exceed one

2739 hundred (100) square feet in size for a building with less than two hundred (200) linear feet of

2740 building frontage. For buildings with building frontage exceeding two hundred (200) linear feet,

2741 no individual sign shall exceed two hundred (200) square feet in size.

2742 (b) Ground signs.

2743 (1) Only one (1) ground sign shall be allowed per parcel with four hundred

2744 (400) feet or less road frontage. If a parcel's road frontage exceeds four hundred (400) feet and is

2745 less than seven hundred (700) feet then a maximum of two (2) ground signs shall be allowed, but


2746 no closer than three hundred (300) feet apart. If a parcel's road frontage exceeds seven hundred

2747 (700) feet, then a maximum of three (3) ground signs shall be allowed, but no closer than three

2748 hundred (300) feet apart. For the purpose of this Part, a parcel does not have to be a legally  
2749 subdivided lot.

2750 (2) Vertical structural supports for ground signs shall be concealed in an  
2751 enclosed base. The width of such enclosed base shall be equal to at least two-thirds ( $\frac{2}{3}$ ) the  
2752 horizontal width of the sign surface. A planter structure shall enclose the foot of the base. The  
2753 planter shall be between two (2) and three (3) feet in height above the ground, with a minimum  
2754 length equal to the width of the sign and a minimum width of three (3) feet. The base and planter  
2755 shall be of brick or alternative materials such as rock, stone, or metal as may be approved by the  
2756 Planning Manager if determined that the alternative material would be architecturally compatible.

2757 (3) Any external above ground light source shall be located and hidden within  
2758 the planter bed. Light sources located outside the planter bed shall be in a burial fixture.

2759 (4) The maximum height of the entire sign structure shall be fifteen (15) feet  
2760 above the elevation of the nearest sidewalk. 

2761 (5) The planter setback shall be a minimum of five (5) feet from the right-of-  
2762 way.

2763 (6) The maximum allowable ground sign area shall be one and one-half (1.5)  
2764 square feet per one (1) linear foot of building frontage but shall not exceed one hundred (100)  
2765 square feet. Ground sign base, sides and top are excluded from the sign area calculation.

2766 (c) Maximum total sign area. In no case shall the sum of total wall sign square footage  
2767 plus total ground sign square footage exceed two (2) square feet per one (1) linear foot of building  
2768 frontage on any given parcel.

2769 (d) Movement. No ground sign nor its parts shall move, rotate or use flashing lights.

2770 (e) Illumination. Sign lights shall be focused, directed, and so arranged as to prevent  
2771 glare or direct illumination or traffic hazard from said lights onto residential districts or onto the  
2772 abutting roadways. No flashing or pulsating lights shall be permitted on any sign.

2773 (f) Prohibited signs. Off-premises signs, portable signs, pole signs, and temporary  
2774 signs except for advertising on or attached to bus shelters.

2775 (g) Exempted signs. Temporary signs. ~~Real estate signs.~~

2776 (h) Flags. A maximum of three (3) flags may be placed on any parcel. The maximum  
2777 size of each flag shall be thirty-five (35) square feet. ~~Flags are permitted as follows: a maximum~~  
2778 ~~of one (1) state, one (1) federal and one (1) local/County flag per parcel, each a maximum of thirty-~~  
2779 ~~five (35) square feet.~~

2780 (i) Opening banners. Opening banners shall be allowed from two (2) weeks prior to  
2781 opening until one (1) month after opening



2782 \* \* \*

2783 **Sec. 30.10.8. Airports.**

2784 \* \* \*

2785 30.10.8.16 Noise.

2786 (a) Where an airport authority or other governing body operating a public-use airport  
2787 has conducted a noise study in accordance with 14 CFR Part 150, or where a public-use airport  
2788 owner has established noise contours pursuant to another public study approved by the Federal  
2789 Aviation Administration, incompatible uses, as established in the noise study in 14 CFR Part 150,  
2790 Appendix A or as a part of an alternative Federal Aviation Administration-approved public study,  
2791 within the noise contours established by any of these studies, shall be prohibited except if such

2792 uses are specifically contemplated by such study with appropriate mitigation or similar techniques  
2793 described in the study.

2794 (b) ~~Airport Avigation Easement Boundary and Noise Level Contours (DNL). In~~  
2795 ~~accordance, with Policy FLU 5.7 and Policy TRA 2.2.12, Seminole County Comprehensive Plan,~~  
2796 ~~any new residential development within the Avigation Easement Boundary, as set forth in the~~  
2797 ~~Seminole County Comprehensive Plan Exhibit FLU: Orlando Sanford International Airport~~  
2798 ~~Avigation Easement Boundary and Noise Level Contours (DNL), will be required to inform~~  
2799 ~~potential purchasers of the impact of aircraft overflights and potential noise via an avigation~~  
2800 ~~easement recorded in the Public Records of Seminole County, Florida at the expense of the~~  
2801 ~~applicant. New residential developments within the Orlando Sanford International Airport~~  
2802 ~~Avigation Easement Boundary, as set forth in the Seminole County Comprehensive Plan, are~~  
2803 ~~required to record, in the public records of Seminole County, Florida, an avigation easement over~~  
2804 ~~the property to inform potential residences of the impact of aircraft overflights. The avigation~~  
2805 ~~easement shall be in a form approved by the County, and the costs associated with preparation and~~  
2806 ~~recording of the easement are the responsibility of the applicant.~~

2807 \* \* \*

2808 **Sec. 30.10.11. Creation of State Road 46 Gateway Corridor Overlay Standards**

2809 **Zoning Classification/description of corridor and property affected/applicability.**

2810 (a) Code requirements heretofore and hereafter established, there is hereby created an  
2811 overlay zoning classification known as the "State Road 46 Gateway Corridor Overlay Standards  
2812 Zoning Classification".

2813 (b) The State Road 46 gateway corridor ("corridor" throughout this Part) subject to the  
2814 provisions of this Part shall encompass the area of State Road 46 lying between the CSX Railroad

2815 right-of-way immediately east of the intersection of State Road 46 and Airport Boulevard to North  
2816 Center Road, which is located approximately eight hundred (800) feet west of the intersection of  
2817 State Road 46 and Orange Boulevard including all property within three hundred twenty (320) feet  
2818 of the centerline of State Road 46 throughout such area including intersecting roadways to the  
2819 same depth.

2820 (c) The provisions of this Part, except for the provisions relating to burial of utility  
2821 service lines, wall requirements and building setback requirements shall not apply to parcels  
2822 assigned a single family residential zoning classification or with an existing residential use.

2823 30.10.11.1 Purpose/application of other Code provisions.

2824 (a) The purposes of this Part are to ~~insure~~ensure that the designated State Road 46  
2825 gateway corridor is developed in a manner which:

2826 (1) Ensures the development of the corridor as a well landscaped and scenic  
2827 gateway.

2828 (2) Provides uniform design standards to establish high quality development.

2829 (3) Prevents visual pollution caused by unplanned and uncoordinated uses,  
2830 buildings and structures.

2831 (4) Maximizes traffic circulation functions from the standpoint of safety,  
2832 roadway capacity, vehicular and non-vehicular movement.

2833 (5) Maintains and enhances property values.

2834 (6) Preserves natural features to the maximum extent practicable.

2835 (7) Recognizes and makes allowances for existing uses and buildings.

2836 (b) Unless otherwise set forth in this Part, the general provisions and procedures of this  
2837 Code shall apply. General variances shall be determined in accordance with the procedures and

2838 provisions of Section 30.3.3 and variances to the design standards of this Part shall be determined  
2839 in accordance with the procedures and standards set forth in Part 10 of Chapter 40 pertaining to  
2840 site plan requirements.

2841 \* \* \*

2842 30.10.11.6 Signage.

2843 (a) All ~~point-of-sale signs~~ and subdivision signs shall be ground signs in the corridor.  
2844 Such ground signs shall be erected or installed according to the provisions of subsection 30.13.3(a)  
2845 and the following criteria, whichever is more restrictive.

2846 (b) Total wall sign area shall be computed by adding the square footage of all wall sign  
2847 areas on the building, excluding window signs and opening banners. The maximum permissible  
2848 wall sign copy area shall not exceed one hundred (100) square feet in size on a building with less  
2849 than two hundred (200) linear feet of building frontage. For buildings with building frontage  
2850 exceeding two hundred (200) linear feet, no wall sign shall exceed two hundred (200) square feet  
2851 in size. For the purposes of this subsection, a parcel need not be a legally subdivided lot if it is  
2852 permitted to allow a unified use.

2853 (c) Vertical structural supports for ground signs shall be concealed in an enclosed base.  
2854 The width of such enclosed base shall be equal to at least two-thirds ( $\frac{2}{3}$ ) the horizontal width of  
2855 the sign surface. A planter structure shall enclose the foot of the base. The planter shall be between  
2856 two (2) feet and three (3) feet in height above the ground, with a minimum length equal to the  
2857 width of the sign and a minimum width of three (3) feet. The base and planter shall be constructed  
2858 of brick, or alternate features such as rock, stone and metal structures may be approved if the  
2859 Planning Manager determined that the alternative would be consistent with the purposes set forth  
2860 in Section 30.10.11.1. Any external above ground light source shall be located and hidden within

2861 the planter bed. Light sources located outside the planter bed shall be in a burial fixture. The  
2862 maximum height of the entire sign structure shall be fifteen (15) feet above the elevation of the  
2863 nearest sidewalk. The planter setback shall be a minimum of five (5) feet from the right-of-way.

2864 (d) The maximum permissible ground sign copy area shall be one hundred (100) square  
2865 feet. Ground sign base, sides and top shall be excluded from the sign area calculation.

2866 (e) The total maximum permissible copy area on a parcel for both wall signs and  
2867 ground signs shall be two (2) square feet for each linear foot of building frontage.

2868 (f) Pole signs, portable signs, temporary signs, off-premise signs and all other forms  
2869 of signage are prohibited except that signs on or attached to bus shelters with or without kiosks,  
2870 real estate signs, political signs, outdoor advertising signs, one (1) construction sign per project,  
2871 banner signs consistent with ~~Subparagraph 30.1243(2)~~ Section 30.13.3, and signs to mitigate  
2872 impacts of road construction projects shall be permitted. (Note: In the case of Dick Baird, Inc.  
2873 d/b/a Baird Ray Nissan vs. Seminole County (Eighteenth Judicial Circuit Court, March 6, 1995,  
2874 Case Number 93-118, certiorari denied, Fifth District Court of Appeal, November 16, 1995) a  
2875 three judge panel of the Circuit Court ruled that the Land Development Code's limitation of the  
2876 number of American flags displayed on a parcel was invalid.)

2877 \* \* \*

2878 **Sec. 30.10.12. Oxford Place Overlay District.**

2879 \* \* \*

2880 30.10.12.8 Special exceptions. The Board of County Commissioners may permit any of  
2881 the following uses upon making the findings of fact required by Section ~~30.1.5(a)~~ 30.3.1.5 of this  
2882 Code:

2883 (a) Communication towers; and

2884 (b) Auto-oriented business, such as, but not limited to, convenience stores, gas stations,  
2885 car washes, businesses, and restaurants with a drive-through are limited to properties adjacent to  
2886 the SR 436 and US 17-92 corridors.

2887 \* \* \*

2888 30.10.12.13 Open space, buffering, and landscaping.

2889 (a) Open Space.

2890 (1) Open space shall be provided at a minimum of fifteen (15) percent of the  
2891 gross project site for each development parcel and in compliance with Section 30.14.2.4 of this  
2892 Code unless otherwise stated.

2893 (2) Open space areas shall not contain mechanical units and equipment, storage  
2894 areas, or other service-related functions.

2895 (3) For development west of Oxford Road open space areas may include up to  
2896 seventy-five (75) percent of stormwater retention ponds subject to Section ~~30.14.2.4(f)~~  
2897 30.14.2.3(D).

2898 (4) Open Space within any development site must include continuous  
2899 walkways linking buildings together and at least two (2) of the following features:

- 2900 a. Outdoor patio/cafe seating areas;
- 2901 b. Pedestrian plazas/kiosk areas;
- 2902 c. Water features with seating areas;
- 2903 d. Rain gardens and/or bioswales;
- 2904 e. Stormwater planters.

2905 (5) Open Space areas not containing hardscape, specific amenities, or  
2906 landscaping shall be sodded.

2907 (b) Buffering.

2908 (1) Buffers within the Overlay District shall be required as follows:

2909 a. On development sites adjacent to the District perimeter boundary  
2910 not facing US 17-92 and SR 436, buffering shall be provided along the boundary in accordance  
2911 with Chapter 30 ~~Part 67~~ Part 14, except that no such buffer shall have an opacity of less than 0.3  
2912 as specified in Section ~~30.14.5(b)(1)~~ 30.14.6(a).

2913 b. On development sites adjacent to the District perimeter boundary  
2914 facing US 17-92 and SR 436 shall provide the following buffering facing said roadways:

2915 1. Adjacent to overhead utilities:

2916 Five (5) understory trees per one hundred (100) feet of roadway  
2917 frontage.

2918 Five (5) shrubs per one hundred (100) feet of roadway frontage.

2919 Three (3) foot tall continuous hedge.

2920 2. No overhead utilities:

2921 Five (5) canopy trees per one hundred (100) feet of roadway  
2922 frontage.

2923 Five (5) shrubs per one hundred (100) feet of roadway frontage.

2924 Three (3) foot tall continuous hedge.

2925 c. On any development site, including parcels internal to the District,  
2926 buffering may be required by the Board of Adjustment as a condition of approval for a variance or  
2927 by the Board of County Commissioners for a special exception pursuant to Section 30.3.1.5.

2928 (c) General Landscaping.

2929 (1) Landscaping not associated with buffers or parking lots shall be provided  
2930 within required open space areas, and meet the following criteria:

2931 a. Required plantings per one thousand (1,000) square feet of building  
2932 footprint area:

2933 One (1) canopy tree.

2934 Two (2) understory trees.

2935 Seventeen (17) shrubs.

2936 At the applicant's discretion, two (2) understory trees may be substituted for  
2937 each one (1) required canopy tree.

2938 b. General landscaping shall be provided on the ground, and/or in tree  
2939 wells, pots or raised planter boxes, within a specified distance from a building as follows:

Canopy trees	20 feet
Understory trees	10 feet
Shrubs	10 feet

2940 c. All general landscape plantings shall be visible from a public or  
2941 private street, bicycle path, or pedestrian walkway.

2942 \* \* \*

2943 30.10.12.15 Signage.

2944 (a) [Existing signs.] Business signs which conform to Part 65 Sign Regulations,  
2945 SCLDC existing as of the effective date of the Oxford Place Overlay District Ordinance may  
2946 continue in place and shall not require alternation or removal until such time as the property is  
2947 redeveloped. Existing signs may be repaired, maintained or replaced in accordance with Part 65  
2948 Sign Regulations, SCLDC.  
2949

2950 (b) [New signs.] New signs within the Oxford Place Overlay District shall comply with  
2951 the standards of Chapter 30, Part 13, except for wall signs, which shall meet the following  
2952 standards:

2953 (1) Wall ~~(building)~~ Signs.

2954 a. ~~Wall signs may not be used in conjunction with blade signs; Must~~  
2955 comply with the requirements of Sec. 30.13.3(3).

2956 b. ~~Commercial uses (retail, office and restaurant):~~ One sign per tenant  
2957 space; area to be calculated at 0.5 square feet per linear foot of public street frontage with a  
2958 maximum of thirty (30) square feet;

2959 ~~c. Second floor commercial uses may also be permitted one second-~~  
2960 ~~floor wall sign per tenant space per public street frontage; area to be calculated at 0.25 square feet~~  
2961 ~~per linear foot of second floor frontage along that public street;~~

2962 ~~d.c.~~ Live-work and home occupations: One sign limited to an area of  
2963 eight (8) square feet maximum.

2964 ~~e.d.~~ May encroach a maximum of twelve (12) inches over a sidewalk  
2965 while maintaining a vertical clearance of eight (8) feet from the finished sidewalk;

2966 ~~f. Wall signs should not obscure windows, grill work, piers, pilasters,~~  
2967 ~~and ornamental features. Typically, wall signs should be centered on horizontal surfaces (i.e., over~~  
2968 ~~a storefront opening); and~~

2969 ~~g. Wall signs may be internally or externally lit. Cutoff fixtures shall~~  
2970 ~~be angled toward the face of the wall sign and shall complement the design of the building through~~  
2971 ~~style, material and color.~~

2972 **Figure 9: Wall (Building) Sign Illustrative Examples**



2973

2974

~~(2) Window Signs.~~

2975

~~a. Window signs may be used in conjunction with other signs;~~

2976

~~b. Limited to thirty (30) percent of the window area; and~~

2977

~~c. The following shall be exempt from this limitation:~~

2978

~~i. Addresses, closed/open signs, hours of operation, credit card~~

2979

~~logos, real estate signs, and now hiring signs shall be limited to ten (10) percent of the window~~

2980

~~area.~~

2981

**Figure 10: Window Signs Illustrative Examples**



2982

2983

~~(3) Blade Signs.~~

2984

~~a. Blade signs may not be used in conjunction with wall signs;~~

2985

~~b. Shall be permitted for all commercial uses only (retail, restaurant, and~~

2986

~~office);~~

2987

~~c. Maximum four (4) square feet per sign face;~~

2988

~~d. May encroach a maximum of three (3) feet over a public sidewalk/R-O-~~

2989

~~W; and~~

2990

~~e. Blade signs may be attached to the building or hung under the soffit of an~~

2991

~~arcade or under a canopy/awning while maintaining a vertical clearance of eight (8) feet from the~~

2992

~~finished sidewalk.~~

2993 **Figure 11: Blade Signs Illustrative Examples**



2994

2995 (4) ~~Awning Signs.~~

2996 a. ~~Awning signs may not be used in conjunction with canopy signs;~~

2997 b. ~~The character height shall not exceed two thirds ( $\frac{2}{3}$ ) of the height of~~  
2998 ~~the face (vertical or near vertical part) of the awning;~~

2999 c. ~~When possible, signs shall be horizontally and vertically centered~~  
3000 ~~on the face of the awning; and~~

3001 d. ~~The sign shall not exceed one square foot per linear foot of canopy~~  
3002 ~~face length.~~

3003 **Figure 12: Awning Signs Illustrative Examples**



3004

3005 (5) ~~Canopy Signs.~~

3006 a. ~~Canopy signs may not be used in conjunction with awning signs;~~

3007 b. ~~The placement of this type of sign shall be limited to the canopy face~~  
3008 ~~length;~~

3009 c. ~~No sign shall project beyond the perimeter of the canopy; and~~

3010 d. ~~The sign shall not exceed one square foot per linear foot of canopy~~  
3011 ~~face length.~~

3012 **Figure 13: Canopy Signs Illustrative Examples**



3013

~~(6) — Menu Board Signs.~~

3014

~~a. — One menu board shall be allowed per street address;~~

3015

~~b. — Menu boards shall not exceed eight (8) square feet in size and shall~~

3016

~~be positioned so as to be adjacent to the restaurant or business listed on the board and information~~

3017

~~on the board shall advertise exclusively the goods and services of the business and be placed in a~~

3018

~~manner which is clearly visible to pedestrian traffic and in compliance with all Americans with~~

3019

~~Disabilities Act (ADA) regulations;~~

3020

~~c. — Menu boards shall not be placed in the right-of-way;~~

3021

~~d. — All standing menu signs shall be removed at the end of each business~~

3022

~~day; an~~

3023



~~e. — All wall menu signs shall be securely anchored to a wall.~~

3024

~~Figure 14: Menu Board Signs Illustrative Examples~~

3025



3026

~~(7) — Wayfinding Signs.~~

3027

~~a. — Internal development wayfinding signs may provide location maps,~~

3028

~~directions, general information and special notices to add liveliness of the development, as shown~~

3029

~~on Figure 15. The signs shall be designed to match the site architecture and be integrated into the~~

3030

~~layout of pedestrian circulation areas.~~

3031

3032 b. ~~Wayfinding signs may be placed on private property or within~~  
3033 ~~public right of way with a Right of Way Use Permit but shall not block site lines or impede safe~~  
3034 ~~American with Disabilities Act (ADA) access.~~

3035 **Figure 15: Wayfinding Signs Illustrative Examples**



3036  
3037 (8) ~~Gateway Feature Entrance Signs.~~

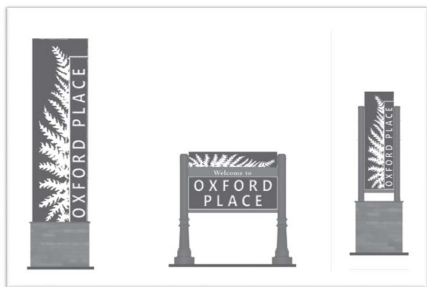
3038 a. ~~Gateway Feature Entrance signs are permitted at the main entrances~~  
3039 ~~of Oxford Place at the intersections of:~~

- 3040 i. ~~US Hwy 17 92 and the Fern Park Boulevard Extension;~~  
3041 ii. ~~US Hwy 17 92 and Fernwood Boulevard; and~~  
3042 iii. ~~SR 436 and Oxford Road~~

3043 b. ~~Gateway Feature Entrance Signs may be placed on private property or~~  
3044 ~~within public right of way with a Right of Way Use Permit.~~

3045 c. ~~Gateway Feature Entrance Signs shall not block site lines or impede safe~~  
3046 ~~American with Disabilities Act (ADA) access.~~

3047 **Figure 16: Gateway Feature Entrance Signs Illustrative Examples**



3048

3049

\* \* \*

3050

**Sec. 30.10.14. Overlay Areas of the Urban Centers and Corridors Overlay.**

3051

30.10.14.1. Creation of Overlay Areas.

3052

(a) The Seminole County Comprehensive Plan requires the Core Area be established within the Land Development Code.

3054

(b) This section establishes the criteria for the Core Area.

3055

(c) Properties located within the Core Area are eligible for density and intensity incentives per the Urban Centers and Corridors Bonus Program, which is outlined in the Comprehensive Plan.

3058

(d) Properties located in the Urban Centers and Corridors but not within the Core Area shall be known as the “Remainder Area.”

3060

30.10.14.2. Purpose.

3061

The purpose of the Core Area is to:

3062

(a) Encourage phased, infill, and redevelopment in a compact and walkable form;

3063

(b) Promote a mix of jobs and housing;

3064

(c) Support multimodal transportation and reduce sprawl; and

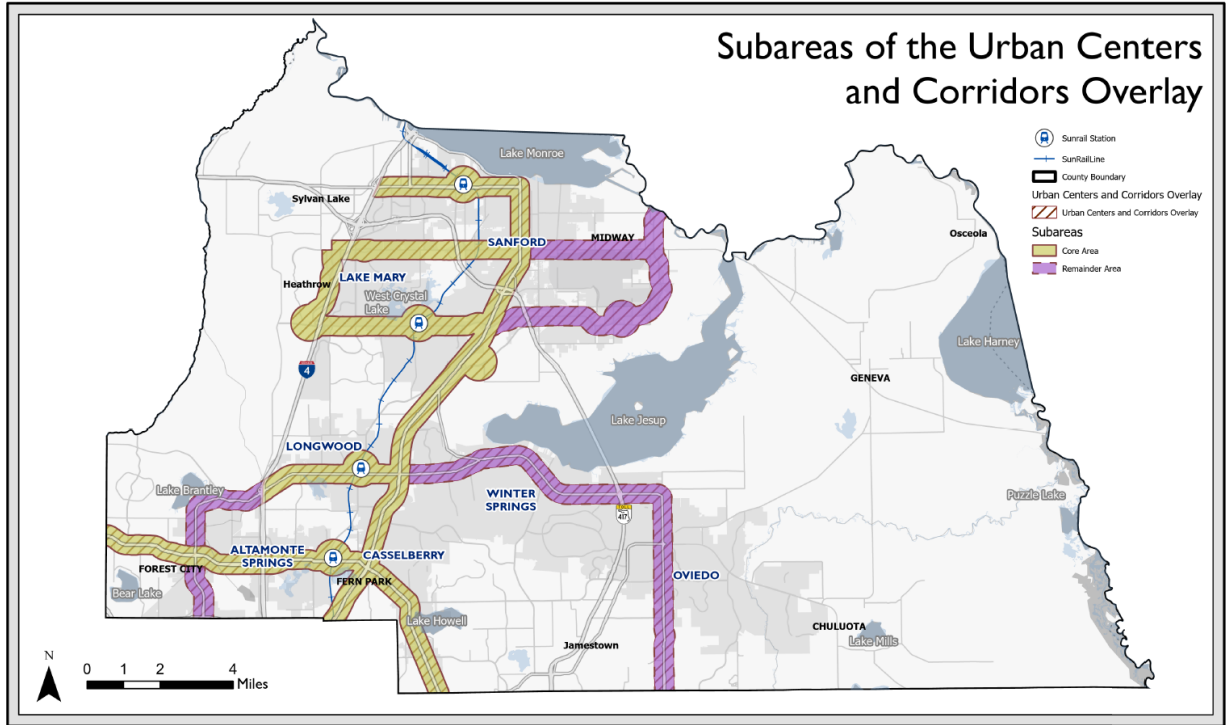
3065

(d) Incentivize affordable and workforce housing by the private sector.

3066

30.10.14.3. Core Area Map.

3067            The Core Area Map illustrates those portions of the Urban Centers and Corridors Overlay  
3068 that are part of the Core Area. All areas not designated as part of the Core Area are consider the  
3069 “Remainder Area” and subject to the standards thereof.



3070  
3071 Core Area Overlay Map

3072                    **PART 11. PARKING AND LOADING REGULATIONS**

3073                    \*            \*            \*

3074                    **Sec. 30.11.4. Parking reductions and exceptions.**

3075                    30.11.4.1 Administrative variances. Consistent with sound engineering practices or federal  
3076 or state law, the Development Services Director may approve a variance to the following off-street  
3077 parking standards under the following conditions:

3078 (a) When granting such variance would protect and encourage the preservation of large  
3079 canopy, specimen or historic trees, or significant areas of existing native vegetation or preserve  
3080 existing historic buildings:

3081 (1) Reduction of the number of required off-street parking spaces. A maximum  
3082 reduction of one (1) parking space or five (5) percent of the total number of parking spaces  
3083 required, whichever is greater, may be permitted.

3084 ~~(2) Reduction of the size of required off street parking spaces. Up to fifty (50)~~  
3085 ~~percent of the total required two hundred (200) square feet with a minimum width of ten (10) feet~~  
3086 ~~and a minimum length of twenty (20) feet ninety degree parking spaces may be reduced to a stall~~  
3087 ~~size of nine (9) feet by eighteen (18) feet to encourage the preservation of significant trees and~~  
3088 ~~native vegetation.~~

3089 ~~(3)~~(2) Reduction of the amount of paved area. Paving requirements may be  
3090 reduced up to twenty-five (25) percent of the total number of required parking spaces. All unpaved  
3091 parking spaces shall be clearly delineated on the site plan and should be located at the periphery  
3092 of the building site or otherwise located where such spaces are unlikely to be used on a continuing  
3093 basis. The unpaved portion shall have a gravel, mulch, grass, turf block or any durable dust-free  
3094 surface placed atop Geoweb or another structural component to ensure vehicles are supported as  
3095 approved by the Public Works Director or County Engineer. The area waived from paving  
3096 requirements shall not be credited as part of the required landscaped area or open space and  
3097 stormwater management standards shall apply.

3098 (b) ~~For existing developed properties on small sites when granting such a variance~~  
3099 ~~would preserve existing infrastructure:~~

3100 (1) For existing developed properties of less than three (3) acres when granting a variance  
3101 would preserve existing infrastructure: if complying with the requirements of this Part would  
3102 render the property unusable for the continuation of uses similar to the historic use of the property  
3103 or require demolition of existing buildings to achieve an economically viable use, the Development  
3104 Services Director may grant a reduction in parking or parking lot landscaping requirements  
3105 sufficient to continue economic viability of the property without the need to demolish buildings  
3106 on the property or adjacent sites.

3107 \* \* \*

3108 **Sec. 30.11.5. Electrical vehicle (EV) readiness.**

3109 ~~30.11.5.1 Purpose. The requirements of this Part are intended to provide electric vehicle~~  
3110 ~~charging abilities distributed throughout the County to serve public mobility needs, prepare for~~  
3111 ~~emerging electric vehicle technologies, improve air quality, and achieve County sustainability~~  
3112 ~~goals.~~



3113 ~~30.11.5.2 Applicability. The requirements of this Part shall apply to new development or~~  
3114 ~~substantial enlargement of structures. Only the new parking spaces added as part of a substantial~~  
3115 ~~enlargement are subject to the requirements of this Section.~~

3116 ~~30.11.5.3 General Requirements.~~

3117 (a) ~~EV Readiness requirements are categorized in two levels as follows:~~

3118 (1) ~~EV Capable: These parking spaces prepare for future Electric Vehicle~~  
3119 ~~Supply Equipment (EVSE) installation by providing dedicated electrical capacity sufficient for~~  
3120 ~~Level 2 charging or greater and conduit to the EV Capable space. These spaces do not require~~  
3121 ~~wiring to the space or a receptacle.~~

3122                   (2) — EVSE Installed: These parking spaces are reserved for EVs and provide  
3123 drivers the opportunity to charge electric vehicles using EV charging stations rated sufficient for  
3124 Level 2 charging or greater. These spaces should be installed per the requirements of the National  
3125 Electrical Code (NFPA 70) as adopted and amended by the State of Florida.

3126                   **30.11.5.4 Number of Spaces Required.**

3127                   (a) — The EV parking requirements are based on a percentage of the minimum required  
3128 parking spaces of this Part.

TYPE	EV Capable**	EVSE Installed (threshold)**
Certified Affordable Multi-Family Housing	20%	N/A
Structured Parking (except Certified Affordable Multi-Family Housing)	20%	2% (requirement begins at 50 spaces)
Surface Parking:		
Multi-Family and Hotel	20%	2% (requirement begins at 50 spaces)
Commercial* (office, retail, and public, recreational & institutional uses)	10%	2% (requirement begins at 250 spaces)
Industrial (employee parking only)	10%	2% (requirement begins at 250 spaces)
*Commercial projects for fuel retailers in which automotive services is the primary use are excluded from requirements contained in this Section.		
**All partial space requirements are rounded down. Percent of required parking spaces.		

3129                   **30.11.5.5 Location.**

3130                   (a) — For Planned Developments and major PD amendments, the number of EV Capable  
3131 and EVSE Installed required spaces must be indicated on the MDP and placement must be  
3132 identified during the final engineering/site plan approval. For all other projects the placement of  
3133 the EV Capable and EVSE Installed required spaces must be identified during the final  
3134 engineering/site plan approval process.

3135                   **30.11.5.6 Design.**

3136                   (a) — Charging equipment must be mounted on the wall or on a structure at the end of the  
3137 electric vehicle parking space provided.  
3138

3139           ~~(b) — No charging devices may be placed within the dimensions of a space, on the sides,~~  
3140 ~~or entrance to a space.~~

3141           ~~(c) — When cords and connectors are not in use, they shall be retracted or stored~~  
3142 ~~sufficiently high above the pedestrian surface and the parking lot as to prevent conflicts with~~  
3143 ~~pedestrians and vehicles.~~

3144           ~~(d) — Cords, cables, and connector equipment shall not extend across the path of travel~~  
3145 ~~in any sidewalk or walkway.~~

3146           ~~(e) — Equipment mounted on structures such as pedestals, lighting posts, bollards, or~~  
3147 ~~other devices shall be located in a manner that does not impede pedestrian, bicycle, or transit travel.~~

3148           ~~(f) — Alternative designs may be approved by the Planning Manager.~~~~(g) Additional~~  
3149 ~~landscape screening may be required for mechanical equipment such as transformers associated~~  
3150 ~~with charging equipment, consistent with mechanical equipment screening requirements.~~

3151           ~~**30.11.5.7 Accessibility.** A minimum of one (1) EVSE installed space must be ADA~~  
3152 ~~accessible. For projects with more than 25 EVSE installed spaces, additional accessible stations~~  
3153 ~~must be provided at a rate consistent with accessibility standards for general parking.~~

3154           ~~**30.11.5.8 Signage.** All EVSE installed parking spaces shall be designated with signage~~  
3155 ~~consistent with MUTCD standards.~~

3156           \*       \*       \*

3157           **Sec. 30.11.7. Miscellaneous design standards.**

3158           (a)     Hours of operation. Non-residential uses with after-hour deliveries or service for  
3159 late-night customers can generate noise and light during evening hours which may adversely  
3160 impact adjoining residences. When these activities occur on the side of a building site adjoining  
3161 residences, the hours of operation may be limited during the development approval process to any

3162 combination of hours between 7:00 a.m. and 11:00 p.m. as determined on a case-by-case basis by  
3163 the Planning Manager prior to issuance of any building permit for new construction, a building  
3164 addition, or a change in use; provided that in no event shall the Development Services Director  
3165 limit the hours of operation to less than twelve (12) consecutive hours. In the case of a rezoning to  
3166 Planned Development (PD), the Board of County Commissioners shall make the appropriate  
3167 findings for such limitations.

3168 (b) Cross-access easements. All development except single-family residential and  
3169 duplex uses, with parking lots or other direct access to a public road shall, as part of the  
3170 development approval process, establish cross-access easements which provide for the internal  
3171 connection of the parcel to adjacent parcels unless the Public Works Director makes a finding that  
3172 such joint-access is not feasible or practicable based upon circumstances unique to the properties.

3173 (c) Setbacks and clearance of residential garages.

3174 (1) Front-loaded garages on residential lots must be set back a minimum of  
3175 twenty (20) feet, or the minimum setback of the applicable zoning district, from the property line  
3176 that the garage door faces

3177 (2) Garage doors facing a rear alley

3178 a. If on-street parking is allowed, then the garage door, facing an alley,  
3179 must be set back from the edge of alley pavement as follows:

3180 1. Less than eight (8) feet or;

3181 2. More than twenty (20) feet.

3182 b. If on-street parking is not allowed, then the garage door, facing an  
3183 alley, must be set back more than twenty (20) feet from the edge of alley pavement

3184 (3) Attached single-family units with garages on public streets are required to  
3185 be served by an alley regardless of unit size, unless otherwise approved by the Board of County  
3186 Commissioners. On private streets, the Development services director may waive this based on  
3187 compatibility with surrounding area and configurations of the lots.

3188 \* \* \*

3189 **PART 13. SIGN REGULATIONS**

3190 \* \* \*

3191 **Sec. 30.13.3. Sign standards.**

3192 (a) On-premise permanent signs.

3193 (1) ~~Permanent.~~ In general.

3194 a. ~~Point of sale.~~ Maximum copy area.

3195 1.——Maximum allowable copy area for wall and ground/pole  
3196 signs, unless otherwise specified, shall be a total sign area of two (2) square feet for each linear  
3197 foot of primary building frontage. For buildings with a secondary frontage, a sign may be placed  
3198 on the secondary building frontage with a maximum copy area of one (1) square foot per linear  
3199 foot of the secondary frontage, unless prohibited by ~~located within~~ a special overlay district.

3200 2.——The total ~~point-of-sale sign~~ sign copy area on any site shall be the  
3201 sum of all wall signs, ground/pole signs, and window signs located on the subject property and  
3202 designed to be viewed from off the premises.

3203 b. Location Restrictions. Signs shall not be erected, constructed or  
3204 maintained so as to obstruct any fire escape or any window or door or opening used as a means of  
3205 egress or so as to prevent free passage from one part of a roof to any other part thereof. A sign

3206 shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner  
3207 as to interfere with any opening required for ventilation.

3208 c. Multi-Faced Signs. On any sign with more than one face, the  
3209 maximum number of surfaces visible from any location will be counted; provided, however, that  
3210 all surfaces of a multi-faced sign shall be equal in size and height and contained within a common  
3211 perimeter.

3212 d. Illumination. Sign lights shall be focused, directed, and so arranged  
3213 as to prevent glare or direct illumination or traffic hazard from said lights onto residential districts  
3214 or onto the abutting roadways. No flashing or pulsating lights shall be permitted on any sign. Lights  
3215 shall not exceed .5-foot candles at the property line.

3216 e. Visibility. No freestanding sign shall extend or be located within the  
3217 sight triangle.



3218 (2) Freestanding signs.

3219 a.3. Ground/Pole Signs.

3220 1. ~~aa.~~ Only one ground/pole sign shall be allowed per parcel  
3221 with four hundred (400) feet or less road frontage. If a parcel's road frontage exceeds four hundred  
3222 (400) feet and is less than seven hundred (700) feet, then a maximum of two (2) ground signs shall  
3223 be allowed, but no closer than three hundred (300) feet apart. If a road frontage of a parcel exceeds  
3224 seven hundred (700) feet, then a maximum of three (3) ground/pole signs shall be allowed, but no  
3225 closer than three hundred (300) feet apart. Ground/pole signs shall not be placed on lots with less  
3226 than forty (40) feet of road frontage.

3227 2. ~~bb.~~ The maximum height of the entire ground/pole sign  
3228 structure shall be fifteen (15) feet above the elevation of the crown of the road that the sign is  
3229 facing and intended to be viewed from including highways (e.g., Interstate 4).

3230 3. ~~ee.~~ No ground/pole sign nor its parts shall move, rotate, use  
3231 animation or flashing lights. Electronic message centers, including time and temperature displays  
3232 shall not display messages that give an illusion of motion and shall maintain each displayed  
3233 message for a minimum of five (5) seconds.

3234 4. ~~dd.~~ The sign pole or base must be set back a minimum of ten  
3235 ~~structure may be erected at the property line provided no part of the sign projects over the line and~~  
3236 ~~is no closer than ten-~~(10) feet ~~to from~~ the property line.

3237 5. Vertical structural supports for ground signs shall be  
3238 concealed in an enclosed base. The width of such enclosed base shall be equal to at least two-thirds  
3239 ( $\frac{2}{3}$ ) the horizontal width of the sign face. A planter structure shall enclose the foot of the base. The  
3240 planter shall be between two (2) and three (3) feet in height above the ground, with a minimum  
3241 length equal to the width of the sign and a minimum width of three (3) feet.

3242 4. ~~Sign lights shall be focused, directed, and so arranged as to~~  
3243 ~~prevent glare or direct illumination or traffic hazard from said lights onto residential districts or~~  
3244 ~~onto the abutting roadways. No flashing or pulsating lights shall be permitted on any sign. Lights~~  
3245 ~~shall not exceed .5 foot candles at the property line.~~

3246 b. Shopping center signs.

3247 1. Shopping Centers and Commerce Centers have a  
3248 concentration of businesses and non-commercial enterprises that may draw customers from  
3249 throughout the region. This section of code authorizes additional freestanding sign area beyond

3250 the limits of the base allowable copy area in Section 30.13.3(A)(1)(a). This sign area shall be based  
3251 on the total building area within the shopping centers as follows:

3252 Community Shopping Centers and Commerce Centers with a  
3253 building area of 150,000—399,999 sq. ft. shall be allowed an additional 150 sq. ft. of copy area  
3254 for a freestanding sign.

3255 Regional Shopping Centers and Commerce Centers with a building  
3256 area of 400,000 sq. ft. or more shall be allowed an additional 200 sq. ft. of copy area for a  
3257 freestanding sign.

3258 2. Shopping Center Signs are not counted towards maximum  
3259 sign copy area. The maximum copy area calculation shall be used to allot wall signage for each  
3260 tenant.

3261 b.c. Subdivision signs.



3262 1. May be located in any district, provided the development is  
3263 a permitted or approved use in such a district.

3264 2. Such signs shall not be located nearer than ~~twenty five (25)~~  
3265 five (5) feet from any intersection of the street right-of-way the property line, and shall be located  
3266 outside of any Sight Distance Triangle.

3267 3. Subdivision entrance gates and walls used as subdivision  
3268 signs may exceed the height limitations otherwise established when approved by the Board of  
3269 County Commissioners, provided same does not create a traffic hazard.

3270 4. In Residential Districts, there shall be no flashing or  
3271 animated signs. ~~Also, sign lights shall be so focused, directed, and so arranged as to prevent glare~~

3272 ~~or direct illumination or traffic hazard from said lights onto abutting property or adjacent streets~~  
3273 ~~or roads. Lights shall not exceed .5 foot candles at the property line.~~

3274 5. Subdivision signs shall not exceed forty-eight (48) square  
3275 feet in area or a maximum height of fifteen (15) feet above the elevation of the crown of the road.

3276 e.d. Flags. A maximum of four (4) flags may be placed on any parcel.  
3277 The maximum size of each flag shall be thirty-five (35) square feet. Should the property owner  
3278 desire, one (1) large flag, a flag not exceeding one hundred forty (140) square feet may be flown  
3279 in lieu of the four (4) smaller flags.

3280 e. Wayfinding Signs.

3281 1. Internal development wayfinding signs may provide  
3282 location maps, directions, general information and special notices to the development.

3283 2. One (1) sign per access point or internal driveway  
3284 intersection is permitted.

3285 3. If less than four (4) square feet, wayfinding signs do not  
3286 count towards maximum sign copy area.

3287 **Figure 13.3A Wayfinding Signs Illustrative Examples**



3288

3289 (3) Wall signs

- 3290 a. Wall signs are subject to the maximum allowable copy area  
3291 calculation but are limited to a maximum of 200 square feet;
- 3292 b. Wall signs may be used in conjunction with blade signs;
- 3293 c. Wall signs should not obscure windows, grill work, piers, pilasters,  
3294 or ornamental features. Typically, wall signs should be centered on horizontal surfaces;
- 3295 d. Electronic messaging associated with wall signs is not permitted;  
3296 and
- 3297 e. Awning and canopy signs shall follow the same provisions as wall  
3298 signs.

3299 **Figure 13.3B Wall sign Illustrative Examples**



3301 **Figure 13.3C Awning Signs Illustrative Examples**



3303 **Figure 13.3D Canopy Signs Illustrative Example**



3304

(4) Window graphics and signs.

3305

3306 a. Window graphics and signs may be used in conjunction with other  
3307 signs;

3308 b. Window graphics and signs are limited to thirty (30) percent of the  
3309 window area. The following shall be exempt from this limitation: Addresses, closed/open signs,  
3310 hours of operation, credit card logos, real estate signs, and now hiring signs.

3311 **Figure 13.3E Window Signs Illustrative Examples**



3312

(5) Blade signs.

3313

3314 a. Blade signs may be used in conjunction with wall signs;

3315 b. Blade signs shall be permitted for uses allowed in the Commercial  
3316 and Industrial Districts;

3317 c. Only one blade sign per establishment is permitted;

3318 d. The maximum allowable copy area for the blade sign shall be four  
3319 (4) square feet per sign face and does not count towards the maximum allowable copy area for on-  
3320 premise permanent signs;

3321 e. A blade sign may encroach up to three (3) feet over a private  
3322 sidewalk, measured horizontally from the face of the wall, while maintaining a vertical clearance  
3323 of eight (8) feet from the finished sidewalk.

3324 **Figure 13.3F Blade Signs Illustrative Examples**



3325  
3326 ~~(2)~~(b) On-premise Temporary signs.

3327 ~~a.~~(1) Trailer signs.

3328 ~~1.~~a. Each property owner, or his properly licensed agent shall prior to  
3329 displaying each sign upon any premise, secure a permit for each sign from the Building Division  
3330 of Seminole County. A permit shall not be valid for longer than a period of thirty (30) days, after  
3331 which time, the trailer sign shall be removed from the premises. A permit cannot be renewed nor  
3332 can a permit be obtained for the same business within a period of sixty (60) days after the removal  
3333 of a trailer sign from the premises. No more than three (3) permits may be issued to the same  
3334 business location in any one calendar year. Any business failing to remove a trailer sign from their  
3335 premises, within five (5) days after the expiration or revocation of their permit, will be prohibited

3336 from obtaining a permit for a trailer sign at that business location, for a period of one hundred  
3337 twenty (120) days following the removal of the sign.

3338 ~~2.~~b. Trailer signs may be placed at the property line provided no traffic  
3339 hazard is created, in which case, they shall be set back a minimum of ten (10) feet, and providing  
3340 they are no closer than ten (10) feet to the paved surface of the road.

3341 ~~3.~~c. The placement of a trailer sign in a parking space that is required to  
3342 meet the minimum parking requirements shall be prohibited.

3343 ~~4.~~d. The placement of a trailer sign in the public right-of-way will be  
3344 cause for the revocation of the permit.

3345 ~~5.~~e. Trailer signs, exclusive of the transportation mechanism, shall not  
3346 exceed the exterior measurements of eight (8) feet in height or fourteen (14) feet in length, and  
3347 shall not exceed a maximum of one hundred (100) square feet in area per face.

3348 ~~6.~~f. Trailer signs shall be limited to commercial and industrial districts.

3349 ~~7.~~g. There shall be a maximum of one (1) trailer sign per business  
3350 location with a minimum spacing of two hundred (200) feet between any two (2) trailer signs on  
3351 the same side of the road and no more than three (3) trailer signs every one thousand (1,000) feet  
3352 on the same side of the road. Business location refers to a legally subdivided parcel of land on  
3353 which there may be one or more separate businesses. By way of illustration, a shopping center  
3354 with multiple tenants, is classified as one business location.

3355 ~~8.~~h. Each trailer sign, when in use, shall, in some manner, be securely  
3356 fastened to a permanent structure or the ground; further, each trailer sign shall have its wheels  
3357 locked so that only the person renting, leasing, owning, or providing the sign shall have the  
3358 capability of unlocking the wheels.

3359                    ~~9~~-i. All incandescent bulbs in, on, or attached to any trailer sign shall be  
3360 P.A.R.-rated outdoor lamps of not more than one hundred (100) watts; however, spot-type bulbs  
3361 shall be prohibited on all trailer signs.

3362                    ~~10~~-j. Each trailer sign shall have permanently affixed and prominently  
3363 displayed the name, business address, and/or phone number of the owner of the sign.

3364                    ~~11~~-k. The owner of any business location, with multiple tenants, may elect  
3365 to provide the tenants a reasonable opportunity to utilize temporary advertising for special sales or  
3366 promotions by entering into an agreement with Seminole County whereby all trailer signs would  
3367 be restricted from the property and permanent changeable copy ground signs could be installed. In  
3368 order to utilize this option, the owner of the business location shall sign a development order that  
3369 would prohibit trailer signs from being placed on the property. The development order would  
3370 permit the property owner to erect permanent, changeable copy reader board ground signs on the  
3371 property. One (1) reader board ground sign, up to a maximum of three (3) signs per site may be  
3372 authorized for each three hundred (300) feet, or fraction thereof, of the business location frontage  
3373 along the primary road adjacent to the site. Each reader board ground sign shall be enclosed in a  
3374 brick or masonry base, or other material as approved by the current Planning Division, whose  
3375 exterior dimensions shall not exceed a height of eight (8) feet or a length of fourteen (14) feet. The  
3376 copy area of the sign will not be counted against the allotted point-of-sale copy area, and the sign  
3377 shall maintain a one hundred (100) feet separation from any ground/pole sign on the property.

3378                    ~~b~~-(2) *Real estate signs.*

3379                    ~~4~~-a. In residential districts signs shall not exceed six (6) square feet in  
3380 area unless the tract size is in excess of two (2) acres. If the tract size is in excess of two (2) acres,  
3381 signs shall not exceed sixty-four (64) square feet.

3382                    ~~2.~~b. In residential districts where a subdivision is being developed or  
3383 offered for sale, a combination of real estate and subdivision sign, maximum size of two hundred  
3384 (200) square feet, may be erected on the property which is being developed or offered for sale until  
3385 such time as the subdivision is completed.

3386                    ~~3.~~c. In residential districts, no sign over six (6) square feet shall be  
3387 erected closer than one hundred (100) feet from the nearest existing house.

3388                    ~~4.~~d. In commercial, agricultural, and industrial districts, real estate or  
3389 combination real estate and subdivision signs shall not exceed three hundred (300) square feet.

3390                    ~~5.~~e. No more than one (1) real estate sign or combination real estate and  
3391 subdivision sign may be erected on any one road frontage for each tract or parcel of land offered  
3392 for sale or lease.

3393                    ~~6.~~f. The maximum height of the sign structure shall not exceed fifteen  
3394 (15) feet above the elevation of the crown of the road.

3395                    ~~e.~~(3) *Construction signs.*

3396                    ~~4.~~a. No more than two (2) signs denoting the owner, architect, engineer,  
3397 financial institution, or contractor may be erected on a lot or parcel of land under construction. The  
3398 total copy area of both signs shall not exceed one hundred (100) square feet. The sign must be  
3399 removed prior to the issuance of the certificate of occupancy.

3400                    ~~2.~~b. Such signs must be set back in accordance with the building setback  
3401 requirements of the district.

3402                    ~~e.~~(4) *Banners, pennants, balloons, streamers, and similar displays.* Banners,  
3403 pennants, balloons, streamers, and similar displays shall be allowed:

3404 ~~1.a.~~ One (1) time only for a new business, from two (2) weeks prior to  
3405 the opening/grand opening until one (1) month after the opening/grand opening.

3406 ~~2.b.~~ For ~~noncommercial~~ activities on parcels or lots in residential  
3407 districts, from one (1) month prior to the activity until two (2) weeks after the activity.

3408 ~~e.(5)~~ *Motor vehicle sign.* A motor vehicle sign as hereinbefore defined shall not  
3409 be parked and left unattended when utilized primarily as a means of promotion or advertising.

3410 ~~f.(6)~~ *Inflatable advertisement.* Inflatable advertising signs shall be allowed only  
3411 one (1) time per year for any business location or shopping center. The permit shall be valid for  
3412 no more than seven (7) days, and said sign shall not exceed a height of thirty (30) feet nor exceed  
3413 a maximum of three hundred (300) square feet of copy area.

3414 ~~g.(7)~~ *Signs to mitigate impacts of road construction projects.* Temporary signs  
3415 shall be allowed on properties assigned a commercial or industrial zoning classification during the  
3416 time period in which a road construction project impairs access to or visibility of a parcel and the  
3417 commercial enterprise located thereon. Such signage shall be temporary in design and construction  
3418 and shall not be permanently affixed to any structure of whatsoever type or nature. Such signage  
3419 shall not exceed thirty-two (32) square feet in size per parcel and may consist of banners or trailer  
3420 signs. The permit issued for such signage shall be valid for during the period which active road  
3421 construction is occurring as determined by the Planning Manager in conjunction with the County  
3422 Engineer. Such signage shall be removed not later than five (5) days after active road construction  
3423 has permanently ceased for the road construction project as determined by the Planning Manager  
3424 in conjunction with the County Engineer.

3425 ~~(b)(c)~~ *Off-premise signs.*

3426 (1) ~~Permanent.~~ Outdoor advertising signs

3427 a. ~~Outdoor advertising signs.~~

3428 ~~1-a.~~ Shall be permitted as specified in the applicable zoning  
3429 classifications.

3430 ~~2-b.~~ Shall be setback in accordance with the applicable building setback  
3431 requirements for the zoning districts and shall not be located nearer than one hundred (100) feet to  
3432 a residential district. All structures shall be of all steel construction and of a monopole design. The  
3433 base of each structure shall be surrounded by a five (5) foot deep landscaped bufferyard. The  
3434 landscaped bufferyard shall be planted with suitable landscaped material, and maintained so as to  
3435 ensure a minimum landscape screen of six (6) feet in height and seventy-five (75) percent opacity  
3436 with one (1) year of planting.

3437 ~~3-c.~~ On all limited access roads, except the circumferential toll  
3438 expressway, commonly referred to as The Beltway, such signs shall be no closer than two thousand  
3439 (2,000) feet from any other outdoor advertising sign on the same side of the highway, one thousand  
3440 (1,000) feet radial distance from any other outdoor advertising sign on the same road or within five  
3441 hundred (500) feet of an exit or on ramp. Outdoor advertising signs, except for FDOT "Logo"  
3442 format signs, shall not be permitted adjacent to the Beltway.

3443 ~~4-d.~~ On all other state and County roads, such signs shall be no closer  
3444 than two thousand (2,000) feet from any outdoor advertising sign on the same side of the road, one  
3445 thousand (1,000) feet radial distance from any other outdoor advertising sign on the same road,  
3446 nor closer than one hundred fifty (150) feet from any ground/pole sign on the same side of the  
3447 road.

3448 ~~5-e.~~ "V" signs are permitted, provided they are constructed with an inner  
3449 angle not to exceed thirty (30) degrees.

3450 ~~6.f.~~ No single-faced billboard shall have an interior angle from road to  
3451 face of sign in excess of forty-five (45) degrees, and shall be installed to minimize a view of the  
3452 rear of a sign.

3453 7. g. Maximum size of outdoor advertising signs along limited access  
3454 roads shall not exceed a maximum gross area of six hundred seventy-two (672) feet, and the  
3455 maximum height of the sign structure shall not exceed thirty (30) feet above the crown of the road  
3456 which the sign is designed to serve. On all other state and County roads, the maximum size of  
3457 outdoor advertising signs shall not exceed four hundred (400) square feet and the maximum height  
3458 of the structure shall exceed thirty (30) feet above the crown of the road on which the sign is  
3459 designed to serve.

3460 ~~b.(2)~~ *Public information signs.* Directional signs for public facilities, non-profit  
3461 organizations, and civic assembly may be erected on private property in the OP district and any  
3462 commercial or industrial district. Such signs may also be placed in the A-1 district, if approved by  
3463 the Board of County Commissioners, upon determination that the signs would not be incompatible  
3464 with the character of the area or neighborhood. Placement of such signs must be in accordance  
3465 with the following restrictions:

3466 ~~1.a.~~ A maximum of two (2) signs per facility, organization, or church  
3467 may be permitted. Each sign will be limited to six (6) square feet in area and six (6) feet in height,  
3468 and may be located no closer than one hundred (100) feet to any other ground/pole sign.

3469 ~~2.b.~~ Copy of such sign will be limited to the name of the facility,  
3470 organization, or houses of worship (civic assembly), and direction to its location.

3471 ~~3.c.~~ No such sign may be erected without verification from the Planning  
3472 & Development Division that the sign and its proposed location comply with these regulations.

3473                   4.d. A public information sign will be removed when the County makes  
3474 a determination that such sign is no longer compatible with adjacent land uses or otherwise not in  
3475 conformity with this Part.

3476                   ~~e.~~(3) *Advertising benches and shelter.* Benches and shelters, with or without  
3477 kiosks, that display advertising may be placed in close proximity to a bus stop, either in the public  
3478 right-of-way or immediately adjacent to the right-of-way, and may be maintained in Seminole  
3479 County for the use and convenience of the general public. The placement of such benches and  
3480 shelters must be in accordance with a written agreement between the firm supplying the benches  
3481 and shelters and Seminole County. Such agreement must include, but is not limited to:

- 3482                   1.a. Location, size, and construction of benches and shelters;  
3483                   2.b. Permitting and removal procedures; and  
3484                   3.c. Maintenance and insurance responsibilities of permit holder.

3485                   ~~(2)~~ *Temporary.*

3486                   ~~a.~~(4) *Special event signs.* Special event signs may be displayed a maximum of  
3487 seven (7) days following the event.

3488                   \*       \*       \*

3489                   **Sec. 30.13.5. Prohibited signs.**

3490                   The following signs are prohibited:

3491                   ~~(1)~~(a) Snipe signs.

3492                   ~~(2)~~ *Freestanding signs.*

3493                   ~~(3)~~ *Any sign containing statements, words, or pictures of an obscene nature*

3494                   ~~(4)~~(b) Any sign which obstructs the view in any direction at a street, road, or access drive.

3495           ~~(5) — Any sign which advertises or announces any activity, business, product, service,~~  
3496 ~~special event, or issue which is no longer produced, conducted or at issue.~~

3497           ~~(6)(c)~~ Banners, pennants, flags, balloons and similar displays, unless otherwise provided  
3498 for in this Part.

3499           **Sec. 30.13.6. Nonconforming signs.**

3500           Any sign which conformed to the existing zoning regulations when erected and  
3501 subsequently is declared nonconforming due to the enactment of this Part or any amendment to  
3502 the zoning regulations may continue in place subject to the following provisions:

3503           (a)     Outdoor advertising signs.

3504                   (1)     Signs that are nonconforming due to zoning may not be moved, structurally  
3505 altered, or repair work accomplished that would require replacement of more than fifty (50) percent  
3506 of any one (1) sign's supporting members without complying with all provisions of this Part.

3507                   (2)     Signs that are nonconforming on the effective date of Ordinance 90-9 (April  
3508 24, 1990), due to size, height or construction requirements shall be brought into compliance with  
3509 the size, height and construction standards set forth in this Code prior to February 1, 2001.

3510                   (3)     Notwithstanding anything provided in subsection (2) to the contrary, in  
3511 furtherance of Section 479.15, Florida Statutes, this Section shall not require the alteration or  
3512 removal of any signs declared nonconforming by this Part that were lawfully erected along any  
3513 portion of the interstate or federal-aid primary highway system. Provided, however, that an  
3514 applicant for a permit to construct a new sign located adjacent to the interstate or federal-aid  
3515 primary highway system or to rebuild a previously nonconforming sign located adjacent to the  
3516 interstate or federal-aid primary highway system shall construct the sign in accordance with the  
3517 standards of this Part.

3518 (b) ~~Point of sale signs.~~ All other nonconforming signs.

3519 (1) Any nonconforming sign must be removed when the business or use it  
3520 advertises is discontinued. Any replacement sign must conform to all existing regulations.

3521 (2) Any sign nonconforming due to height restrictions shall be brought into  
3522 conformity with the height requirements prior to May 1, 1994. In any case where the owner of a  
3523 sign or the owner of the property on which the sign is located alleges that the lowering of the sign  
3524 would create a unique hardship, such an owner may request that a variance be granted by the Board  
3525 of Adjustment. Such request must be filed within thirty (30) days of the sign owner or the property  
3526 owner receiving written notice from the Planning Division directing that the sign be lowered. The  
3527 Board of Adjustment shall hear the variance request at a public meeting and may grant a variance  
3528 after finding that, based on competent and substantial evidence, the lowering of the sign would  
3529 create a unique hardship on the owner of the sign or the property owner.

3530 (3) Any sign nonconforming due to the utilization of movement or the illusion  
3531 of motion shall be brought into conformity prior to December 1, 1990.

3532 (4) All nonconforming banners, pennants, flags, balloons, streamers, wind  
3533 driven devices and similar displays shall be removed prior to June 1, 1990.

3534 (c) No sign shall be construed to be a nonconforming sign if it was erected without a  
3535 building permit having been obtained and/or without the prior approval of the Planning Division.

3536 \* \* \*

3537 **Sec. 30.13.16. RP and OP signage regulations.**

3538 ~~30.13.16.1 Each building lot shall be permitted one (1) identification sign, not to exceed~~  
3539 ~~sixteen (16) square feet in area. Such sign shall not exceed fifteen (15) feet in height and not be~~

3540 closer than ten (10) feet to any lot line. Except for a single identification sign and the usual address  
3541 sign, no other signs shall be permitted.

3542 Freestanding signs are limited to a maximum of twenty-four (24) square feet.

3543 (a) Main entrance. At a main entrance to an office development, one (1) detached pole  
3544 sign giving the name of the principal tenant may be permitted. No sign shall exceed one (1) square  
3545 foot in area for each one (1) linear foot of lot frontage along the street on which the sign faces and  
3546 shall be limited to a total structure height of fifteen (15) feet above grade. A sign may be  
3547 illuminated provided the bulbs are not visible; however, no flashing lights or lights giving the  
3548 illusion of motion shall be permitted. Sign illumination shall be of low intensity so as not to be a  
3549 nuisance to surrounding areas.

3550 (b) Directory sign. A directory sign not intended or designed to be read from a roadway  
3551 may be permitted within the office complex.



3552 (c) Prohibited signs. The following types of signs shall be prohibited: Off-premises  
3553 advertising signs or billboards, trailer signs, snipe signs, and window signs which are visible from  
3554 any residential building or public right-of-way.

3555 \* \* \*

3556 **PART 14. LANDSCAPING, SCREENING, BUFFERING, AND OPEN SPACE**

3557 **Sec. 30.14.1. General Purpose and water efficient landscaping criteria, intent, and**  
3558 **definitions.**

3559 (a) The purpose of this Part, in general, is to provide for quality community character,  
3560 to shade impervious surfaces, to protect against potential land use conflicts, and to define logical  
3561 areas for pedestrian and vehicular circulation.

3562 The purpose of the water-efficient landscaping criteria included herein is to establish  
3563 minimum standards for the development, installation, and maintenance of all landscaped areas  
3564 required by this Code without inhibiting creative landscape design. Specific water conservation  
3565 measures are required, such as the preservation of existing natural vegetation when appropriate.  
3566 The establishment of these minimum requirements and the encouragement of resourceful planning  
3567 are intended to protect and preserve the appearance, environmental quality, character, and value  
3568 of surrounding neighborhoods and thereby promote the public health, safety and general welfare  
3569 of the citizens of Seminole County.

3570 (b) Creative site development concepts shall be used in order to promote water  
3571 conservation. Water-conserving site development concepts may include, but are not limited to:


- 3572 (1) The preservation of existing plant communities;
- 3573 (2) The use of native plant species;
- 3574 (3) The re-establishment of native plant communities;
- 3575 (4) The use of drought-tolerant plant species;
- 3576 (5) The use of site-specific plant materials;
- 3577 (6) The design, installation, and maintenance of irrigation systems that  
3578 eliminate the waste of water due to over-application or loss from damage;
- 3579 (7) The use of shade trees to reduce transpiration rates of lower-story plant  
3580 materials;
- 3581 (8) Placement of vegetation in such a way that promotes energy conservation  
3582 through shading;
- 3583 (9) The use of pervious paving materials;
- 3584 (10) The use of water efficiency in landscaping;

- 3585 (11) Other environmentally sensitive site development concepts.
- 3586 (c) Vegetation protection and preservation objectives are intended to:
- 3587 (1) Reduce the use of irrigation water in open space areas by promoting the
- 3588 preservation of existing plant communities;
- 3589 (2) Prevent the removal of existing vegetation in advance of the approval of
- 3590 land development plans;
- 3591 (3) Prevent the removal of existing vegetation when no replacement vegetation
- 3592 plan has been prepared for the site.

3593 (d) To achieve the objectives of these land development regulations, this Code

3594 incorporates six (6) basic principles of water-efficient landscaping. These principles are set forth

3595 below for the purpose of giving guidance and direction for administration and enforcement:

- 3596 (1) Planning and design; 
- 3597 (2) Appropriate plant selection;
- 3598 (3) Practical turf areas;
- 3599 (4) Efficient irrigation;
- 3600 (5) Use of mulches;
- 3601 (6) Appropriate maintenance.

3602 (e) The provisions of this Part shall apply to all real property situated within the

3603 unincorporated areas of Seminole County that are required to be landscaped by this Code.

3604 **Sec. 30.14.2. Open space.**

3605 30.14.2.1 Purpose and Applicability.

3606 (a) ~~The purpose of open space areas within developments is to provide areas for: The~~  
3607 ~~purpose of this Part is to provide clear standards for the establishment, function, and maintenance~~  
3608 ~~of open space areas within all developments.~~

3609 (1) active and passive recreation for residents, employees, and visitors of the  
3610 development;

3611 (2) conservation and restoration of natural systems and wildlife habitats; and

3612 (3) preservation of community character through views of vegetation and  
3613 natural features.

3614 (b) Single-family residential development in any zoning district is exempt from this  
3615 Section except in the Planned Development (PD) District or where specifically required by another  
3616 Section of this Code. Nonresidential uses, where permitted in a single-family district (i.e., by  
3617 Special Exception) shall be required to provide open space.

3618 (c) ~~The character of required open space shall be determined by development type.~~  
3619 ~~Open space within nonresidential developments shall meet the requirements of Section 30.14.2.2~~  
3620 ~~while open space within residential developments shall meet the requirements of Section~~  
3621 ~~30.14.2.3. Open space in redevelopment, infill development, or mixed-use developments shall~~  
3622 ~~meet the requirements of Section 30.14.2.4.~~

3623 (d)(c) The amount of open space required for development shall be determined by the  
3624 zoning district, development order, or other provisions of this Code applicable to the subject  
3625 property. ~~If not otherwise specified, the minimum open space shall be twenty five (25) percent of~~  
3626 ~~the gross site area.~~ The standard open space requirement as required by the zoning district is as  
3627 follows:

<u>Zoning District</u>	<u>Open Space Percentage</u>
------------------------	------------------------------

<u>A-1</u>	=
<u>A-3</u>	=
<u>A-5</u>	=
<u>A-10</u>	=
<u>OP</u>	<u>25%</u>
<u>CN</u>	<u>25%</u>
<u>CS</u>	<u>25%</u>
<u>C-1</u>	<u>25%</u>
<u>C-2</u>	<u>25%</u>
<u>C-3</u>	<u>25%</u>
<u>M-1A</u>	<u>25%</u>
<u>M-1</u>	<u>25%</u>
<u>M-2</u>	<u>25%</u>
<u>PD</u>	<u>25%</u>
<u>PLI</u>	<u>25%</u>
<u>RC-1</u>	=
<u>R-1AAAA</u>	=
<u>R-1AAA</u>	=
<u>R-1AA</u>	=
<u>R-1A</u>	=
<u>R-1</u>	=
<u>R-1B</u>	=
<u>R-1BB</u>	=
<u>R-2</u>	=
<u>R-3</u>	<u>25%</u>
<u>R-3A</u>	<u>25%</u>
<u>R-4</u>	<u>25%</u>
<u>RM-1</u>	<u>25%</u>



<u>RM-2</u>	<u>25%</u>
<u>RM-3</u>	<u>25%</u>
<u>RP</u>	<u>25%</u>
<u>UC</u>	<u>25%</u>

3628 30.14.2.2 Nonresidential Open Space:

3629 (a) ~~— The purpose of open space in nonresidential developments is to set aside areas for~~  
3630 ~~landscaping, buffering, stormwater retention (subject to paragraph (d) below), recreation, aquifer~~  
3631 ~~recharge, and/or preservation of natural resources.~~

3632 (b) ~~— Open space shall be located entirely within the boundaries of the project and may~~  
3633 ~~include required landscaped areas and buffers; recreational lands and facilities accessible to~~  
3634 ~~employees and visitors to a site; and areas providing natural resource protection for floodplains,~~  
3635 ~~wetlands, aquifer recharge areas, wildlife habitat, and other natural features.~~

3636 (c) ~~— Within a single ownership development, open space shall be maintained to~~  
3637 ~~preserve its required function(s) by the property owner. Within a subdivision or other form of~~  
3638 ~~multiple ownership configuration, open space shall be in common area tracts and maintained by a~~  
3639 ~~property owners association.~~

3640 (d) ~~— Stormwater retention ponds may be counted toward the minimum required open~~  
3641 ~~space area subject to the following criteria:~~

3642 (1) ~~— The pond shall be sodded or dressed with equivalent ground cover; and~~

3643 (2) ~~— The pond shall be accessible to all employees and visitors and shall be~~  
3644 ~~landscaped and configured in a manner that results in a visual amenity for the site and shall include~~  
3645 ~~aesthetic features or amenities such as benches and/or picnic tables.~~

3646 (3) — For wet ponds, if reclaimed water is unavailable, then the pond shall be  
3647 designed to be utilized for landscape irrigation.

3648 (4) — For wet ponds, littoral zones of ponds shall be vegetated with emergent  
3649 native vegetation to the maximum extent possible, provided that maintenance of the pond is not  
3650 impeded. Plans shall be reviewed and approved by the Natural Resource Officer or designee.

3651 (e) — Natural lakes may be counted toward the minimum required open space area  
3652 subject to the limitation in paragraph (g) below and the following criteria:

3653 (1) — Only that portion of a lake that lies within the legal description of the project  
3654 may count toward the required open space area; and

3655 (2) — The lake shall be accessible to all employees or visitors and shall include  
3656 other amenities including, but not limited to, trail facilities, boardwalks, fountains, benches, and  
3657 picnic tables.

3658 (f) — Conservation areas, defined for the purposes of this Part as 100-year floodplain and  
3659 wetlands as delineated by the St. Johns River Water Management District, may be counted toward  
3660 the minimum required open space area subject to limitations specified in paragraph (g) below.

3661 (g) — Natural lakes and/or conservation areas within a development site shall not be  
3662 credited to a combined maximum of more than fifty (50) percent of the required open space.

3663 (h) — Site features noted in Section 30.14.2.5 may also be counted as open space.

3664 30.14.2.3 Residential Open Space.

3665 (a) — Required open space in residential developments is intended to provide green space  
3666 serving as a site amenity; areas for supplemental landscaping; stormwater retention facilities; uses  
3667 for aquifer recharge; and/or the preservation of natural resources. Residential open space shall  
3668 include only those lands available for the use and enjoyment of all residents of a development and

3669 shall have either an aesthetic or recreational function that shall not conflict with other site features  
3670 required by this Code.

3671 (b) — Open space shall be located entirely within the boundaries of the project. In no case  
3672 shall the required open space occupy any portion of a privately owned residential lot.

3673 (c) — Types and locations of open space, including recreational lands, recreational  
3674 facilities, and natural resource protection areas, shall be clearly shown on a development plan prior  
3675 to project approval.

3676 (d) — No dwelling unit shall be located more than seven hundred fifty (750) feet from  
3677 designated open space. The Development Services Director may waive this distance requirement  
3678 where the developer proposes a major recreational facility that will occupy at least fifty (50)  
3679 percent of the required open space for the development. No more than thirty five (35) percent of  
3680 the dwelling units in the development may be occupied before this facility is completed and  
3681 available for use.



3682 (e) — Where intervening properties separate a dwelling unit from an open space area, the  
3683 Development Services Director may require an easement or other means of access for bicycle and  
3684 pedestrian traffic to minimize the need to cross or travel on roads carrying motorized vehicles.

3685 (f) — Except as provided in this paragraph, no parcel of property or portion thereof, less  
3686 than forty (40) feet wide and seven thousand five hundred (7,500) square feet in size, shall be  
3687 counted toward the designated open space requirement. Open space areas less than forty (40) feet  
3688 in width containing paved or stabilized paths for pedestrians and/or bicycles shall be exempt from  
3689 this requirement if such paths are part of a comprehensive circulation system serving the entire  
3690 development. Dog parks and tot lots that are a minimum of seventy five (75) square feet per

3691 dwelling unit are also exempt from this requirement and may count towards open space. Dog parks  
3692 must contain waste disposal receptacles and appropriate signage.

3693 (g) — Required open space within a subdivision shall be platted as a common area and  
3694 shall be owned and maintained by a homeowners' association.

3695 (h) — Stormwater retention ponds may be counted toward the minimum area requirement  
3696 subject to the following criteria:

3697 (1) — The pond shall be sodded or dressed with equivalent ground cover.

3698 (2) — The pond shall have no greater than a 4:1 slope with no fencing.

3699 (3) — The pond shall have a curvilinear shape simulating a natural water body.

3700 (4) — Canopy trees shall be provided at the rate of one (1) per fifty (50) feet of  
3701 pond perimeter; however, the required number of trees may be clustered for an improved aesthetic  
3702 effect.

3703 (5) — For wet ponds, if reclaimed water is unavailable, then the pond shall be  
3704 designed to be utilized for landscape irrigation.

3705 (6) — For wet ponds, littoral zones of ponds shall be vegetated with emergent  
3706 native vegetation to the maximum extent possible, provided that maintenance of the pond is not  
3707 impeded. Plans shall be reviewed and approved by the Natural Resource Officer or designee.

3708 (7) — The pond shall be landscaped and configured in a manner that results in a  
3709 visual amenity for the site and shall include other amenities such as a trail adjacent to the pond,  
3710 boardwalks, picnic tables, fountains, pavilions, or gazebos. For wet ponds, a littoral zone with  
3711 plantings is required. Other features in addition to or substituting for the aforementioned may be  
3712 approved by the Development Services Director consistent with the intent of this Part. The pond  
3713 and/or adjacent area shall include a minimum of two of the following features:

- 3714 a. ~~—— Fountain~~
- 3715 b. ~~—— Stabilized walking path~~
- 3716 c. ~~—— Exercise equipment~~
- 3717 d. ~~—— Benches for seating~~
- 3718 e. ~~—— Tot lot or mini park~~

3719 (i) ~~—— Natural lakes may be counted toward the minimum area requirement subject to the~~  
3720 ~~limitations in paragraph (k) below and the following criteria:~~

3721 (1) ~~—— The lakeshore shall be accessible to all residents, and shall include one or~~  
3722 ~~more visual or recreational amenities including, but not limited to, trail facilities, boardwalks,~~  
3723 ~~fountains, and picnic tables.~~

3724 (2) ~~—— Only that portion of a lake that lies within the legal description of the project~~  
3725 ~~may count toward the required open space.~~



3726 (j) ~~—— Conservation areas, defined for the purposes of this Part as the 100-year floodplain~~  
3727 ~~or wetlands as delineated by the St. Johns River Water Management District, may be counted~~  
3728 ~~toward the minimum area requirement subject to limitations specified in paragraph (k) below.~~

3729 (k) ~~—— Natural lakes and/or conservation areas within a development site shall not be~~  
3730 ~~credited to a combined maximum area of more than fifty (50) percent of the required open space~~  
3731 ~~area.~~

3732 (l) ~~—— Required landscaped areas and buffers may not be credited toward the required~~  
3733 ~~open space area.~~

3734 (m) ~~—— Site features noted in Section 30.14.2.5 may also be counted as open space.~~

3735 ~~30.14.2.4 Infill, Redevelopment, and Mixed Use Open Space.~~

3736 (a) — ~~The purpose of open space in infill development, redevelopment, and mixed use~~  
3737 ~~developments is to provide areas for supplemental landscaping; buffering; recreational or aesthetic~~  
3738 ~~amenities; stormwater retention; aquifer recharge; and/or preservation of natural resources.~~

3739 (b) — ~~Open space shall be located entirely within the boundaries of the project. Open~~  
3740 ~~space may include: landscaping and buffers; recreational facilities and amenities accessible to all~~  
3741 ~~users of the site; recreational facilities and amenities accessible only to residents; stormwater~~  
3742 ~~facilities; and areas providing for natural resource protection.~~

3743 (c) — ~~Types and locations of open space shall be clearly shown on a development plan~~  
3744 ~~prior to approval by Seminole County.~~

3745 (d) — ~~No dwelling unit shall be located more than seven hundred fifty (750) feet from~~  
3746 ~~designated open space. The Development Services Director may waive this requirement when the~~  
3747 ~~developer proposes a major recreational facility that will provide at least fifty (50) percent of the~~  
3748 ~~required open space for development.~~



3749 (e) — ~~Open space areas shall not be fenced, unless necessary for safety reasons, and shall~~  
3750 ~~not contain mechanical units and equipment, storage areas, or other service related functions.~~

3751 (f) — ~~Stormwater retention ponds may be counted toward the minimum area requirement~~  
3752 ~~subject to the following criteria:~~

3753 (1) — ~~The pond shall be sodded or dressed with equivalent ground cover; and~~

3754 (2) — ~~The pond shall be landscaped and configured in a manner that results in a~~  
3755 ~~visual amenity for the site, and shall include other amenities such as a trail adjacent to the pond,~~  
3756 ~~boardwalks, picnic tables, fountains, pavilions, or gazebos. Other features in addition to or~~  
3757 ~~substituting for the aforementioned may be approved by the Development Services Director~~  
3758 ~~consistent with the intent of this Part.~~

3759 ~~(g) — Required open space within infill development, redevelopment, or mixed-use~~  
3760 ~~development, which serves primarily the residential portion of a development, shall be platted as~~  
3761 ~~a common area and shall be owned and maintained by a homeowner association or other entity~~  
3762 ~~which is capable of maintaining the function of the open space, as determined by the Development~~  
3763 ~~Services Director. Required open space within infill development, redevelopment, or mixed-use~~  
3764 ~~development which serves primarily the nonresidential portion of the development shall be owned~~  
3765 ~~and maintained by a property owners' association.~~

3766 ~~(h) — Natural lakes and/or conservation areas within a development site shall not be~~  
3767 ~~credited to a combined maximum of more than fifty (50) percent of the required open space area.~~

3768 ~~(i) — Open space shall be continuous wherever possible, shall be accessible to all uses~~  
3769 ~~within a development when practical and safe, shall contain pedestrian amenities (including~~  
3770 ~~lighted, accessible walkways with shade trees), and shall include lighted public plazas serving~~  
3771 ~~structures that contain retail and/or office uses. Public plazas shall contain benches with shade~~  
3772 ~~trees or permanent coverings.~~

3773 ~~(j) — Selected facilities located indoors or on rooftops may be permitted where they serve~~  
3774 ~~as amenities when available for use and enjoyment by all residents or users of a development.~~  
3775 ~~Excluded from eligibility as credited open space are theaters, restaurants, religious facilities, and~~  
3776 ~~retail, commercial uses.~~

3777 ~~(k) — Site features noted in Section 30.14.2.5 may be counted as open space.~~

3778 ~~30.14.2.5 Permitted Open Space Features.~~

Feature	Nonresidential Open Space	Residential Open Space	Mixed Use Infill, Redevelopment
100 year floodplain	Y*	Y*	Y*
Borrow pits	Y**	Y**	Y**

Clubhouse/admin. Offices fitness center	N	Y	Y
Curated art museums/galleries	N	N	Y
Decorative fountain, Interactive fountain	Y	Y	Y
Fitness center internal to the residential portion of a development	N	N	Y
Lakes	Y*	Y*	Y*
Outdoor exercise trail	Y	Y	Y
Outdoor dining/seating areas not limited to patrons of a single business	Y	N	Y
Outdoor recreation facilities	Y	Y	Y
Outdoor sculpture garden	Y	Y	Y
Outparcels	N	N	N
Parking lots	N	N	N
Paved jogging and bicycling path	Y	Y	Y
Plant conservatory	N	N	Y
Platted residential lots	—	N	N
Power line easements	Y	Y****	Y
Power line easements or R/W containing trails or similar rec. amenities	Y	Y	Y
Private roads	N	N	N
Public plazas with benches and shade trees	Y	Y	Y
Public road R/W	N	N	N
Required buffer areas	Y	N	Y
Retention (amenitized per Code)	Y	Y	Y
Retention (not amenitized)	N	N	N
Green roof or rooftop garden with pedestrian access, rooftop recreational features such as swimming pools	Y	Y***	Y
Upland common areas less than 40' in width, without pedestrian, bicycle, or horse trails	Y	N	Y
Upland common areas less than 40' in width developed with pedestrian, bicycle, or horse trails	Y	Y	Y
Upland common areas exceeding 40' in width	Y	Y	Y
Utility easements	Y	Y	Y
Wetlands	Y*	Y*	Y*

3779 Table notes:

3780 ~~Y = Permitted to be counted toward area requirements.~~

3781 ~~N = Not permitted to be counted toward area requirements.~~

3782 ~~\*Floodplains, wetlands, and lakes, together or separately, shall be limited to fifty (50)~~  
3783 ~~percent of total open space requirement for any development.~~

3784 ~~\*\*Borrow pits may count as open space only if sodded, landscaped, and/or configured as~~  
3785 ~~a water feature in compliance with Section 65.8(1).~~

3786 ~~\*\*\*Permitted in residential developments of five (5) or more units per net buildable acre,~~  
3787 ~~where such facilities are located on common property and accessible to all residents.~~

3788 ~~\*\*\*If allowed by utility company.~~

3789 30.14.2.2 Open Space in General.

3790 (a) Open space shall be located entirely within the boundaries of the development.

3791 For residential subdivisions, in no case shall the required open space occupy any portion  
3792 of a residential lot.

3793 (b) Open space shall be maintained to preserve its required function(s) as follows:

3794 (1) Within a single-ownership development, open space shall be maintained to  
3795 preserve its required function(s) by the property owner.

3796 (2) Within a subdivision or other form of multiple-ownership configuration,  
3797 open space shall be in common area tracts and maintained by a property owners' or  
3798 homeowners' association.

3799 (c) Types and locations of open space shall be clearly shown on the site plan, or  
3800 earlier as otherwise required by this code.

3801 30.14.2.3 Types of Open Space.

3802 (a) Site features noted in Table 2.3: Permitted Types of Open Space may be counted  
3803 as required open space subject to the criteria specified in (b)-(h) and all other standards of this  
3804 section:

<u>Table 2.3: Permitted Types of Open Space</u>
<u>100-year floodplain</u>
<u>Borrow pits</u>
<u>Clubhouse / fitness center / pool</u>
<u>Lakes</u>
<u>Landscaped upland areas</u>
<u>Public plazas</u>
<u>Required buffer areas except in single-family residential subdivisions</u>
<u>Retention areas</u>
<u>Undisturbed upland areas</u>
<u>Utility easements</u>
<u>Wetlands</u>



3805 (b) Lakes, wetlands, retention areas, and buffers combined may account for a  
3806 maximum of fifty (50) percent of the required Open Space; except that for non-residential  
3807 developments of one (1) net buildable acre or less, only natural lakes and wetlands combined may  
3808 account for the maximum of fifty (50) percent limitation and retention areas and buffers may  
3809 account for up to one hundred (100) percent of the required open space.

3810 (c) Natural lakes may be counted toward the minimum required open space, subject to  
3811 the limitation in paragraph (B) and the following criteria:

3812 (1) Only that portion of a lake that lies within the legal description of the project  
3813 may count toward the required open space area; and

3814                   (2) The lake shall be accessible to all residents, employees, and/or visitors and  
3815 shall include other amenities, including, but not limited to, trail facilities, boardwalks, fountains,  
3816 benches, and picnic tables.

3817                   (d) Stormwater retention ponds may be counted toward the minimum required open  
3818 space, subject to the limitation in paragraph (B) and the following criteria:

3819                   (1) The pond shall be accessible to all residents, employees and/or visitors.

3820                   (2) The pond shall be landscaped and configured in a manner that results in a  
3821 visual amenity for the site and shall include other amenities such as a trail adjacent to the pond,  
3822 boardwalks, picnic tables, fountains, pavilions, or gazebos.

3823                   a. The pond shall have a curvilinear shape simulating a natural water  
3824 body.

3825                   b. The pond shall have no steeper than a 4:1 slope with no fencing.

3826                   c. The pond shall be sodded or dressed with equivalent ground cover.

3827                   d. Canopy trees shall be provided at the rate of one (1) per fifty (50)  
3828 feet of pond perimeter; however, the required number of trees may be clustered for an improved  
3829 aesthetic effect.

3830                   e. The pond and/or adjacent area shall include a minimum of two of  
3831 the following features when adjacent to a wet pond. When adjacent to a dry pond in a residential  
3832 project, a total of four of the following features shall be required:

3833                                   1. Fountain

3834                                   2. Stabilized walking path

3835                                   3. Exercise equipment

3836                                   4. Benches for seating

3837                   5. Tot lot or mini-park  
3838                   6. Nature interpretation stations  
3839                   7. Pavilion or other shaded structures  
3840                   8. Other features in addition to, or substituting for, the  
3841 forementioned may be approved by the Development Services Director if consistent with the  
3842 intent of this Part.

3843                   f. A littoral zone with plantings is required for wet ponds.  
3844                   1. Littoral zones of ponds shall be vegetated with emergent  
3845 native vegetation to the maximum extent possible, provided that maintenance of the pond is not  
3846 impeded. Multiple planting depth zones are required.  
3847                   2. Landscape plans shall be reviewed and approved by the Natural  
3848 Resource Officer or designee.



3849                   (3) For wet ponds, if reclaimed water is unavailable, then the pond shall be  
3850 designed to be utilized for landscape irrigation.

3851                   (E) Dry compensating storage areas may be counted towards open space upon a  
3852 determination by the Development Services Director that the area will be designed as part of a  
3853 park and serve a recreational purpose most of the year. Such areas are not subject to the limitations  
3854 of paragraph (B).

3855                   (F) Borrow pits must be sodded, landscaped, and/or configured as a water feature in  
3856 compliance with Section 65.8(I).

3857                   (G) Utility easements can be counted as required open space only if allowed by the  
3858 utility company benefiting from the easement.

3859                   30.14.2.4 Standards for Open Space.

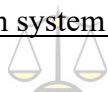
3860 Areas dedicated as open space must be accessible to all intended users of the development  
3861 or the portion of the development for which the open space is counted.

3862 If an applicant intends to limit a portion of the open space to a particular group of users,  
3863 then the development must separately demonstrate compliance with open space requirements for  
3864 the portion of the development that will not have access to the limited open space.

3865 Open space within a development must meet the following dimensional standards:

3866 (a) Except as provided in this paragraph, no parcel of property or portion thereof, less  
3867 than forty (40) feet wide and seven thousand five hundred (7,500) square feet in size, shall be  
3868 counted toward the designated open space requirement.

3869 (1) Open space at least twenty (20) feet in width containing paved or stabilized  
3870 paths for pedestrians and/or bicycles or horse trails shall be exempt from this requirement if such  
3871 paths are part of a comprehensive circulation system serving the entire development or connected  
3872 to off-site recreation trails.



3873 (2) Dog parks and tot lots that are a minimum of seventy-five (75) square feet  
3874 per dwelling unit may count towards open space. Dog parks must contain waste disposal  
3875 receptacles and appropriate signage.

3876 (3) Open space adjacent to a water body must be a minimum of twenty (20) feet  
3877 in width measured from the top of the berm to any public right of way, lot line, fence, or building  
3878 area.

3879 (4) If less than seven thousand five hundred (7,500) square feet of open space  
3880 is required, then all provided open space must be contiguous.

3881 (b) Open space shall not be fenced, except where otherwise noted, unless necessary for  
3882 safety reasons, such as:

3883           (1) Dog parks and playgrounds may be fenced for safety purposes.

3884           (2) Pools or other areas that must be fenced as required by state regulations.

3885           (3) Railings and other decorative features that are not intended to limit access  
3886 are permitted.

3887           (c) Open space areas shall not contain storage areas or other service-related functions.

3888           (d) Open space areas shall not contain mechanical units and equipment, unless a  
3889 determination is made by the Development Services Director that such equipment is de minimis  
3890 and not disruptive to the intended function of the open space.

3891           (e) Allowable features within recreational open space include but are not limited to:

3892           (1) Paved jogging and bicycling path;

3893           (2) Outdoor dining/seating areas not limited to patrons of a single business;

3894           (3) Outdoor recreation facilities;

3895           (4) Outdoor sculpture garden;

3896           (5) Decorative fountain, Interactive fountain;

3897           (6) Benches and shade; and

3898           (7) Plant conservatory.

3899           30.14.2.5 Use specific open space conditions.

3900           (a) For single-family residential developments, the following conditions apply:

3901           (1) No dwelling unit shall be located more than seven hundred fifty (750) feet  
3902 from designated open space. The Development Services Director may waive this distance  
3903 requirement where the developer proposes a major recreational facility that will occupy at least  
3904 twenty-five (25) percent of the required open space for the development. No more than thirty-five  
3905 (35) percent of the dwelling units in the development may be occupied before this facility is

3906 completed and available for use, unless the facility was not included in the overall open space  
3907 calculation.

3908 (2) Where intervening properties separate a dwelling unit from an area  
3909 dedicated as open space, the Development Services Director may require an easement or other  
3910 means of access for bicycle and pedestrian traffic to minimize the need to cross or travel on roads  
3911 carrying motorized vehicles.

3912 (b) For multi-family residential development, the following condition applies:

3913 No dwelling unit shall be located more than seven hundred fifty (750) feet from designated  
3914 open space. The Development Services Director may waive this distance requirement when the  
3915 developer proposes a major recreational facility that will provide at least fifty (50) percent of the  
3916 required open space for development.

3917 **Sec. 30.14.3. Buffering.**



3918 ~~30.14.3.1 Plant groups. Landscaping materials and configurations will vary depending on~~  
3919 ~~the purpose and intent of the landscape treatment. A plant group is a selection of plants that are~~  
3920 ~~intended to provide a standard volume of landscaping from ground level to the top of the canopy.~~  
3921 ~~When closely planted, a dense barrier is created. The following table shows the various plant~~  
3922 ~~groups that may be used to meet the landscaping requirements of this Part, including minimum~~  
3923 ~~size at the time of planting. Each plant grouping has the same screening potential in terms of total~~  
3924 ~~plant mass; however, some have limits on where they may be used.~~

Plant Group Options	Number	Plant Type
Plant Group A (Basic)	1	Canopy
	1	Understory
	1	Evergreen
	11	Shrubs
Plant Group B (Basic)	1	Canopy
	2	Understory

	17	Shrubs
Plant Group C (Height Restricted)	5	Understory
	16	Shrubs
Plant Group D (Basic)	3	Evergreen
	1	Understory
	13	Shrubs
Plant Group E (Low Level Visibility)	2	Canopy
	4	Shrubs

3925  
3926

Note: See Section 30.14.16(b)(1) and (2) for minimum size at planting.

3927

**Sec. 30.14.4.3. Buffering requirements in general.**

3928  
3929  
3930  
3931

(a) Buffers are described in terms of required opacity, or the degree of screening between two (2) adjoining uses or activities. An opacity of 0.1 screens ten (10) percent of an object, while an opacity of 1.0 completely obscures the object from view during summer months after all required plants have reached maturity.

3932  
3933  
3934  
3935  
3936  
3937

(b) Buffers shall be located on the outer perimeter of a development site but entirely within the property bounds of such site and shall not include right-of-way or areas that will be dedicated as right-of-way. Buffers may be placed within utility easements, subject to verification that the dedicated use of the easement does not conflict with the function of the buffer. The owner of the property shall be responsible for replacement of landscape materials damaged or removed by the placement or maintenance of utilities within such easements.

3938  
3939  
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3941

(c) Required buffers shall not contain parking, including vehicle overhang areas in adjacent parking spaces. Driveways and other vehicular maneuvering areas shall not be permitted in a buffer, except that access points to adjacent roads may cross a buffer with minimum possible interference with the buffering function, as determined by the Development Services Director.

3942

(d) Buffers are required for the following situations:

3943 (1) For new development adjacent to existing development, required buffers  
3944 shall be determined according to the land use intensity of the proposed use(s) as compared to the  
3945 land use intensity of the adjacent use(s). Required opacities are shown in Section ~~30.14.7(a)~~  
3946 30.14.5(a). Development on small or irregular sites, resource-limited sites, or infill sites shall be  
3947 developed according to the criteria of Section ~~30.14.11~~ 30.14.7.

3948 (2) For new development adjacent to vacant land, required buffers shall be  
3949 determined according to the land use intensity of the proposed use(s) as compared to the Future  
3950 Land Use designation of the adjacent property as established by the Seminole County  
3951 Comprehensive Plan. Required opacities are shown in Section ~~30.14.7(b)~~ 30.14.5(b). Development  
3952 on small or irregular sites, resource-limited sites, or infill sites shall be developed according to the  
3953 criteria of Section ~~30.14.11~~ 30.14.7.

3954 (3) For new development adjacent to roads and right-of-way, required buffers  
3955 shall be determined according to the land use intensity of the proposed use(s) as compared to the  
3956 functional classification of the road or right-of-way, unless otherwise provided in this code. An  
3957 unimproved right-of-way shall be assumed to contain the most intense road classification for which  
3958 it was designed. Required opacities are shown in Section ~~30.14.7(e)~~ 30.14.5(c). Development on  
3959 small or irregular sites, resource-limited sites, or infill sites shall be developed according to the  
3960 criteria of Section ~~30.14.11~~ 30.14.7.

3961 (4) Landscape buffers for parking lots shall be provided in accordance with  
3962 Section ~~30.14.8~~ 30.14.10.

3963 (5) Landscape buffers for storage or loading areas that represent a special  
3964 nuisance shall be provided in accordance with Section ~~30.14.9~~ 30.14.11.

3965 (e) Existing natural vegetation may be used in place of a required wall, fence, and/or  
 3966 landscaping where such vegetation consists of canopy and understory trees that meet the minimum  
 3967 buffer component requirements and is of sufficient density to provide one hundred (100) percent  
 3968 opacity to a height of six (6) feet. The landscape plan for the development shall include protection  
 3969 measures to preserve the natural buffer area during and after site development. Nothing provided  
 3970 in this paragraph shall prohibit the removal of invasive species.

3971 ~~(f) — Buffer criteria varying from the requirements of this Part may be authorized by the~~  
 3972 ~~Board of County Commissioners through approval of a Master Development Plan within the~~  
 3973 ~~Planned Development (PD) zoning District in accordance with Sec. 30.8.5 or through approval of~~  
 3974 ~~a special exception under Sec 30.3.1.5. Variations from the provisions of this Part may reduce or~~  
 3975 ~~increase required opacities, or specify alternative buffer concepts, as appropriate to the site under~~  
 3976 ~~consideration. In all cases, the relevant Board shall find that approved variations ensure~~  
 3977 ~~compatibility between adjoining land uses and are consistent with the Comprehensive Plan.~~

3978 **~~Sec. 30.14.5. Standard bufferyards and permitted adjustments.~~**

3979 ~~(a) — The criteria in the table below shall achieve required opacity levels for bufferyards~~  
 3980 ~~specified in Section 30.14.7.~~

Opacity	Standard Bufferyard Width (ft.)	Number of Plant Units Groups per 100 feet	Structure Enhancement Required	Eligible for Adjustments**
0.1	10	1.00	None	No
0.2	10	2.00	None	No
0.2 (parking buffer)	10	1.00	3' masonry wall	No
0.3	15	2.60	None	Yes
0.4	15	2.25	3' hedge	Yes
0.5	25	2.70	6' masonry wall***	Yes
0.6	25	3.50	6' masonry wall***	Yes

0.7	40	2.90	6' masonry wall***	Yes
0.8	50	3.20	6' masonry wall***	No
0.9*	50	3.20	6' masonry wall	No
1.0*	50	3.80	6' masonry wall	No

3981 Notes:

3982 \*These buffers only occur where nuisance buffers are required by Section 30.14.9.

3983 \*\*Subject to approval by the Development Services Director.

3984 \*\*\*Adjacent to a street, may be reduced to three (3) foot metal decorative fence and three  
3985 (3) foot hedge. The Development Services Director may waive segments of any required fence or  
3986 wall in order to ensure visibility of traffic for safety purposes.

3987 (b) — Required buffers may be adjusted to add or subtract land area, or to modify specific  
3988 requirements for structures or landscape plantings. Such adjustments, where permitted, shall be  
3989 assumed to maintain the required opacities under Sections 30.14.7. These adjustments may be  
3990 made at the option of the applicant in order to make more efficient use of available land or to  
3991 address other site design issues requiring greater flexibility in Code requirements; however, the  
3992 Development Services Director may deny any proposed adjustment upon a finding that it would  
3993 significantly impair the screening function of the required buffer.

3994 Permitted bufferyard adjustments shall be as follows:

3995 (1) — Increased Buffer Widths. Bufferyards exceeding the standard widths  
3996 established in paragraph (a) above shall permit a reduction in landscape planting requirements.  
3997 This reduction shall be applied equally to all plant types specified within the formula for the  
3998 applicable plant group. In certain cases, the required buffer enhancement may be reduced as a  
3999 result of increased buffer width. Adjusted buffer enhancement and planting requirements are as  
4000 shown below:

Opacity	Buffer Width (ft.)	Number of Plant Groups per 100 feet	Enhancement Required
0.4	20	2.00	None
0.5	35	2.25	3' hedge
0.6	35	2.70	3' hedge
0.7	55	2.25	3' hedge

4001           (2) ~~Reduced Buffer Widths. Buffers having less than the standard widths established~~  
 4002 ~~in paragraph (a) above shall be subject to an increased landscape planting requirement. This~~  
 4003 ~~increase shall be applied equally to all plant types specified within the formula for the applicable~~  
 4004 ~~plant group. An upgrade in buffer enhancement features shall also be required. Adjusted buffer~~  
 4005 ~~enhancement and planting requirements are as shown below:~~

Opacity	Buffer Width (ft.)	Number of Plant Groups per 100 feet	Enhancement Required
0.3	10	3.00	3' hedge
0.4	10	2.50	3' open metal fence and 3' hedge
0.5	15	3.25	6' masonry wall*
0.6	20	4.00	6' masonry wall*
0.7	30	3.50	6' masonry wall*
*May be reduced to 3' open metal fence and 3' hedge adjacent to a street.			

4006           **Sec. 30.14.6.4. Determination of land use classifications and intensities.**

4007           (a) This Section classifies uses according to their potential impacts on surrounding  
 4008 properties. The impacts of higher intensity may include greater impervious surface coverage,  
 4009 causing increased stormwater runoff and reduced open space; increased bulk and height of  
 4010 buildings; increased traffic with associated noise and congestion; signs and exterior lighting visible  
 4011 from neighboring property; and late hours of operation. Under these regulations, a developer may  
 4012 either build at a lower intensity that minimizes nuisances to neighbors, or provide a denser buffer  
 4013 higher opacity if the land is developed at a greater intensity.

4014 The range of intensity classes available to a use does not affect whether the use can locate  
4015 on a site, but only how the use develops on that site. For example, an office use may meet the  
4016 standards of any ~~of land use intensity classes ratings~~ V through IX, depending on building and site  
4017 design. Performance standards are specified for each land use intensity class rating. Exceeding any  
4018 single standard in an ~~land use intensity class rating~~ moves a use to the next higher intensity class  
4019 rating.

4020 (b) All land uses permitted by this Code are assigned a land use category for the  
4021 purpose of determining buffering requirements. This classification system separates uses on the  
4022 basis of the type and degree of "nuisance" or negative impact a use is likely to impose on adjacent  
4023 properties. All uses within a use category are considered to have an equivalent impact on  
4024 neighboring uses.

4025 (c) A particular development or proposed development shall be assigned an intensity  
4026 rating according to the table in paragraph (d) of this Section. Each land use category established  
4027 in the table has one or more possible intensity ratings, depending on the specific characteristics of  
4028 the site. The intensity rating for any site shall be determined by the elements that most  
4029 appropriately measure intensity for a given land use category, such as, but not limited to, the  
4030 impervious surface ratio (ISR), hours of operation, building height, the floor area ratio (FAR), and  
4031 density.

4032 ~~The most extreme value for any measurement shall determine the intensity rating of the~~  
4033 ~~site.~~ To determine the site's land use intensity rating, the site's elements must fit within the  
4034 parameters of the elements listed within the land use category. If the measurement of any listed  
4035 element exceeds the amount within the land use intensity rating, the intensity rating shall increase

4036 to the next rating (II-IX). For example, the table below shows that an office or general commercial  
4037 use has possible land use intensity ratings of V, VI, VII, VIII, and IX.

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
<u>Office-General Commercial and office</u>										
<u>— FAR</u>					<del>0.20</del>	<del>0.25</del>	<del>0.50</del>	<del>0.75</del>	<del>0.75+</del>	
<u>Height (feet)</u>					<del>15</del>	<del>25</del>	<del>35</del>	<del>50</del>	<del>50+</del>	
<u>Hours of Operation</u>					<del>7 a.m.- 9 p.m.</del>		<u>Unlimited</u>			
<u>— Height/Setback</u>					<del>0.66</del>	<del>1.0</del>	<del>2.0</del>	<del>—&gt; 2.0</del>		

4038 ~~An single-story office development having building height of fifteen (15) feet an FAR of~~  
4039 ~~no more than 0.20 would have an intensity rating of V. However, a site with the same FAR-building~~  
4040 ~~height with a building height greater than twenty five (25) feet and no more than thirty five (35)~~  
4041 ~~feet hours of operation exceeding 7 a.m.- 9 p.m. would have an intensity rating of VII.~~


4042 (d) A particular development or proposed development shall be assigned an intensity  
4043 rating according to the table:

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
Rural/Agricultural (East Rural Area Only)										
Gross Density	0.33									
Residential										
Gross Density		4.00	<u>7.0</u>	<u>10.0</u> <sub>+</sub>		7.00	8.50	10.00	12.00	12.00+
Office										
<u>— FAR</u>					0.20	0.25	0.50	0.75	0.75+	
<u>— Height (feet)</u>					15	25	35	50	50+	
<u>Height/Setback</u>					0.66	1.0	2.0	<del>—&gt; 2.0</del>		

General Commercial and office										
— FAR					0.15	0.20	0.25	0.35	0.50	0.50+
Height (feet)					15	20 <sub>25</sub>	25-35	35-50	50+	50+
Hours of Operation					7 a.m.- 9 p.m.	Unlimited				
— Hours of Operation					7:00 a.m.— 9:00 p.m.	Unlimited				
Height/Setback					0.5	0.66	1.0	2.0	> 2.0	—
Heavy Commercial										
— FAR							0.25	0.35	0.50	0.50+
Height (feet)							25	35	50	50+
Hours of Operation							7:00 a.m.— 9:00 p.m.	Unlimited		
Height/Setback							1.0	2.0	> 2.0	—
Light Industrial										
ISR							0.5	0.5-7.5	0.75+	0.75
Height (feet)							35	35-50	50+	50+
Hours of Operation							7:00 a.m.— 9:00 p.m.	7:00 a.m.— 9:00 p.m.— Unlimited	Unlimited	
Height/Setback								0.66	1.0	1.0+
Heavy Industrial									all	all
Outdoor Recreation										
ISR		0.20	0.35	0.50	0.60	0.70	0.75±	0.75		
Height (feet)		15	20	25	35	45	50±	50+		

Institutional & Group Living										
—ISR				0.20	0.30	0.45	0.60	0.75		
—FAR				0.10	0.15	0.20	0.25	0.25+		
Height (feet)				15 20	25 35	35 50	45 50+	45+		
Height/Setback				0.5	0.6 6	1.0	2.0	>2.0		
Public Service										
ISR					0.20 0.35	0.35 0.50	0.50 0.60	0.60 0.65	0.65 0.70	0.75
—FAR					0.10 0.15	0.25	0.40	0.60	0.75	0.75+
Height (feet)					15 25	25 35	35-45	45-60	60 60+	60+

4044 **Sec. 30.14.7.5. Required buffers.**

4045 (a)  Buffers Adjacent to Developed Property. The standards in the table below address  
4046 the opacity of the buffer required between proposed and existing uses. The rows show the proposed  
4047 land use intensity of the subject property, while the columns contain the land use intensity of  
4048 existing development on the adjoining parcel(s). Asterisks indicate that no buffer is required.

4049 Required opacity shall be reduced by fifty (50) percent where the existing adjacent land  
4050 use is a single-family home in a HIP, MXD, Industrial, Commercial, or Office future land use  
4051 designation.

Required Opacity of Buffers Adjacent to Developed Sites											
		LUI Existing									
		I	II	III	IV	V	VI	VII	VIII	IX	X
LUI Proposed	I	*	*	*	*	*	*	*	*	*	*
	II	0.2	*	0.1	0.2	0.3	0.4	0.5	0.6	0.7	0.8
	III	0.2	0.1	*	0.1	0.2	0.3	0.4	0.5	0.6	0.7
	IV	0.3	0.2	0.1	*	0.1	0.2	0.3	0.4	0.5	0.6
	V	0.3 0.4	0.3	0.2	0.1	*	0.1	0.2	0.3	0.4	0.5
	VI	0.4 0.5	0.3 0.4	0.3	0.2	0.1	*	0.1	0.2	0.3	0.4

	VII	<del>0.50.6</del>	<del>0.40.5</del>	<del>0.30.4</del>	0.3	0.2	0.1	*	0.1	0.2	<del>0.3</del>
	VIII	<del>0.60.7</del>	<del>0.50.6</del>	<del>0.40.5</del>	<del>0.30.4</del>	0.3	0.2	0.1	*	0.2	<del>0.2</del>
	IX	<del>0.70.8</del>	<del>0.60.7</del>	<del>0.50.6</del>	<del>0.40.5</del>	<del>0.30.4</del>	0.3	<del>0.20.3</del>	<del>0.10.2</del>	*	*
	X	0.8	0.7	0.6	0.5	0.4	0.3	0.3	0.2	*	*

4052 \*No buffer required.

4053 (b) Buffers Adjacent to Vacant Land. The standards in the table below address the  
4054 opacity of the buffer required between proposed uses and vacant land. The rows show the proposed  
4055 land use intensity of the subject property, while the columns contain the Future Land Use  
4056 designation on adjoining parcel(s).

4057 Vacant sites having an approved, unexpired development plan, preliminary subdivision  
4058 plan, master development plan, or site plan shall be evaluated as developed sites.

Required Opacity of Buffers Adjacent to Vacant Sites													
		LUI Existing											
		R-10, R-5, R- 3, SE	LD R	MD R	HD R	CO M	OF F	HI P	MX D	IN D	RE C	PU B	PD
<b>LUI Proposed</b>	I	*	*	*	*	*	*	*	*	*	*	*	n/a
	II	0.2	*	*	*	*	*	*	*	*	*	*	n/a
	III	0.2	*	*	*	*	*	*	*	*	*	*	n/a
	IV	0.3	*	*	*	*	*	*	*	*	*	*	n/a
	V	<del>0.30.4</del>	<del>0.2</del> <del>0.3</del>	*	*	*	*	*	*	*	*	*	n/a
	VI	0.40.5	<del>0.3</del> <del>0.4</del>	*	*	*	*	*	*	*	*	*	n/a
	VI I	0.50.6	<del>0.4</del> <del>0.5</del>	*	*	*	*	*	*	*	*	*	n/a
	VI II	<del>0.60.7</del>	<del>0.5</del> <del>0.6</del>	<del>*</del> <del>0.2</del>	<del>*</del> <del>0.3</del>	0.2	0.2	*	*	*	*	*	n/a
	IX	0.70.8	<del>0.6</del> <del>0.7</del>	<del>0.2</del> <del>0.3</del>	<del>0.3</del> <del>0.4</del>	0.2	0.3	*	*	*	0.2	*	n/a
	X	0.8	<del>0.7</del>	<del>0.3</del>	<del>0.4</del>	<del>0.3</del>	<del>0.4</del>	<del>*</del>	<del>*</del>	<del>*</del>	<del>0.3</del>	<del>*</del>	<del>n/a</del>

4059 \*No buffer required.

4060 (c) Buffers Adjacent to Streets.

4061 (1) Chuluota Overlay Area Buffers. Nonresidential uses adjacent to County  
4062 Road 419 within the Chuluota Overlay Area, shall meet the buffering requirements. Residential  
4063 uses within the Overlay area shall be consistent with Paragraph (2) below.

4064 (2) Other Street Buffers. The standards in the table below address the opacity  
4065 of the bufferyard that is required along arterial, collector, and local streets or railroads.

<b>Required Opacity of Buffers Adjacent to Roads</b>					
		Arterial	Collector	Perimeter Local/ <u>Regional Trail**</u>	Railroad
<b>LUI Proposed</b>	I	*	*	*	*
	II	0.1	*	*	0.6
	III	0.1	0.1	0.1	0.6
	IV	0.2	0.1	0.1	0.5
	V	0.3	0.2	0.1	0.4
	VI	0.3	0.3	0.1	0.2
	VII	0.4	<del>0.4</del> 0.3	0.1	0.1
	VIII	<del>0.5</del> 0.4	<del>0.5</del> 0.4	<del>0.4</del> 0.2	*
	IX	0.5	0.5	<del>0.5</del> 0.4	*
	X	0.5	0.5	0.5	*

4066 \*No buffer required.

4067 \*\*Buffers adjacent to trails can have trail amenities, such as wayfinding signage, benches,  
4068 dog waste stations, water fountains, and bike racks.

4069 (3) Landscape Materials. Plant Group "C," shall be used on all street buffers where  
4070 overhead power lines are present. ~~In the event that canopy trees are required adjacent to power~~  
4071 ~~lines under a previously existing development order, developer's commitment agreement, PD~~  
4072 ~~master development plan, or other provision(s) of this Code, the Development Services Director~~  
4073 ~~may allow the substitution of three (3) understory trees for each required one (1) canopy tree.~~  
4074 Under an existing development order, developer's commitment agreement, PD master  
4075 development plan, or other provisions of this Code that require canopy trees adjacent to power

4076 lines, the Development Services Director may permit the substitution of three (3) understory trees  
4077 for each required one (1) canopy tree.

4078 30.14.7-15.1. Buffer Requirements for M-1A, M-1 and M-2.

4079 (a) Landscaping. As required by Sections ~~30.14.3—30.14.5~~ 30.14.3, 30.14.6 and  
4080 30.14.9 of the Land Development Code.

4081 (b) Front buffer. Front yards shall be not less than fifty (50) feet in depth as measured  
4082 from the front property line to any building. The twenty-five (25) feet of such yard nearest to the  
4083 front property line shall remain unpaved except for normal entrance drives and shall be landscaped  
4084 as required in Part 14. The remaining twenty-five (25) feet may be used for the parking of  
4085 passenger vehicles only. Front setbacks for property located internal to an industrial park may  
4086 utilize a front yard setback of not less than twenty-five feet (25') in depth from the front property  
4087 line if not less than ten feet (10') of such yard nearest to the front property line is retained as a  
4088 landscaped green area which is unpaved except for normal entrance drives, and sufficient area for  
4089 the loading and unloading of vehicles is provided, consistent with generally accepted engineering  
4090 practices and principles.

4091 ~~(c) — Buffering shall comply with Part 14. In any case, where the required buffer width~~  
4092 ~~exceeds a setback requirement noted in this Section, the greater standard shall apply.~~

4093 **Sec. 30.14.6. Standard buffers.**

4094 (a) The criteria in the table below shall achieve required opacity levels for buffers  
4095 specified in Section 30.14.5.

<u>Opacity</u>	<u>Standard Buffer Width (ft.)</u>	<u>Number of Plant Units Groups per 100 feet</u>	<u>Structure Enhancement Required</u>
<u>0.1</u>	<u>10</u>	<u>1.00</u>	<u>None</u>
<u>0.2</u>	<u>10</u>	<u>2.00</u>	<u>None</u>

<u>0.2 (parking buffer)</u>	<u>10</u>	<u>1.00</u>	<u>3' masonry wall</u>
<u>0.3</u>	<u>15</u>	<u>2.25</u>	<u>None</u>
<u>0.4</u>	<u>15</u>	<u>2.50</u>	<u>None</u>
<u>0.5</u>	<u>25</u>	<u>2.70</u>	<u>None</u>
<u>0.6</u>	<u>25</u>	<u>2.90</u>	<u>None</u>
<u>0.7</u>	<u>40</u>	<u>3.20</u>	<u>6' masonry wall***</u>
<u>0.8</u>	<u>50</u>	<u>3.50</u>	<u>6' masonry wall***</u>

4096 Notes:

4097 \*\*\*Adjacent to a street, may be reduced to three (3) foot metal decorative fence and three  
 4098 (3) foot hedge. The Development Services Director may waive segments of any required fence or  
 4099 wall in order to ensure visibility of traffic for safety purposes.

4100 **Sec. 30.14.7. Constrained site buffers.**

4101 Where a small or irregularly shaped site cannot feasibly meet the standard buffer  
 4102 requirements, the Development Services Director may authorize reduced buffers as follows:

4103 The site shall meet one of the criteria listed below:

<u>Constraint</u>	<u>Criteria</u>
<u>Small or irregularly shaped site</u>	<u>The site is small enough that the installation of the standard buffers required under Section 30.14.7(a) would reduce the area available for development by 10 percent or more.</u>
<u>Resource limited site</u>	<u>The site has wetlands, flood-prone areas, or other natural constraints to development, and the use of standard buffers required under Section 30.14.7 would reduce the net buildable area of the site by 10 percent or more.</u>

4104 Based on required opacity, each constrained site buffer shall meet the applicable standard  
 4105 listed below:

<u>Required Opacity</u>	<u>Buffer Width (ft.)</u>	<u>Number of Plant Groups per 100 ft.</u>	<u>Type of Structure Enhancement Required</u>

<u>0.1</u>	<u>5</u>	<u>1.00</u>	<u>None</u>
<u>0.2</u>	<u>5</u>	<u>1.50</u>	<u>None</u>
<u>Parking Buffer (0.2)</u>	<u>5</u>	<u>1.15</u>	<u>3 ft. masonry wall</u>
<u>0.3</u>	<u>5</u>	<u>1.40</u>	<u>None</u>
<u>0.4</u>	<u>10</u>	<u>2.15</u>	<u>None</u>
<u>0.5</u>	<u>15</u>	<u>2.45</u>	<u>6 ft. masonry wall**</u>
<u>0.6</u>	<u>15</u>	<u>2.60</u>	<u>6 ft. masonry wall**</u>
<u>0.7</u>	<u>25</u>	<u>3.65</u>	<u>6 ft. masonry wall**</u>
<u>0.8</u>	<u>30</u>	<u>4.35</u>	<u>6 ft. masonry wall*</u>

4106 Table notes:

4107 \*These buffers only occur where nuisance buffers are required by Section 30.14.7.

4108 \*\*Where a wall or berm is required adjacent to a road, the Development Services Director  
4109 may waive such requirement or determine an appropriate alternative based on site visibility, public  
4110 safety, and similar concerns.



4111 **Sec. 30.14.8. Parking buffers.**

4112 ~~A parking buffer shall be required where a parking lot, or parking structure, drive aisle,~~  
4113 ~~and/or loading dock is located within twenty five (25) feet of the boundary of a residential district~~  
4114 ~~or Future Land Use designation. Such buffer shall be in addition to any buffer required under~~  
4115 ~~Section 30.14.7.~~

4116 **Sec. 30.14.9. Nuisance buffer yards.**

4117 ~~Additional buffering in excess of that required in the tables above shall be required for the~~  
4118 ~~following:~~

4119 ~~(a) — Loading and Refuse Disposal. Where loading or refuse disposal abuts a residential~~  
4120 ~~district or is visible from the public right of way, an increase in opacity by 0.2 and a minimum~~  
4121 ~~six-foot wall shall be required as part of the applicable district boundary or street buffer.~~

4122 ~~(b) Outdoor Storage, Equipment Operation, or Material Handling. Where outdoor~~  
 4123 ~~storage, exterior equipment operation, or material handling abuts a residential district or is visible~~  
 4124 ~~from a public right-of-way, an increase in opacity by 0.2 and a berm or evergreen hedge of~~  
 4125 ~~sufficient height to ensure that stored material is not visible shall be required as part of the~~  
 4126 ~~applicable district boundary or street buffer.~~

**Sec. 30.14.10.8. Calculating the buffer planting.**

4127  
 4128 (a) The table below provides the plant material for a sample bufferyard. To calculate a  
 4129 bufferyard on a site, take the actual length of the bufferyard and divide by one hundred (100). Then  
 4130 multiply the result by the number of plant groups per one hundred (100) feet required by the table  
 4131 in Section ~~30.14.5~~ 30.14.6. A sample calculation for opacity 0.2 is shown below.

Total Linear Feet		Hundreds of Linear Feet	Plant Units Groups Per 100'	Total Plant Groups	Standard Plants in Plant Group B	Plant Type	Total Plants Required*
315	Divide by 100 =	3.15 ×	2.00 =	6.30 ×	1	Canopy Tree =	(6.30) 7
315	Divide by 100 =	3.15 ×	2.00 =	6.30 ×	2	Understory =	(12.60) 13
315	Divide by 100 =	3.15 ×	2.00 =	6.30 ×	17	Shrub =	(107.10) 108

4132 Table notes:

4133 \* (calculated figure) / rounded to next whole number

4134 (b) The width of roads, driveways, or cross-access easements that interrupt a bufferyard  
 4135 shall not be counted in determining the total linear feet of the bufferyard. In some cases, it may be  
 4136 necessary to locate stormwater retention, utility facilities, or pedestrian/bicycle trails within a  
 4137 required buffer area due to the size, shape, or other characteristics of the development site. In these  
 4138 instances, the Development Services Director may adjust the location and design of the buffer to  
 4139 maintain the required opacity while meeting the unique needs of the subject property.

4140 **Sec. 30.14.9. Plant Groups.**

4141 30.14.3.1 Plant groups. Landscaping materials and configurations will vary depending on  
 4142 the purpose and intent of the landscape treatment. A plant group is a selection of plants that are  
 4143 intended to provide a standard volume of landscaping from ground level to the top of the canopy.  
 4144 When closely planted, a dense barrier is created. The following table shows the various plant  
 4145 groups that may be used to meet the landscaping requirements of this Part, including minimum  
 4146 size at the time of planting. Each plant grouping has the same screening potential in terms of total  
 4147 plant mass; however, some have limits on where they may be used.

<u>Plant Group Options</u>	<u>Number</u>	<u>Plant Type</u>
<u>Plant Group A (Basic)</u>	<u>2</u>	<u>Canopy</u>
	<u>1</u>	<u>Understory</u>
	<u>11</u>	<u>Shrubs</u>
<u>Plant Group B (Basic)</u>	<u>1</u>	<u>Canopy</u>
	<u>2</u>	<u>Understory</u>
	<u>17</u>	<u>Shrubs</u>
<u>Plant Group C (Height Restricted)</u>	<u>5</u>	<u>Understory</u>
	<u>16</u>	<u>Shrubs</u>
<u>Plant Group D (Basic)</u>	<u>3</u>	<u>Canopy</u>
	<u>1</u>	<u>Understory</u>
	<u>13</u>	<u>Shrubs</u>
<u>Plant Group E (Low Level Visibility)</u>	<u>2</u>	<u>Canopy</u>
	<u>4</u>	<u>Shrubs</u>

4148 (1) See Section 30.14.16(b)(1) and (2) for minimum size at planting.

4149 (2) Any understory tree may be replaced by a canopy tree at the discretion of  
 4150 the applicant.

4151 (3) Low level visibility describes circumstances on a side or rear buffer where,  
 4152 for maintenance or security reasons, plantings are located on the applicant property’s side of a wall  
 4153 or fence.

4154                   (4) Upon a determination that the quantity of plants within a specific buffer area  
4155 would result in plant density that would not be optimal for plant spacing, the Natural Resources  
4156 Officer may approve an alternative location for excess plant material.

4157                   **~~Sec. 30.14.11. Constrained site buffers.~~**

4158                   ~~Where a small or irregularly shaped site cannot feasibly meet the standard buffer~~  
4159 ~~requirements, the Development Services Director may authorize reduced buffers as follows:~~

4160                   ~~The site shall meet one of the criteria listed below:~~

Constraint	Criteria
Small or Infill Site	The site is small enough that the installation of the standard buffers required under Section 30.14.7(a) would reduce the area available for development by 10 percent or more.
Resource Limited Site	The site has wetlands, flood-prone areas, or other natural constraints to development, and the use of standard buffers required under Section 30.14.7 would reduce the net buildable area of the site by 10 percent or more.
Tree Preservation	Compliance with Chapter 60, Arbor Regulations, reduces by 20 percent or more the density (dwelling units per net buildable acre) or intensity (Floor Area Ratio or other appropriate measure) that would otherwise be permitted.

4161                   ~~Based on required opacity, each buffer shall meet the applicable standard listed below:~~

Required Opacity	Bufferyard Width (ft.)	Number of Plant Groups per 100 ft.	Type of Structure Enhancement Required
0.1	5	1.00	None
0.2	5	1.50	3 ft. hedge
Parking Buffer (0.2)	5	1.15	3 ft. masonry wall
0.3	5	1.40	5 ft. masonry wall**
0.4	10	2.15	6 ft. masonry wall**
0.5	15	2.45	6 ft. masonry wall**
0.6	15	2.60	6 ft. masonry wall**
0.7	25	3.65	4 ft. berm with 5 ft. hedge on top**
0.8	30	4.35	5 ft. berm**
0.9*	40	4.20	6 ft. berm**
1.0*	40	4.85	6 ft. berm**

4162 Table notes:

4163 \*These buffers only occur where nuisance buffers are required by Section 30.14.7.

4164 \*\*Where a required wall or berm is adjacent to a road, the Development Services Director  
4165 may waive such wall or berm or determine an appropriate alternative based on site visibility, public  
4166 safety, and similar concerns.

4167 **Sec. 30.14.10. Parking buffers.**

4168 A parking buffer shall be required where a parking lot, or parking structure, drive aisle,  
4169 and/or loading dock is located within twenty-five (25) feet of the boundary of a residential district

4170 or Future Land Use designation. Such buffer shall be in addition to any buffer required under  
4171 Section 30.14.5.

4172 **Sec. 30.14.11. Nuisance buffers.**

4173 Additional buffering in excess of that required in the tables above shall be required for the  
4174 following:

4175 (a) Loading and Refuse Disposal. Where loading or refuse disposal abuts a residential  
4176 district or is visible from the public right-of-way, an increase in opacity by 0.2 and a minimum  
4177 six-foot wall shall be required as part of the applicable district boundary or street buffer.

4178 (b) Outdoor Storage, Equipment Operation, or Material Handling. Where outdoor storage,  
4179 exterior equipment operation, or material handling abuts a residential district or is visible from a  
4180 public right-of-way, an increase in opacity by 0.2 and a hedge or wall of sufficient height to ensure  
4181 that stored material is not visible shall be required as part of the applicable district boundary or  
4182 street buffer.



4183 **Sec. 30.14.12. Maximum feasible buffer.**

4184 In cases of redevelopment or expansion of existing uses in which adequate site area for  
4185 either the standard or constrained bufferyard is not available, the Development Services Director  
4186 may require that the maximum feasible buffer be installed on any property line where a buffer is  
4187 needed. The maximum feasible buffer shall consist of a selection of plants and other buffer  
4188 enhancement features that provide the most effective buffering possible in a given location where  
4189 the required opacity cannot be met. As part of the maximum feasible buffer determination, the  
4190 Development Services Director may restrict the intensity of the development by limiting parking,  
4191 employment, hours of operation, etc.

4192 \*\*\*

4193           **Sec. 30.14.15. Screening**

4194           The following provisions shall apply to mechanical equipment, refuse areas, and utilities  
4195 visible from residential districts or Future Land Use designations, or public rights-of-way:

4196           (a)     Screening of Refuse Facilities. All solid waste containers, except approved  
4197 recycling containers, shall be enclosed on at least three (3) sides with a six (6) foot screen. The  
4198 screen shall consist of a brick or masonry wall, or other durable, low-maintenance material  
4199 consistent with the finish of the primary building, as approved by the Development Services  
4200 Director. Masonry walls shall have a finished surface on the exterior side. Refuse container  
4201 enclosures shall have gates with spring-loaded hinges or the equivalent, and fasteners to keep them  
4202 closed at all times except during refuse pick-up. The Development Services Director may require  
4203 that a hedge or similar landscaping material surround the enclosure walls. The container and  
4204 enclosure shall be oriented so that the opening faces away from public streets and adjoining  
4205 properties. A concrete or asphalt pad of appropriate size and construction shall be provided as a  
4206 base for the container. The container pad shall be at the approximate level of the service vehicle  
4207 approach area so that the truck's loading mechanism can align with the container's sleeves. The  
4208 screened enclosure shall not be located in any street right-of-way or required landscape buffer.  
4209 Containers and enclosures shall be located to allow ease of access for collection trucks and direct  
4210 access to drive areas. Straight-in or circular drives are encouraged to reduce truck maneuvering  
4211 problems. No parking or other obstructions shall be permitted in front of such containers and  
4212 enclosures. Hours of operation for emptying such containers may be specified during the site plan  
4213 review process based on compatibility with adjacent properties to limit noise.

4214           (b)     Mechanical Equipment.

4215 (1) All roof, ground and wall mounted mechanical equipment (e.g., air  
4216 conditioning condensers, heating units, electrical meters, irrigation pumps, ice machines and  
4217 dispensers, outdoor vending machines, propane tanks, displays, and refilling areas) shall be  
4218 screened from view from a residential district or public rights-of-way at ground level on the  
4219 property line.

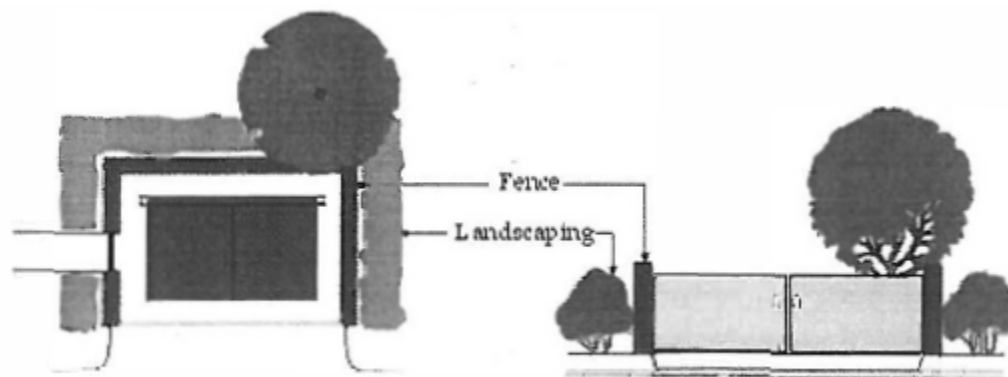
4220 (2) Roof-mounted mechanical equipment shall be shielded from view on all sides.  
4221 Screening shall consist of materials consistent with the primary building materials, and may  
4222 include decorative metal screening or louvers that are galvanized or painted to blend with the  
4223 principal structure.

4224 (3) Wall or ground-mounted equipment screening shall be constructed of:

4225 Planting screens;

4226 Brick, stone, reinforced concrete, or other similar masonry materials; or

4227 Redwood, cedar, preservative pressure treated wood, or other similar materials.



4228

---

4229 (c) Utilities. Above-ground utilities and appurtenances to underground utilities which  
4230 require above-ground installation shall be screened by a continuous planting of shrubs, with a  
4231 minimum mature height equal to that of the structure, up to eight (8) feet. Required access points  
4232 to these utilities are exempt from the screening provisions.

4233 ~~(b)~~(d) Refer to Part 9 for Pool Screen Enclosure standards.

4234 \* \* \*

4235 **Sec. 30.14.19. Fences.**

4236 (a) A building permit is required for any fence or wall to be erected, replaced, or needs  
4237 major repair, except as otherwise stated. A major repair shall be considered a segment of fence or  
4238 wall on more than ten (10) percent of the total linear feet of the existing fence or wall, two (2) or  
4239 more fence or wall panels, or more than eighteen (18) linear feet, whichever is less. Building permit  
4240 applications must include a certified survey showing the location of the proposed fence or wall;  
4241 however, the Planning Manager may waive this requirement and allow a plot plan or site plan  
4242 when the survey corner markers will be made visible for inspection by the Building Inspector. If  
4243 determination for compliance to approved plans cannot be made by exposed survey corner  
4244 markers, the Building Inspector may require a string line from survey corner marker to survey  
4245 corner marker to ensure compliance. If the Building Inspector is still unable to determine if  
4246 compliance is met due to site conditions, it is the responsibility of the contractor or owner, if  
4247 owner/builder permits, to provide a site built survey to verify compliance with the approved plans.

4248 A building permit is not required for fences on properties with a detached single-family or  
4249 duplex unit that meet all of the following conditions:

- 4250 (1) Does not impede the function or maintenance of any designated easement;  
4251 (2) Is not adjacent to wetlands, water bodies, or their required buffers;  
4252 (3) Uses commonly commercially available fencing materials, such as wood,  
4253 vinyl, PVC, or aluminum; and  
4254 (4) Does not exceed six (6) feet in height, but may include an additional six (6)  
4255 inches for embellishments.

4256 (b) Residential zoning classifications: fences and walls are limited to a maximum  
4257 height of four (4) feet within the front yard and side street setbacks and six (6) feet, but may include  
4258 an additional six (6) inches for embellishments ~~six (6) inches~~ within the side and rear yard setbacks  
4259 except as provided in (f) of this Section. In the case of corner lots, the lot shall be considered to  
4260 have a front yard or yards on any side or sides abutting a road right-of-way. In the case of double  
4261 frontage lots, a fence may be placed on the rear property line facing the secondary right-of-way.

4262 (c) Commercial or Industrial zoning classifications: fences and walls are limited to a  
4263 maximum height of six (6) feet six (6) inches within the front setback and eight (8) feet within the  
4264 side and rear yard setbacks except as required to maintain visibility per ~~(e)(4)~~ ~~(f)(3)~~ of this Section  
4265 and Section 250.91, Code of Ordinances. Notwithstanding any other provisions of this Code,  
4266 fences shall not be located within a designated buffer unless required under Chapter 30 Part 14.

4267 (d) Agricultural zoning classifications: fences and walls are limited to a maximum height  
4268 of five (5) feet and an additional one (1) foot for embellishments within the front yard setback; and  
4269 eight (8) feet within the side and rear yard setbacks. Fences located within the front yard setback  
4270 must be open split rail, open picket, or decorative metal such as wrought iron; steel woven wire  
4271 may be used behind split rail fencing for animal containment, but no barbed wire is permitted.  
4272 These regulations shall not apply to property having an agricultural classification from the  
4273 Seminole County Property Appraiser. In the case of double frontage lots, a fence may be placed  
4274 on the rear property line facing the secondary right-of-way. In addition, properties zoned A-1 but  
4275 located in a platted residential subdivision within the urban service area may opt to comply with  
4276 the residential fences regulations contained in 30.14.19(b).

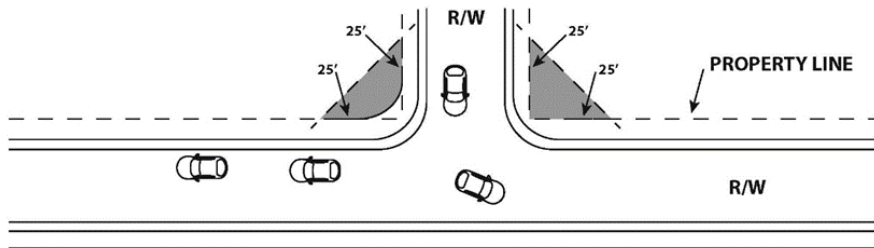
4277 (e) Planned Developments: Unless otherwise stated in the recorded Development  
4278 Order or Developer's Commitment Agreement, all fences or walls will comply with this Section.

4279 (f) Setback distance requirements will be as follows:

4280 (1) No side street setback will be required from any side property line adjoining  
4281 railroad right-of-way or a limited access highway.

4282 (2) For corner lots in residentially zoned properties, including residential  
4283 Planned Developments unless otherwise stated in the development order, the secondary front yard  
4284 or side street setback may be reduced to five (5) feet provided the visual clearance (sight line  
4285 triangle) requirements of (c)(4) of this Section can be met and with approval by the Seminole  
4286 County Traffic Engineering Division. Building permit applications requesting the reduction of the  
4287 side street setback must include a certified survey indicating the adjacent rights-of-way.

4288 (3) Fences, walls, hedges, plantings, or other obstructions must maintain visual  
4289 clearance requirements at the intersection on corner lots. The visual clearance triangle must be  
4290 fifteen (15) feet for residentially and agriculturally zoned property, or twenty-five (25) feet for  
4291 commercially or industrially zoned property at a street intersection unless otherwise approved by  
4292 the County Engineer. The visual clearance triangle is measured from the property corner adjoining  
4293 the intersection of rights-of-way the distance described above with a line joining points on those  
4294 lines.



4295 (4) Any fence, wall, hedge, planting (except plants defined as shoreline  
4296 vegetation in FAC 62-340-450), or other obstruction adjacent to a natural water body is limited to  
4297

4298 a maximum height of four (4) feet. Any fence or wall greater than four (4) feet must be located a  
4299 minimum distance of thirty (30) feet from the normal high water elevation of a natural water body.  
4300 Building permit applications for fences or walls adjacent to a natural water body must include a  
4301 certified survey no less than five (5) years old indicating the Normal High Water Elevation.

4302 (g) In all zoning districts, a chain link fence and other non-privacy fences (e.g., clear  
4303 plastic and metal or aluminum picket fences) that are not opaque but function similarly to a chain  
4304 link fence in that they do not obstruct the view with a maximum height of six (6) feet with an  
4305 additional six (6) inches for embellishments ~~six (6) inches~~ may be permitted on a vacant parcel,  
4306 except as provided in (b) of this Section, with an approved building permit.

4307 (h) Entrance walls to a subdivision may be erected closer to streets or roads only on  
4308 approval of the Board of County Commissioners.

4309 (i) No barbed-wire fence shall be erected in any residential district except for security  
4310 of public utilities. Barbed wire may be used on security fences erected in any commercial or  
4311 industrial district or for security of public utilities, provided such use is limited to three (3) strands,  
4312 a minimum of six (6) feet above the ground.

4313 (j) No fence or wall shall be erected or project beyond the property line or be located  
4314 within required visual clearance areas.

4315 (k) A fence shall be uniform in construction, design, material, color and pattern, and  
4316 the fence material shall be a standard material conventionally used by the fence industry.  
4317 Nontraditional materials, including, but not limited to, tires, mufflers, and hubcaps, are prohibited.  
4318 Open split-rail fences shall be permitted.

4319 (l) All fences shall be maintained in their original upright condition.

4320 (m) Fences and walls designed for painting or similar surface finish shall be maintained  
4321 in their original condition as designed. Any walls or fences which have been defaced shall be  
4322 promptly restored to their original condition.

4323 (n) Missing boards, pickets, posts or bricks shall be promptly replaced with material of  
4324 the same type and quality, subject to permitting requirements in (a) of this Section.

4325 (o) Gates and posts are limited to the same maximum heights and required setbacks for  
4326 fences and walls provided in (b), (c), (d), and (e) of this Section, including architectural  
4327 embellishments. Gates shall not swing into adjacent properties or encroach into the right-of-way.

4328 (p) Where grade elevations along adjoining properties differ, fence/wall height shall be  
4329 measured from the finished ground floor elevation of the property having the higher ground floor  
4330 elevation.

4331 (q) Any fence greater in height than provided in this Section or within the required yard  
4332 setbacks shall not be erected without approval of the Board of Adjustment after a public hearing.  
4333 Reductions to the side street setback as provided in (f)(2) will not require Board of Adjustment  
4334 approval unless otherwise determined by the Planning Manager.

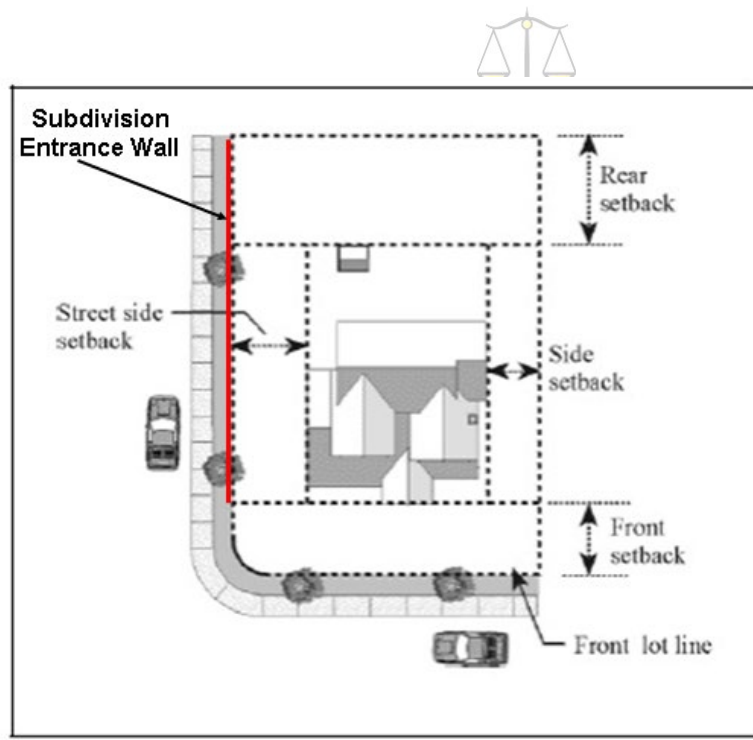
4335 (r) The face of any fence or wall visible to the public should be erected with the  
4336 finished side facing out.

4337 (s) Subdivision perimeter fencing: Walls surrounding the perimeter of subdivisions are  
4338 discouraged. However, when the back of homes within a subdivision are adjacent to a right-of-  
4339 way, solid walls shall be allowed to discourage a mix of private fences and to provide a consistent  
4340 edge. If a development voluntarily provides a wall due to the above condition, the enclosure shall  
4341 be constructed of cement or masonry materials, rather than vinyl or wood and any required  
4342 landscaping shall be on the side of the wall facing the right-of-way. The subdivision wall must be

4343 maintained by a property/homeowners association and included as a common element of the  
4344 association.

4345 Pedestrian access: Walls located along a right-of-way are required to have openings or  
4346 pedestrian gates every 500 feet or less, or every five (5) lots, whichever is less, and must be paired  
4347 with a pathway to ensure pedestrian connectivity. Alternative distances between pedestrian gates  
4348 or openings may be approved by the Development Services Director based on site layout and  
4349 characteristics.

4350 (t) Subdivision walls on private lots. For corner lots where a subdivision wall exists  
4351 adjacent to the side street property line (secondary front yard), a fence of equal height shall be  
4352 permitted at the property line without a variance. However, if the fence projects in front of the  
4353 front yard building line (into the front yard setback) the height is limited to 4 feet. See figure 14.19  
4354 below.



4355 Figure 14.19

4356 If the property owner elects to erect a fence perpendicular to the existing subdivision wall,  
4357 the fence shall not be erected beyond the property line.

4358 \* \* \*

4359 **Section 8.** Chapter 35 (Subdivision Regulations) of the Land Development Code of  
4360 Seminole County is hereby amended to read as follows:

4361 **Chapter 35 – SUBDIVISION REGULATIONS**

4362 \* \* \*

4363 **PART 2. PROCEDURES FOR SECURING APPROVAL OF PLATS**

4364 \* \* \*

4365 **Sec. 35.14. Review of final plat.**

4366 (a) *Purpose.* The purpose of the final plat is to ~~insure~~ensure the preparation,  
4367 completion, and recording of a final plat map and its accompanying legal documentation and the  
4368 review and approval of final technical submittals and engineering drawings.

4369 (b) ~~*Initiation point*~~*Submittals.* All submittals must be presented to the ~~current planning~~  
4370 ~~office.~~Planning and Development Division. Submittals shall be as required by Section 35.44, and  
4371 as required as a condition of preliminary plan approval.

4372 As required by Florida Statutes, as may be amended, within seven (7) business days after  
4373 receipt of a plat or replat submittal, the Development Services Director or designee shall provide  
4374 written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying  
4375 any missing documents or information necessary to process the plat or replat submittal.

4376 (e) ~~*Submittals.*~~ All submittals shall be as required by section 35.44, Required  
4377 submittals for final plat, and any submittals required as a condition of preliminary plan approval.

4378 (d)(c) *Fees.* Fees for final plat review, as adopted from time to time by the board, must be  
4379 paid to Seminole County, Florida, at the time the submittal is made to the ~~current planning office~~  
4380 Planning and Development Division.

4381 ~~(e)~~(d) *Review process.* All final plats shall be subjected to a standard review process as  
4382 outlined below:

4383 (1) ~~All submittals are received by the current planning office, compiled and~~  
4384 ~~distributed to the appropriate members of the development review committee. Upon determination~~  
4385 by the Development Services Director or designee that the submittal is sufficient to process for  
4386 review; the submittal shall be distributed to the appropriate members of the development review  
4387 committee for review.

4388 (2) ~~The submittals shall be reviewed by the development review committee~~  
4389 ~~with the applicant or his representative present. If the Development Services Director or designee~~  
4390 determines that the plat or replat does not meet all requirements to be approved, the applicant will  
4391 be notified in writing. The written notice must identify all areas of noncompliance and include  
4392 specific citations to each requirement the plat or replat submittal fails to meet. The applicant may  
4393 resubmit a revised plat or replat submittal based on the identified areas of noncompliance.

4394 (3) ~~If the plat does not meet all requirements, the developer shall have the~~  
4395 ~~option to either appear before the planning and zoning commission or submit, within sixty (60)~~  
4396 ~~days, a revised final plat, without fee, for review by the development review committee. Any~~  
4397 ~~revisions after the first one will require an additional final plat fee and will be subject to the same~~  
4398 ~~sixty-day deadline. Deadlines may be extended by the development review committee upon receipt~~  
4399 ~~of written request prior to the expiration date.~~

4400 ~~(4)~~(3) If the plat complies with all requirements, the Development Services  
4401 Director or designee will administratively approve the plat or replat. Prior to the plat or replat being  
4402 offered for recording, evidence of approval must be placed on the plat. it shall be presented to the

4403 ~~Board of County Commissioners within thirty (30) days of determination of compliance. The vice~~  
4404 ~~chairman shall have the authority to sign final plats in the absence of the chairman.~~

4405 ~~(5) The current planning office shall notify the applicant in writing of the~~  
4406 ~~decision of the Board of County Commissioners.~~

4407 (f) Final engineering plans shall be valid for a maximum period of one (1) year  
4408 following approval, unless: (1) the final plat has been recorded; or (2) a construction permit, in  
4409 compliance with Chapter 80 of this Code, has been obtained; or (3) the Development Review  
4410 Manager determines, prior to recording of the plat, that the plans are in compliance with all  
4411 applicable code requirements and the requirements of state and federal laws. If any matter is not  
4412 in strict compliance with law, the Development Review Manager shall direct that the engineering  
4413 plans be resubmitted for all appropriate reviews under this Code.

4414 \* \* \*



4415 **Sec. 35.16. Home construction prior to plat recording.**

4416 (a) Model Homes. Notwithstanding any provision of this part to the contrary, building  
4417 permits for homes may be issued for the construction of model homes within a subdivision prior  
4418 to plat recording if an estoppel letter, in a form acceptable to the County Attorney, is submitted  
4419 and the Development Services Director or designee determines that the model homes are to be  
4420 located at appropriate locations with appropriate and adequate safeguards to the public health,  
4421 safety and welfare. The estoppel letter shall be in recordable form and contain a covenant that no  
4422 conveyance of the lots or parcels upon which the model homes are located shall occur until after  
4423 the plat for the subdivision is approved and recorded.

4424 (b) Expedited Residential Subdivision Building Permits.

4425 (1) Purpose. The purpose of this section is to establish a process, pursuant to  
4426 Section 177.073, Florida Statutes, as amended, to expedite issuance of building permits for  
4427 residential subdivisions prior to final plat recording if certain requirements are met, as set forth  
4428 herein.

4429 (2) Submittal Requirements. Submittals for the expedited residential  
4430 subdivision building permit process are required to include the following:

4431 ~~(A)~~a. An Expedited Residential Subdivision Building Permit Application.

4432 The application must include identification of the percentage of planned homes or the number of  
4433 building permits, not to exceed the thresholds set forth in Section ~~177.031~~ 177.073, Florida  
4434 Statutes, to be issued prior to recording of the final plat for the residential subdivision.

4435 ~~(B)~~b. Application Fee. As per adopted Fee Schedule.

4436 ~~(C)~~c. Ownership Disclosure Form and supporting documents.

4437 ~~(D)~~d. Owner Authorization Form. Required if the applicant is not the  
4438 property owner.

4439 ~~(E)~~e. Plot Plan. For the purposes of this section, "plot plan" means a  
4440 scaled plan showing the existing and proposed improvements within the boundary of a lot,  
4441 including, but not limited to, structures, infrastructure, utilities, and boundary lines of the lot in  
4442 relation to each other. A separate plot plan is required for each individual lot requesting an  
4443 expedited building permit.

4444 ~~(F)~~f. An emergency access and water supply plan. The plan is required to  
4445 show adequate fire department access to the subdivision and sufficient water supply to those lots  
4446 seeking expedited building permits and must be approved by the Fire Marshall. The emergency

4447 access and supply plan must be complied with throughout construction in accordance with NFPA

4448 1.

4449 ~~(4)~~(3) ~~Bonds-Sureties~~. The applicant is required to submit a valid performance  
4450 ~~bond-surety~~ to guarantee the installation of necessary improvements, as per Section ~~177.031(9)~~  
4451 177.073, Florida Statutes, in the amount of one hundred thirty (130) percent of the construction  
4452 costs. Cost for construction shall be: (1) estimated by the applicant's engineer, or (2) a copy of the  
4453 contract between the applicant/developer and the contractor. The amount of the performance ~~bond~~  
4454 surety must be approved as adequate by the County Engineer, the Utilities Department, if  
4455 applicable or their designees. This ~~bonding-surety~~ requirement may ~~also~~ be met by bond, escrow  
4456 deposit, ~~cashier's check~~ letter of credit, ~~certified check~~, or an alternative document as approved by  
4457 the Board of County Commissioners, ~~which may include an irrevocable letter of credit or~~  
4458 ~~developer agreement~~.




4459 ~~(5)~~(4) Addressing. Those lots requesting Expedited Residential Subdivision  
4460 Building Permits must be pre-addressed after the approval of the Preliminary Plan by the Planning  
4461 and Zoning Commission and prior to submission of an Expedited Residential Subdivision Building  
4462 Permit Application. This can be accomplished by making a request to the Addressing Supervisor,  
4463 or designee, with the approved Preliminary Plan at least ten (10) working days prior to the  
4464 submission of an Expedited Residential Subdivision Building Permit Application. Plans required  
4465 by Addressing must include the approved street names, adjacent road names, entrance locations,  
4466 lot numbers, all possible lot division lines, and north arrow. Assigned addresses are subject to  
4467 change until the plat has been recorded. The Addressing Supervisor or designee shall have the  
4468 authority to deviate from these standards as necessary to ensure the safety of the general public.

4469                    ~~(6)~~(5) Criteria for approval. The following criteria are required to be met for  
4470 approval and issuance of expedited residential subdivision building permits:

4471                    ~~(A)~~a. The Preliminary Plan (also referred to as and used interchangeably  
4472 with "Preliminary Subdivision Plan" and "Preliminary site plan" as per the Land Development  
4473 Code and "Preliminary Plat" as per Section 177.073, Florida Statutes), Site Plan, and Final  
4474 Engineering Plan must be approved and in compliance with this Land Development Code, the  
4475 Florida Building Code, the Fire Code and ~~Section 177.031~~Chapter 177, Florida Statutes.

4476                    ~~(B)~~b. Proof that the applicant provided the Preliminary Plan, the Site Plan  
4477 and the Final Engineering Plan to the applicable electric, gas, water, and wastewater utilities  
4478 servicing the property; and

4479                    ~~(C)~~c. All proposed structures seeking an expedited building permit must  
4480 meet the requirements for an approved master building permit or the most recently adopted Florida  
4481 Building Code requirements. 

4482                    ~~(D)~~d. The emergency access and water supply plan must be approved by  
4483 the Fire Marshall in accordance with NFPA 1.

4484                    ~~(E)~~e. Adequate addressing and installation of street signs in accordance  
4485 with the requirements outlined in this Chapter and Chapter 40 of the Code of Ordinances must be  
4486 completed.

4487                    ~~(F)~~f. Proof that the applicant holds a valid performance bond, approved  
4488 by the County, for 130 percent of the uncompleted necessary improvements, as defined above; and

4489                    ~~(G)~~g. Execution of an indemnification and hold harmless agreement in  
4490 favor of the County, pursuant to ~~Section 177.031(10)~~177.073, Florida Statutes.

4491                    ~~(7)~~(6) Restrictions. Applicants may not:

4492                   (A)a. Transfer ownership of lots until the final plat is approved and  
4493 recorded in the Public Records of Seminole County, Florida.

4494                   (B)b. Obtain a temporary or final certificate of occupancy until the final  
4495 plat has been recorded.

4496                   (C)c. Occupy or allow occupation of any structure prior to issuance of a  
4497 certificate of occupancy

4498                   **PART 4. REQUIRED SUBMITTALS APPROVAL OF PLATS**

4499                   \*       \*       \*

4500                   **Sec. 35.42. Required submittals for development plan.**

4501                   The development plan shall be drawn at a reasonable scale (one (1) inch to one hundred  
4502 (100) feet), ~~submitted in nine (9) copies,~~ and shall show the following:

4503                   (a)     Legend. Title, legal description, scale, north arrow, approximate acreage to be  
4504 subdivided, current zoning, total number of lots, minimum lot size, name, address, and telephone  
4505 number of the subdivider or his representative(s).

4506                   (b)     Vicinity map. Showing relationship between area proposed for development and  
4507 surrounding streets and public facilities, shall be at a scale of not less than one (1) inch equals two  
4508 thousand (2,000) feet.

4509                   (c)     Existing streets. The name, location, and right-of-way width of all existing streets  
4510 which abut the proposed subdivision, and existing easements on the property and location of all  
4511 existing driveways and median openings in the vicinity.

4512                   (d)     Proposed streets. The width of proposed street rights-of-way.

4513                   (e)     Lots. Preliminary lot layout with approximate dimensions shown.

4514                   (f)     Soils.

4515 (1) Soil classification map drawn on the face of the plan for comparison with  
4516 proposed development activities. Indicate soil classifications on the plat as identified by the United  
4517 States Department of Agriculture Soil Conservation Service in the "Seminole County Soil Survey"  
4518 and "Soil Survey Supplement." An applicant may challenge this designation by securing  
4519 competent expert evaluation, at the applicant's own expense, demonstrating that the identified soils  
4520 are not classified correctly. If said determination is concurred in by the Development Review  
4521 Manager, the soils shall be correctly identified for the purpose of this chapter.

4522 (2) Soil analysis by a qualified soil engineer shall be furnished, upon request of  
4523 the Development Review Manager, for submittal with preliminary plat.

4524 (g) Topography. As delineated by the United States Geological Survey Maps will be  
4525 adequate.

4526 (h) Other natural features. Including lakes, wetlands, water courses, and other pertinent  
4527 features. Tree cover will be compared with road locations, but no submittals will be necessary at  
4528 this stage. Seminole County wetlands maps or aerial photography interpretation may be utilized  
4529 for wetlands delineation.

4530 (i) Limits of floodplain. Indicate flood elevation, drawn on the face of the plan, for  
4531 100-year flood as established by the United States Geological Survey Map series entitled, "Map  
4532 of Flood Prone Areas," or the "Flood Insurance Rate Map (FIRM)." An applicant may challenge  
4533 this designation by securing competent expert evaluation, at the applicant's own expense,  
4534 demonstrating that the property does not fall within the designated flood delineation. If said expert  
4535 determines that the property in question is not within a flood-prone area, and said determination is  
4536 concurred in by the Seminole County Engineer or his designee, said property shall be designated  
4537 as nonflood-prone for the purpose of this chapter.

4538 (j) Utilities. Proposed source of water and sewer

4539 **Sec. 35.43. Required submittals for preliminary plan.**

4540 Required submittals for the preliminary plan shall consist of a plat, preliminary engineering  
4541 drawings, and other auxiliary submittals as herein stated.

4542 (a) Plan requirements. A preliminary plan, drawn at a reasonable scale (one (1) inch to  
4543 one hundred (100) feet) by a registered surveyor and engineer ~~and submitted in nine (9) copies,~~  
4544 showing graphically or by notes:

4545 (1) Title block. The title or name of the proposed subdivision, the name and  
4546 address of the owner of the tract proposed for development, and the name and address of the  
4547 engineer and surveyor engaged to prepare and design the preliminary plat.

4548 (2) Legend. Date, scale or plat, north arrow, current zoning, total number of  
4549 lots, and minimum lot size.



4550 (3) Legal description. A full and detailed legal description of the tract to be  
4551 platted and its approximate acreage.

4552 (4) Vicinity map. Showing relationship between area proposed for  
4553 development and surrounding streets and public facilities, shall be at a scale of not less than one  
4554 (1) inch equals two thousand (2,000) feet.

4555 (5) Streets. The location, name, and right-of-way and pavement width, both on  
4556 and immediately contiguous to, the subdivision tract shall be shown.

4557 (6) Public open space and easements. Existing park lands, lakes, waterways and  
4558 wetlands within the tract to be subdivided shall be shown. Existing public easements shall be  
4559 shown on the plat. The purpose for such easement shall be indicated.

4560 (7) Dedications and reservations. All parcels of land proposed to be dedicated  
4561 or reserved for public use, such as roads, easements, parks, sidewalks, bikes, or pedestrian trails,  
4562 wetlands and conservation areas shall be indicated on the plat. Proposed rights-of-way and street  
4563 names shall be indicated.

4564 (8) Lot lines and lot numbers. The proposed lot line, with appropriate  
4565 dimensions and lot numbers, shall be shown. Lots shall be numbered in consecutive order starting  
4566 with the numeral one (1) for the first lot in each block, or other manner as approved by the County.

4567 (9) Topography. Contour intervals of one (1) foot, except where determined to  
4568 be unreasonable by the County Engineer.

4569 (10) Soils. Soil classification map drawn on the face of the plan for comparison  
4570 with proposed development activities. Indicate soil classifications on the plat as identified by the  
4571 United States Department of Agriculture Soil Conservation Service in the "Seminole County Soil  
4572 Survey" and "Soil Survey Supplement." An applicant may challenge this designation by securing  
4573 competent expert evaluation, at the applicant's own expense, demonstrating that the identified soils  
4574 are not classified correctly. If said determination is concurred in by the Development Review  
4575 Manager, the soils shall be correctly identified for the purpose of this Code. (Not required if soil  
4576 classification map was submitted with development plan.)


4577 (11) Proposed building setback lines. Required only if different than those  
4578 specified by the Zoning Regulations of Seminole County.

4579 (12) Other natural features. Including lakes, wetlands, water courses, and other  
4580 pertinent features. Tree cover will be compared with road locations, but no submittals will be  
4581 necessary at this stage. Wetland areas shall be delineated by survey certified by a registered

4582 professional land surveyor following field verification by the natural resources officer, his  
4583 designee or their successors.

4584 (13) Homeowners association. All developments whose submitted plan indicates  
4585 the existence of one (1) or more areas to be held in common by the property owners shall have  
4586 established and maintained a homeowners association membership in which will be required for  
4587 all purchasers of lots or parcels of land within the plat. Said association shall be established by the  
4588 developer at the time, and as a condition, of platting and shall be acceptable to County. Upon  
4589 request of the developer and a showing of undue hardship, the ~~Board of County Commissioners~~  
4590 Development Services Director, ~~at its sole discretion~~, may waive the requirement of this provision.

4591 (b) Engineering drawings. Preliminary engineering drawings shall be submitted in two  
4592 (2) copies to the current planning office and show the following:

- 4593 (1) Water system. 
- 4594 (2) Sewage system.
- 4595 (3) Stormwater and drainage facilities.
- 4596 (4) Bulkheads.
- 4597 (5) Streets.
- 4598 (6) Sidewalks, bicycle paths, and pedestrian paths.
- 4599 (7) Excavation and fill.

4600 The County may require additional information as needed. such as, proposed disposition  
4601 and water quality of storm drainage.

4602 (c) Other submittals.

4603 (1) Arbor information. The location of all trees, as defined by the Arbor  
4604 Ordinance, in rights-of-way and easements shall be submitted to the Arbor section, Current

4605 Planning Office. This submittal may be an aerial photograph. Application for arbor permit will be  
4606 made at this stage. The Arbor Inspector will also review excavation and fill plans to determine  
4607 possible tree replacement requirements.

4608 (2) Covenants. A draft copy of any proposed protective covenants or deed  
4609 restrictions shall be submitted.

4610 (3) Dredge and fill. If any dredging or filling operation is intended in  
4611 development of the area, application shall be made to the Planning Manager Development Services  
4612 Director for dredge and fill permitting. No such work will be done prior to issuance of such permit.

4613 (4) Erosion control. Provisions for the adequate control of erosion and  
4614 sediment, indicating the location and description of the methods to be utilized during and after all  
4615 phases of clearing, grading, site preparation, and construction.

4616 (5) Additional data. Such other additional information shall be submitted as  
4617 deemed necessary by the County ~~Engineering Division, the utilities division, Development Review~~  
4618 ~~Division and the current planning office to insure~~ to ensure conformity with the requirements of  
4619 this section and other sections of this Code and other applicable laws, ordinances, and regulations.

4620 (6) Pedestrian, bicycle and vehicular linkage information. This information  
4621 shall be provided in graphic and textual form and will describe the following:


4622 ~~(A)~~a. Vicinity map which depicts:

4623 ~~(i)~~1. All existing, approved or planned residential subdivisions  
4624 and non-residential sites which abut or are within one-quarter ( $\frac{1}{4}$ ) mile of the proposed  
4625 development.

4626 ~~(ii)~~2. The location of all existing and planned common use and  
4627 public use facilities; elementary, middle and high schools; community and neighborhood parks;

4628 commercial and/or employment centers; and transit facilities within a two (2) mile radius of the  
4629 boundary of the proposed development. Planned public uses shall be as defined in the Capital  
4630 Improvements Element of the Seminole County Comprehensive Plan and/or a facility plan as  
4631 adopted by a public service provider or the school board. For the purpose of submitting this vicinity  
4632 map, readily available commercial or County maps may be used.

4633 ~~(B)~~b. A statement by the applicant showing how non-automotive forms of  
4634 transportation are promoted in order to reduce dependency on the automobile to include the  
4635 following:

4636 ~~(i)~~1. A statement indicating how existing and planned bicycle  
4637 paths, sidewalks and pedestrian access easements (jogging paths and trails) would provide access  
4638 from the proposed development to all facilities referenced in the vicinity map. This statement shall  
4639 include information to indicate where there are barriers to the implementation of potential linkages  
4640 exist such as walls, berms and other features. 

4641 ~~(ii)~~2. A statement indicating how pedestrian and bicycle access to  
4642 all the facilities depicted on the vicinity map will be provided both within and immediately external  
4643 to the subdivision.

4644 ~~(C)~~c. A statement indicating how vehicular access to proximate  
4645 neighborhoods and public facilities, services, commercial and employment centers would be  
4646 accomplished; and how the use of local residential streets by substantial through traffic will be  
4647 discouraged or restricted.

4648 ~~(D)~~d. A one (1) page graphic plan or map to scale showing the following:

4649 ~~(i)~~1. The location of all existing or proposed residential and  
4650 collector streets which abut the proposed development.

4651 ~~(ii)~~2. Proposed vehicular connections to all the facilities identified  
4652 in (D)(i), above.

4653 ~~(iii)~~3. Street layout and design indicating how local and residential  
4654 streets will be designed to discourage through traffic.

4655 ~~(iv)~~4. Location of pedestrian, bicycle and vehicular access to  
4656 abutting residential subdivisions.

4657 ~~(E)~~e. Any portion of these required submittals may be waived by the  
4658 Planning and Development Division upon finding that one (1) or more of the following conditions  
4659 exist; provided, however, that a waiver of submittal requirements will not act to waive the review  
4660 of impacts of the proposed subdivision on pedestrian, bicycle and vehicular linkages and such  
4661 linkage requirements shall be evaluated:

4662 ~~(i)~~1. The perimeter of the proposed subdivision is less than three  
4663 thousand three hundred (3,300) feet in length, and is not part of a larger phased development; or

4664 ~~(ii)~~2. A final development order has been issued by the County  
4665 that is applicable to the property and which addresses pedestrian, bicycle and vehicular linkages;  
4666 or

4667 ~~(iii)~~3. The proposed subdivision is within an existing urbanized  
4668 area and pedestrian, bicycle and vehicular linkages with other subdivision, public facilities and  
4669 commercial/employment centers are already provided or planned; or

4670 ~~(iv)~~4. The proposed subdivision is within a designated rural area  
4671 with a maximum density less than one (1) unit per acre; or

4672                   (✓) 5. The proposed subdivision is part of a larger PD in which  
4673 pedestrian, bicycle and vehicular plans were approved as part of the preliminary or final  
4674 development plan.

4675                   ~~(7) — Transportation management plan. The provisions of section 30.445(o)~~  
4676 ~~relating to the requirements of a Transportation management plan shall be applicable.~~

4677                   **Sec. 35.44. Required submittals for final plat.**

4678                   The required submittals, meeting the legal requirements of platting, of the final plan shall  
4679 consist of a fully executed correct plat map, meeting all state and County standards, final  
4680 engineering drawings and auxiliary submittals, to include a boundary survey signed and sealed by  
4681 a professional surveyor and mapper registered in Florida, and all required legal instruments.

4682                   (a)     *General.* The final plat shall be drawn with black drawing ink on linen tracing cloth,  
4683 or equally durable material, using sheets twenty-four (24) inches by thirty-six (36) inches. Each  
4684 sheet shall have a marginal line completely around the sheet placed to leave a three-inch binding  
4685 margin on the left and a one-inch margin on the other three (3) sides. Final plats shall meet all the  
4686 requirements of Chapter 177, Florida Statutes, and shall be so certified by the land surveyor. The  
4687 final plat shall be at a scale of not more than one (1) inch to one hundred (100) feet. All dimensions  
4688 shall be scaled to the nearest one-hundredth of a foot and angles to the nearest second of a degree.

4689                   (b)     *Plat Requirements.* The final plat shall constitute only that portion of the approved  
4690 preliminary plan which the subdivider proposes to record and develop at the time; provided,  
4691 however, that such portion conforms to all requirements of these regulations. ~~Eleven (11) copies~~  
4692 ~~of the final plat and seven (7) complete sets of the final engineering plans must be provided,~~  
4693 showing the following information:

4694 (1) Title block to include the name of subdivision, the appropriate section,  
4695 township, and range, and the words, "Seminole County, Florida."

4696 (2) The legal description of the area contained within the plat with bearings and  
4697 distances and with references to a subdivision corner tie.

4698 (3) A vicinity map, at scale, showing the proposed subdivision in relation to the  
4699 surrounding streets.

4700 (4) The location of all permanent reference markers (PRMs) in conformance  
4701 with state statutes.

4702 (5) A legend which defines all symbols, shows stated and graphic scale, and  
4703 displays north arrow.

4704 (6) Sufficient data to determine readily, and to reproduce on the ground, the  
4705 location, bearing, and length of each street right-of-way line, boundary line, block line, and  
4706 building line, whether curved or straight, adequately correlated with monuments and markers.

4707 (7) The right-of-way lines, widths, and names of all streets and roads.

4708 (8) The radius, central angle, chord, chord bearings and arcs of all curved  
4709 streets, and curved property lines.

4710 (9) Lot lines and lot and block numbers.

4711 (10) Proposed building setback lines from side, front, and back lot lines, if  
4712 different than those specified by the Zoning Regulations of Seminole County.

4713 (11) Location and width of canals and waterways.

4714 (12) Dedications, reservations and easements, showing widths and purpose, shall  
4715 be delineated on the face of the plat and shall not be incorporated by reference. Dedications must  
4716 be recited within the Dedication statement.

4717 (13) The names, locations, and plat book and page numbers of abutting  
4718 subdivisions and streets, and the location of abutting subdivisions.

4719 (14) Certificates as required by Chapter 177, Florida Statutes; of owners  
4720 showing dedications; of surveyor confirming correctness; of ~~County Planning and Zoning~~  
4721 ~~Commission~~ approval; of ~~Board of County Commissioners'~~ approval; and for Clerk of Circuit  
4722 Court recording. Signatures of owners must be in conformance with Section 692.01, Florida  
4723 Statutes, (for corporations), or Chapter 689, Florida Statutes (for individuals).

4724 (15) A certificate of joinder and consent and approval by mortgagee on the plat  
4725 or as a separate instrument.

4726 (16) A statement that reads: "NOTICE: There may be additional restrictions that  
4727 are not recorded on this plat that may be found in the public records of this County."?

4728 (17) A statement on the face of any plat for non-single- family residential  
4729 development not having early encumbrance and reservation of the development's public facility  
4730 capacity shall read: "NOTICE: See Seminole County Development Order Number \_\_\_\_\_,  
4731 recorded in the Public Record Books of Seminole County, Florida, for contingencies as to public  
4732 facility capacity encumbrance or reservation and other information."

4733 (c) *Engineering Drawings.* ~~Seven (7) copies each of f~~Final engineering plans and  
4734 specifications for the following improvements, both on-site and off-site, shall be submitted to the  
4735 Planning and Development Division ~~at the same time as~~ prior to the Final Plat submittal:

4736 (1) Water system. Size, material, and location of water mains, plus valves and  
4737 hydrants.

4738 (2) Sewer system. Size, material, and location of lines, with submittal of profile  
4739 where required.

- 4740 (3) Storm water drainage facilities.
- 4741 (4) Bulkheads.
- 4742 (5) Streets.
- 4743 (6) Sidewalks, bicycle paths, and pedestrian paths.
- 4744 (7) Excavation and fill.
- 4745 (8) Cross-sections at fifty-foot intervals or greater for off-site improvements as
- 4746 recommended by the Development Review Manager.

4747 (d) *Preliminary Subdivision Plan.* A copy of the approved preliminary subdivision plan

4748 shall be attached to each submitted copy of the final engineering plan.

4749 (e) *As-Built Plot Plans.* Submittal of an As-Built Plot Plan, herein defined as a post-

4750 construction survey signed and sealed by a Registered Land Surveyor in the State of Florida

4751 identifying all property lines and the locations of all utilities, easements, and construction

4752 improvements, shall be required for each lot within a residential subdivision that was developed

4753 utilizing the Expedited Residential Subdivision Building Permit process.

4754 (f) *Additional Required Legal Submittals.* The approval of the Final Plat shall be made

4755 only pursuant to certification of adequacy of the following list of required submittals by the County

4756 Engineer, the Environmental Services Department Director, Development Services Director

4757 and/or County Attorney as appropriate.

4758 (1) ~~Bonds~~ Sureties.

4759 ~~(A)~~a. The approval of any plat shall be subject to the subdivider

4760 guaranteeing the installation of storm drainage facilities, bulkheads, streets, and water and sewer

4761 lines by filing a performance ~~bond or bonds~~ surety or sureties in the amount of one hundred ten

4762 (110) percent of the construction costs, including landfill. Cost for construction shall be 1)

4763 estimated by the subdivider's engineer or 2) a copy of the contract provided. The amount of the  
4764 performance ~~bond~~-surety must be approved as adequate by the County Engineer, the  
4765 ~~Environmental Services-Utilities~~ Department Director. In lieu of performance ~~bonding~~-surety,  
4766 improvements may be installed following Final Plat approval and preceding Final Plat recording  
4767 subject to the approval of the County Engineer, the Utilities Engineering Manager or his or her  
4768 designee. In cases where improvements are installed prior to recording, a maintenance ~~bond~~-surety  
4769 must be submitted to the County Engineer, the ~~Environmental Services-Utilities~~ Department  
4770 Director. The Plat cannot be recorded until the maintenance ~~bond~~-surety is approved by the County  
4771 Engineer, the ~~Environmental Services-Utilities~~ Department Director, and/or their designee. Said  
4772 maintenance ~~bond~~-surety shall only be required when the responsibility for maintenance of said  
4773 improvements is to be transferred to the County or homeowners association. Where the  
4774 improvements will neither be owned or maintained by the County or a homeowners association  
4775 and ownership is retained by the developer a maintenance bond will not be required.

4776 ~~(B)~~b. ~~Bonding~~-Surety requirements may ~~also~~ be met by the following, but  
4777 not limited to:

4778 ~~(i)~~1. Escrow Deposit

4779 ~~(ii)~~2. Cashier's Check

4780 ~~(iii)~~3. Certified Check

4781 ~~(iv)~~4. Others, as approved by the ~~Board of County Commissioners~~

4782 County Attorney's Office and the authorized County Department or Board, which may include  
4783 Developer-Lender-County Agreement for providing public improvements, assignment of Interest-  
4784 Bearing Certificate of Deposit, Irrevocable Letters of Credit, or Developer's Agreement.

4785                   (5). All financial institutions or other sureties executing  
4786 documents on behalf of the developer for compliance with the conditions hereunder must be  
4787 acceptable to County.

4788                   (2)     *Covenants*. Any protective deed covenants to be placed on the property shall  
4789 be notarized and in a form suitable for recording.

4790                   (3)     *Title Opinion*. A certificate of ownership title opinion, signed by a licensed  
4791 attorney at law or an abstract company, in form approved by the County Engineer Surveyor, and  
4792 showing including:

4793                   (A)-a. Verification that the parties ~~Parties~~-executing plat are owners of the  
4794 land to be platted. ~~embraced by the plat.~~

4795                   (B)-b. All mortgages, liens, easements, judgments or other encumbrances  
4796 affecting the property to be platted.



4797                   (C)-c. Payment of Taxes. ~~Prior to authorizing the recording of any plat the~~  
4798 ~~Planning and Development Division shall be provided p~~Proof that all delinquent ad valorem taxes  
4799 and all taxes that are due and payable which relate to the real property which is being to be platted  
4800 have been paid.

4801                   (D)-d. Description of plat is correct A legal description that includes the  
4802 property to be platted.


4803                   (E)-e. Confirmation that ~~N~~no conflicting rights-of-way, easements, or  
4804 plats exist.

4805                   f. Confirmation that no title defects exist or a report of those found.

4806                   g. Copies of all documents referenced in the title opinion.

4807 h. Title opinions cannot be based on a third-party property information  
4808 report.

4809 ~~(4) — *Public Disclosure.* In accordance with Section 286.23, Florida Statutes, or~~  
4810 ~~its successor, any person or entity holding real property in any form of representative capacity~~  
4811 ~~including, but not limited to a partnership, a limited partnership, a corporation or a trust, shall,~~  
4812 ~~prior to conveying real property to the County, make all disclosures required by Section 286.23,~~  
4813 ~~Florida Statutes, or its successor; provided, however, that if a person or entity claims to be exempt~~  
4814 ~~from such disclosure pursuant to State law, an affidavit attesting to said exemption shall be filed~~  
4815 ~~by the said person or entity.~~

4816 ~~(5)-(4) *Documents, Deeds, Certificates and Bond-Surety Forms.* All documents,~~  
4817 ~~deeds, certificates and bond-surety forms required pursuant to this Section shall be submitted in a~~  
4818 ~~form as developed and approved by the County Attorney. Copies of standard forms shall be~~  
4819 ~~appended hereto for informational purposes.~~ 

4820 (g) *Other Required Submittals.*

4821 (1) *Arbor Information.* The location of all trees within road rights-of-way and  
4822 easements to be cleared will be submitted to the Planning and Development Division if different  
4823 information than shown on the Preliminary Plat. The Natural Resources Officer shall recommend  
4824 any necessary tree replacement at this stage.

4825 ~~(2) — *Addresses.* Addresses shall be indicated in parentheses on each lot on one~~  
4826 ~~(1) separate copy of the Final Plat. Addresses will be obtained by the developer from the Land~~  
4827 ~~Development Division in accordance with the established addressing system.~~

4828 ~~(3)-(2) Letters will be submitted by all appropriate utility companies stating that all~~  
4829 ~~easements are adequate.~~

4830                    ~~(4)~~(3) Copies of all required Florida Department of Environmental Protection  
4831 Water and Wastewater Permits.

4832                    ~~(5)~~(4) Copy of any required St. Johns River Water Management District Permit.

4833                    \*           \*           \*

4834                    **PART 6. DESIGN STANDARDS**

4835                    \*           \*           \*

4836                    **Sec. 35.61. General.**

4837                    All lands included within the subdivision must be suitable for the various purposes  
4838 proposed in the request for subdivision approval. Further, no subdivision plan may be approved  
4839 unless the ~~Board~~Development Services Director finds, after full consideration of all pertinent data,  
4840 that the subdivision can be served adequately with such normal public facilities and services as are  
4841 suitable in the circumstances of the particular case. In addition to the Design Standards below, all  
4842 plans must comply with the Engineering Manuals described in Section 5.20 of this Code.

4843                    (a)    *Conformance with County policy.* The subdividing and development of any areas  
4844 subject to this ordinance must conform to the adopted general goals and objectives of the Board  
4845 with respect to the physical development of the County as set forth in various elements of the  
4846 Comprehensive Plan of Seminole County and other requirements including:

4847                    (1)    The most current Orlando Urban Area Transportation Study and adopted  
4848 Seminole County Transportation Plan;

4849                    (2)    County policies on water supply, waste disposal, and other essential  
4850 utilities; and

4851                    (3)    The Land Development Code, as amended.

4852 (b) *Use of natural features.* The arrangement of lots and blocks and the street system  
4853 must make the most advantageous use of topography and preserve mature trees, wetlands and other  
4854 natural features wherever possible. No subdivision may be approved that would result in the  
4855 removal of over seventy-five (75) percent of existing trees, with trunk diameters of six (6) inches  
4856 or greater, from any site, unless the Planning Manager finds that the development of the site would  
4857 be severely restricted. Special consideration and credit will be given to the retention of trees having  
4858 a trunk diameter of twenty-four (24) inches or larger. Special consideration will be given for  
4859 waterfront features and shoreline protection as specified in [Chapter 71](#) of this Code. Any person  
4860 aggrieved by the decision of the Planning Manager may request a waiver from this requirement  
4861 from the Board of County Commissioners.

4862 (c) *Consideration of soil and flood hazards.* A subdivision plan will not be approved  
4863 unless all land intended for use as building sites can be used safely for building purposes without  
4864 danger from flood or other inundation or from adverse soil or foundation conditions or from any  
4865 other menace to health, safety, or public welfare. In particular, lands which are within the 100-year  
4866 flood-prone areas, may not be subdivided and developed until proper provisions are made for  
4867 protective flood-control measures and water-management facilities necessary for flood-free  
4868 development and flood-free vehicular access to such sites. Each platted lot must have a buildable  
4869 area equal to the minimum lot size requirement of the applicable zoning district and located above  
4870 the 100-year floodplain elevation or wetlands line, whichever is higher. Any portion of the platted  
4871 lot which lies below the 100-year floodplain elevation or wetlands line must be dedicated to the  
4872 public as a drainage easement, a conservation easement, or both. No filling or grade level change  
4873 will be permitted which will adversely affect any surrounding area. Requirements for development  
4874 within the 100-year floodplain are contained in the flood prone article of the Seminole County

4875 Zoning Regulations and the Seminole County Comprehensive Plan. The latest edition of the  
4876 Seminole County Soil Survey is to be used as a guideline in identifying soil properties and  
4877 interpretations for various uses in terms of soil limitations and soil features adversely affecting a  
4878 particular use. In addition, the soil supplement is to be used in interpreting the basic properties of  
4879 the soils in terms of their potential for a particular use. The following standards must be followed  
4880 in areas of low and very low potential soils:

4881 (1) Lands where soils have very low potential and low potential for proposed  
4882 uses, as identified in the Seminole County Soil Survey and its Soil Supplement, may not be  
4883 developed unless:

4884 ~~(A)~~a. Health and safety hazards are not created.

4885 ~~(B)~~b. County maintenance of public facilities is not involved where the  
4886 soil performance is low or unreliable without approved modifications.

4887 (2) Unincorporated urban development is prohibited on soils with very low  
4888 potential without approved modification.

4889 (3) A public facility may not be constructed where the soil performance for the  
4890 public facility is of low or very low potential, except in cases of overriding public interest.

4891 (4) It is the policy of the County not to accept a dedication for public ownership  
4892 or maintenance of utilities or roads constructed in areas where soil performance for the utilities or  
4893 roads is of a low or very low potential without approved modifications.

4894 (d) *Finished floor elevation.* No platted lot may be approved unless it contains a  
4895 suitable building site of sufficient elevation to permit construction utilizing a first-floor elevation  
4896 based upon the following:

4897 (1) The elevation of the site must be at least one (1) foot above the 100-year  
4898 flood-prone elevation, as determined by the County Engineer based upon the best available data.  
4899 Where the floodway of any stream or river is defined, lots may be platted for residential use only  
4900 if all parts of the platted lots located within the floodway are expressly limited to open space uses.  
4901 Reduction of on-site drainage storage capacity is prohibited. Finished floor elevations will be  
4902 established by utilizing Seminole County Vertical Control Datum.

4903 (2) Provided that building lots are a reasonable level or slope toward a street,  
4904 road, or right-of-way, the minimum finished floor elevation of any structure must be greater than  
4905 or equal to sixteen (16) inches above the lowest crown of that portion of the adjacent street, road,  
4906 or right-of-way upon which the structure fronts. On lots which slope away from a street or road  
4907 with continuous slope toward a lake, stream, or water collection area and, where positive drainage  
4908 exists, the finished floor elevation of any structure must be greater than or equal to one (1) foot  
4909 above finished site grade measured at the highest contour that abuts the building. Where necessary,  
4910 swales must be constructed to divert run-off water around any structure to not adversely impact  
4911 adjacent property owners.

4912 (3) Driveways or other areas of access to a building or structure must be sloped  
4913 to prevent the runoff of surface water into any building or structure.

4914 (e) Prior to the issuance of a Certificate of Occupancy, trees must be planted on new  
4915 residential lots, as shown on the approved building permit, subject to the following requirements:


4916 (1) Tree quantity:

Lot Size (in square feet)	Minimum Number of Canopy Trees
<=6,000	2
6,001—10,000	3
10,001—14,000	4
14,001—20,000	6
20,001—43,560 (1 acre)	9

4917 (2) For lots greater than one (1) acre, nine (9) trees must be provided for each  
4918 acre, prorated for fractional acres.

4919 (3) For lots of ten thousand (10,000) square or less, at least one of the required  
4920 canopy trees must be in the front yard. For lots equal to or greater than ten thousand one (10,001)  
4921 sq. ft., at least two (2) of the required canopy trees must be in the front yard.

4922 (4) The canopy tree requirements may be met with trees planted in a tree lawn  
4923 within the right of way that is contiguous with the lot line.

4924 (f) *Special considerations.* Special consideration must be given in the layout of streets,  
4925 lots, blocks, buildings, and easements to the preservation of large and specimen individual trees.  
4926 Special consideration must also be given to preserving natural drainage methods and natural  
4927 topography and landscape. Special consideration must be given to providing special screening,  
4928 buffers, or berms where developments abut  noncompatible land uses

4929 \* \* \*

4930 **Sec. 35.72. Rural subdivision standards.**


4931 On those properties assigned the A-3, A-5 or A-10 zoning classifications, the following  
4932 subdivision standards apply. These standards are in addition to the other standards of Chapter 35,  
4933 Part 6 of this Code except where the rural subdivision standards expressly replace the standards  
4934 above.

4935 (a) *Private streets.* Residential streets must be developed in accordance with the  
4936 minimum residential standards for street cross sections, open drainage, as prescribed in the  
4937 Seminole County, Florida Public Works Engineering Manual described in Section 5.20(a) of this  
4938 Code. Alternative proposals may be submitted for review and, if found to be appropriate and in  
4939 accordance with the purposes of this part, the ~~Planning and Zoning Commission may recommend~~

4940 ~~and the Board~~ Development Services Director may approve the proposal and waive the  
4941 requirements of the Seminole County, Florida Public Works Engineering Manual described in  
4942 Section 5.20(a) of this Code in whole or in part.

4943 (b) *Lots.* To the maximum extent practical, subdivisions must be designed to  
4944 preserve the rural character of the area by locating lots and buildings to retain natural features of  
4945 the site including, but not limited to, specimen trees and wooded areas and by minimizing any  
4946 negative impacts and alteration of natural features.

4947 (c) *Sidewalks (or pedestrian ways) and gutters.* Sidewalks, curbs and gutters are not  
4948 required and may be permitted on one side of the roadway only in order to provide access to  
4949 schools, parks or bus stops.

4950 (d) *Street lighting.* No street lighting may be provided other than lighting at  
4951 intersections, along walkways, at entryways,  between buildings and in parking areas where  
4952 required for safety or when required by State law.

4953 (e) *Family subdivision.* In order to facilitate the continuance of the family farm or ranch  
4954 in Seminole County, family subdivision of land may be permitted in accordance with this section.  
4955 Notwithstanding the provisions of Section 35.2 and the density regulations of the Seminole County  
4956 Comprehensive Plan and this Code, subdivision into no more than three (3) total lots or parcels  
4957 may be permitted where each of the following conditions are shown to exist:

4958 (1) The parcel which is proposed to be subdivided is assigned the A-10 zoning  
4959 classification.

4960 (2) The parcel which is proposed to be subdivided is at least ten (10) acres in  
4961 size.

4962 (3) The parcel which is proposed to be subdivided is considered by the property  
4963 appraiser to be agricultural land at the time the application is made.

4964 (4) The subdivider is the bona fide owner of the parcel in question and has been  
4965 actively farming or ranching in Seminole County for the past three (3) years.

4966 (5) An affidavit has been submitted attesting to the fact that the subdivided  
4967 parcels are to be sold or otherwise transferred to members of the subdivider's immediate family in  
4968 order to provide additional assistance on the farm or ranch in close proximity to the existing  
4969 primary residence. For the purpose of this provision, an immediate family member means only  
4970 those individuals related by blood, marriage or adoption such as grandparents, parents, siblings,  
4971 children or grandchildren.

4972 (6) The two (2) additional lots created through this subsection must each be no  
4973 less than one (1) net buildable acre in size. These lots must be located adjacent to the existing  
4974 primary residence to the maximum extent feasible.

4975 (7) The existing primary residence on the original parcel is included in the  
4976 largest remaining portion of the original parcel, retaining the primary residence as a portion of the  
4977 farm or ranch

4978 **Sec. 35.73. Alternative Design Standards.**

4979 35.73.1. Purpose and applicability. The purpose of the Alternative Design Standards is to  
4980 allow greater flexibility within single-family zoning districts. These Alternative Design Standards  
4981 are allowed for projects of two (2) net buildable acres or greater seeking a Preliminary Subdivision  
4982 Plan approval in the following zoning districts: R-1B, R-1, R-1A, and R-1AA. Projects using the  
4983 Alternative Design Standards shall meet the following:

4984 (a) Subdivision Regulations. All projects must meet all applicable requirements in  
4985 Chapter 35 Subdivision Regulations. The Alternative Design Standards shall be established at time  
4986 of submission of the preliminary subdivision plan.

4987 (b) Open Space. At least 20% of the total area of the project shall be used for Open  
4988 Space and shall meet the Open Space requirements of Sec. 30.14.2.

4989 (c) Connectivity.

4990 (1) Projects using these standards shall not be gated.

4991 (2) When a development has frontages on non-adjoining boundaries, at least  
4992 one vehicular access point shall be required per each frontage, when feasible. Bicycle and  
4993 pedestrian connections shall be required where a roadway connection is not possible.

4994 (3) Connection to adjacent streets is required where feasible. Feasibility will be  
4995 based on presence of wetlands, waterbodies, or infrastructure corridors, etc. Dead end streets,  
4996 hammerheads, and culs-de-sac may be allowed where specifically approved by the Development  
4997 Services Director, and pedestrian connectivity is provided.

4998 (4) Pedestrian walkways shall be provided to any adjacent right of way or trail.

4999 (d) Dimensional requirements. The alternative lot dimensions are as follows:

5000 a. There shall be no minimum lot size requirement, but all projects  
5001 utilizing the Alternative Design Standards shall meet the density limits of the underlying Future  
5002 Land Use designation.

5003 b. The minimum lot width shall be as follows:

5004

<u>Zoning Districts</u>	<u>R-1AA</u>	<u>R-1A</u>	<u>R-1</u>	<u>R-1B</u>
<u>Min. Parcel/Lot Width at Building Line</u>	<u>70'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>

5005 **Secs. 35.734—35.80. Reserved.**

5006 \* \* \*

5007 **PART 13. RECORDING OF FINAL PLAT**

5008 **Sec. 35.151. Recording final plat.**

5009 The ~~liner~~ mylar, or equivalent material copy, of the final plat will be retained by the County  
5010 for the purpose of recording with the Clerk of the Circuit Court of Seminole County after approval  
5011 by the ~~Board of County Commissioners~~ Development Services Director. Such plats shall comply  
5012 with section 3.4 of these regulations and Chapter 177, Florida Statutes. All fees and documents  
5013 required by the Clerk for filing and recording of the approved final plat shall be transmitted through  
5014 the Planning Division to the County Clerk when final approval is received

5015 **Sec. 35.152. No recordation if not approved by ~~Board of County Commissioners~~ the**  
5016 **Development Services Director or designee, ~~or governing body of municipality~~.**

5017 No plat of lands in Seminole County subject to these regulations shall be recorded, whether  
5018 as an independent instrument or by attachment to another instrument entitled to record, unless and  
5019 until such plat has been approved by the ~~Board of County Commissioners~~ Development Services  
5020 Director or designee. ~~No plat within the corporate boundaries of any municipality shall be recorded~~  
5021 ~~unless such plat has been approved by the governing body of such municipality.~~

5022 \* \* \*

5023 **PART 18. ENFORCEMENT PROVISIONS**

5024 **Sec. 35.201. General.**

5025 (a) Within the jurisdiction of these regulations, no subdivision shall be made, platted,  
5026 or recorded, nor shall any building permit be issued, unless such subdivision meets all the  
5027 requirements of these regulations and has been approved in accordance with the requirements as  
5028 herein provided.

5029 (b) No owner or agent of the owner of any parcel of land located in a proposed  
5030 subdivision shall transfer or sell any such parcel before a plat of such subdivision has been  
5031 approved by the ~~Board of County Commissioners~~ Development Services Director or designee in  
5032 accordance with the provisions of these regulations, and recorded with the Clerk of the Circuit  
5033 Court.

5034 (c) The subdivision of any lot or any parcel of land by the use of metes-and-bounds  
5035 description for the purpose of sale, transfer, or lease with the intent of evading these regulations  
5036 shall not be permitted. All such subdivision shall be subject to all of the requirements contained in  
5037 these regulations.

5038 (d) No building permit shall be issued for the construction of any building or structure  
5039 located on a lot or plat subdivided or sold in violation of the provisions of these regulations.

5040 **Sec. 35.202. Required improvements.**



5041 The Board of County Commissioners may enforce the ~~improvement bond surety~~ by resort  
5042 ~~to~~ any available legal and equitable remedies if the required improvements have not been  
5043 satisfactorily installed within one (1) year after the final plan or plat is approved, unless extended  
5044 by the board for cause and provided the surety consents to the extension. Any owner or agent of  
5045 the owner who falsely represents to a prospective purchaser of real estate that roads and streets,  
5046 sewers, water systems, or drainage facilities will be built, constructed, or maintained by Seminole  
5047 County may be prosecuted in accordance with applicable law. ~~shall be deemed guilty of a~~  
5048 ~~misdemeanor.~~

5049 **Section 9.** Chapter 70 (Dredge and Filling) of the Land Development Code of Seminole  
5050 County is hereby amended to read as follows:

5051 **Chapter 70 – DREDGE AND FILLING**

5052 \* \* \*

5053 **Sec. 70.6. Permit application; procedures.**

5054 The following procedures govern the application and the issuance of all permits for  
5055 dredging, filling, or other related activities within the waters of the County:

5056 (a) Application. Any person desiring to obtain a permit for dredging, filling, or other  
5057 related activities, such as docks and seawalls, shall first make application to the Department. This  
5058 application must contain such information as is hereinafter set forth in this Section 70.6 and must  
5059 be filed with the Department. After filing, the Department shall process the application according  
5060 to this Chapter.

5061 (b) Application contents. Unless determined by the Department to be not applicable,  
5062 all applications must include the following items at a minimum:

5063 (1) The applicant's full name, address, and, if different, the name and mailing  
5064 address of the property owner.



5065 (2) The date of application.

5066 (3) The name, address, and local phone number of any agents or contractors  
5067 that will perform any of the regulated work.

5068 (4) The name, designation, or description of any and all affected bodies of  
5069 water.

5070 (5) An accurate written description of the activity, its purpose, and intent.

5071 (6) The nature, type, and quantities of materials to be used.

5072 (7) The types of equipment to be used.

5073 (8) A description of the controls to be used to prevent or minimize water quality  
5074 degradation.

5075 (9) A description of methods of disposal, treatment, or both of any spoil,  
5076 dredging wastes, or dewatering effluent.

5077 (10) The time period of the construction or maintenance activity.

5078 (11) The estimated cost of the project.

5079 (c) Each application must be accompanied by the following submittals:

5080 (1) A copy of a legal survey or plat of the property involved, including offshore  
5081 ownership, if any. In the case of major construction projects as determined by the Department,  
5082 plans completed and prepared by an engineer registered in the State of Florida are required. The  
5083 name, address, and registration number of any licensed professional engineers that prepare any  
5084 plans or specifications for the regulated activities must also be provided. All such documents must  
5085 be signed and sealed by a licensed professional engineer.

5086 (2) Affidavit as proof of ownership to all areas or bottomland on which  
5087 dredging, filling, or other related activities are to take place.

5088 (3) Construction plans, details, and vertical elevations, drawn to a scale  
5089 satisfactory for the scope of the proposed activity, as determined by the Development Review  
5090 Engineering Manager, which also depicts the limits and depths of all surface waters.

5091 (4) An application fee to cover costs incurred by the County in the processing  
5092 of this application. This fee is to be established by duly adopted resolution of the Board of County  
5093 Commissioners.

5094 (d) Upon receipt of a completed application, the Department shall develop a notice to  
5095 be published in a newspaper of general circulation in the area where the permit is being requested.  
5096 This notice will contain a description of the proposed work, a legal and general description of the  
5097 location of the project, and a request for written comments from interested parties. In addition,

5098 notices of the application will be mailed to all property owners within five hundred (500) feet in  
5099 any direction fronting on the body of water; these notices must be substantially the same  
5100 information as published in the newspaper.

5101 (e) If no adverse comments are received within fourteen (14) days of publication, the  
5102 Department shall proceed with the application process.

5103 (f) If adverse comments are received and the applicant is unable to resolve objections  
5104 to the satisfaction of the Development Review Engineering Manager or, on appeal, to the  
5105 Development Services Department Director, based upon the intent and purpose of Chapters 70 and  
5106 71, or if public hearing thresholds have been exceeded, then the Department shall schedule a public  
5107 hearing on the application before the Board of County Commissioners.

5108 (g) The following project types require a public hearing before the Planning and  
5109 Zoning Commission for granting or denying permits:

5110 (1) Boat docks and unenclosed boat houses and gazebos alone or in any  
5111 combination in which the total aggregate size, excluding the primary walkway from the shore to  
5112 the boat dock, unenclosed boat house, or gazebo if the walkway does not exceed four (4) feet in  
5113 width, is one thousand (1,000) square feet or more or five hundred (500) square feet or more if  
5114 located upon an Outstanding Florida Water.

5115 (2) Enclosed boat houses of any size.

5116 (3) Dredging, filling or both in excess of four thousand (4,000) cubic yards of  
5117 material.

5118 (4) Any projects where the applicant is unable to resolve adverse comments of  
5119 affected property owners to the satisfaction of the Development Review Engineering Manager or,

5120 after an appeal, the Development Services Department Director based upon the intent and purpose  
5121 of this Chapter.

5122 (h) Based upon the findings of the Department, an application for a permit for dredging,  
5123 filling or other related activities below the threshold for a public hearing may be granted or denied.  
5124 The Department may place such reasonable restrictions and conditions upon the granting of a  
5125 permit as necessary to protect the rights and interests of the public and to prevent or minimize any  
5126 deleterious effects upon the water quality and Normal High Water Elevation (NHWE) of affected  
5127 waters.

5128 \* \* \*

5129 **Sec. 70.10. General regulations.**

5130 (a) The work force at the site of the activity shall possess at all times an approved copy  
5131 of the permit and its attachments.



5132 (b) The dredge and fill activity must comply with all applicable federal, state, district,  
5133 county, and local laws, rules and regulations.

5134 (c) The Department has the right, after receipt of the application, to require additional  
5135 information prior to granting or denying the permit.

5136 (d) The permit will be valid for a period not to exceed one (1) year from the date of  
5137 issuance. A permit extension or revision may be granted for good cause by the Development  
5138 Review Engineering Manager if found to be consistent with the intent and purpose of this Chapter.

5139 (e) The dredge and fill permittee must give due consideration to aesthetics, sound  
5140 engineering practices, impacts on NHWE, and flood elevations, water quality protection, and the  
5141 continued propagation of biological organisms.

5142 (f) The dredge and fill permittee shall restore all disturbed properties to the original  
5143 condition prior to the permitted activity, as far as practical, in keeping with the activity's  
5144 specifications, and in a manner satisfactory to the Department.

5145 (g) The dredge and fill permittee shall dispose of all excess material, excavated or  
5146 otherwise, at the permittee's expense. Fill may only be placed below the one hundred (100) year  
5147 flood prone elevation if both of the following conditions are met:

5148 (1) Such action is consistent with all applicable County land development  
5149 regulations and state and federal law.

5150 (2) A site plan has been approved that is consistent with the floodplain  
5151 ordinance.

5152 (h) The dredge and fill permittee shall replace trees, and vegetation destroyed during  
5153 the activity sat the direction of the individual responsible for arbor permitting or Aquatic Plant  
5154 permitting, as applicable. The indiscriminate cutting of trees or disfiguring of any feature of scenic  
5155 value is prohibited, including the use of herbicides for this purpose.

5156 (i) All boat docks, boat houses, gazebos, fishing docks, boardwalks, and related  
5157 structures must have a minimum deck elevation of one (1) foot above the NHWE. Subject to any  
5158 further constraints imposed by the site, the structure must not project, when measured  
5159 perpendicularly to a canal or waterbody, more than twenty-five (25) percent into the navigable  
5160 width of the canal or waterbody, as determined by the Department, nor at any time pose a hazard  
5161 in navigable waters as determined by the Department. These structures and boat ramps must not  
5162 be placed within ten (10) feet of a property line. ~~However, upon application, and except where this~~  
5163 ~~Code requires a hearing before the Board of County Commissioners, the~~ The Board of Adjustment  
5164 may grant a variance to the length or setback requirements based upon the criteria established in

5165 Section ~~30.43(b)(3)~~30.3.3.2(b) of this Code and may impose appropriate conditions and  
5166 safeguards in accordance with Section ~~30.43(b)(4)~~30.3.3.2(b)(4) of this Code.

5167 (j) The Development Review Engineering Manager or the ~~Board of County~~  
5168 ~~Commissioners~~Planning and Zoning Commission may, in the public interest, require the  
5169 applicant, the applicant's contractor, the applicant's subcontractors, or any combination of them,  
5170 as a condition for the permit, to provide safeguards to prevent any deleterious effect that may occur  
5171 in any body of water, or connected bodies of water, as a result of work performed under the permit.

5172 These safeguards are to accomplish the following:

5173 (1) To control turbidity and introduction of silt into bodies of water by the use  
5174 of properly located silt-restraining devices.

5175 (2) To place speed restraints on equipment operations and confine operations  
5176 to specified periods of time.



5177 (3) To contain the dredged material and control runoff from spoil areas  
5178 designated by the Development Review Engineering Manager or the ~~Board~~Planning and Zoning  
5179 Commission.

5180 (4) To avoid exposing submerged soil types which are subject to being scoured  
5181 and disbursed, or subject to becoming colloidal and creating long-range turbidity problems.

5182 (5) To prevent pollution or any deleterious effect that may occur in any body  
5183 of water, or connected bodies of water, as a result of the work performed.

5184 (6) To use specific types of equipment while accomplishing the work.

5185 (k) All boat docks and boat houses located upon property assigned a single-family  
5186 residential zoning classification must be designed not to accommodate more than three (3)  
5187 motorized vessels or watercraft.

5188 \* \* \*

5189 **Section 10.** Chapter 90 (Uniform Building Numbering System) of the Land Development  
5190 Code of Seminole County is hereby amended to read as follows:

5191 **Chapter 90 – UNIFORM BUILDING NUMBERING SYSTEM**

5192 \* \* \*

5193 **Sec. 90.4. Administration of the Uniform Addressing System.**

5194 (a) The Seminole County Addressing Supervisor or designee shall be responsible for  
5195 coordinating and maintaining the addressing system established by this Chapter. Said Supervisor  
5196 or designee shall assign numbers, approve Street Names and designations in conformity with the  
5197 sections following. Charges for such assignments shall be made in accordance with the fee  
5198 schedule duly adopted by resolution of the Board of County Commissioners.

5199 (b) Should an existing building, unit, or group of buildings fail to conform with the  
5200 Uniform Addressing System, the Addressing Supervisor or designee shall give notice to those  
5201 owners ~~or~~and occupants whose address is in nonconformity with the Uniform Addressing System.  
5202 Said notice shall be delivered to the owner ~~or~~and occupant by one (1) of the following:

- 5203 (1) Certified mail, return receipt requested.  
5204 (2) Posting same in a conspicuous place on the property.  
5205 (3) Hand delivery.

5206 Said notice may include a notification of a change of address, which shall contain the new  
5207 building number(s) assigned to the building in accordance with the provisions of this Chapter. Said  
5208 notice shall direct the owner ~~or~~and the occupant to post the newly assigned building number on  
5209 said building or property in accordance with Section 90.5 of this Chapter. The owners ~~or~~and  
5210 occupants shall have thirty (30) days from receipt of the notice to come into compliance with this

5211 Chapter. "Receipt" is defined as one (1) of the following: If sent certified mail, the date of postal  
5212 delivery; if posted, the date posted on the property; if hand delivered, the date it was handed to the  
5213 recipient.

5214 (c) Assignment by the Addressing Supervisor or designee of a number to a lot or parcel  
5215 on which a building may be constructed shall be a condition precedent to the issuance of a building  
5216 permit for any such building.

5217 (d) In coordination with the E 9-1-1 Office, the Addressing Supervisor or designee  
5218 shall record and maintain records of all Street Names and numbers under this Chapter which have  
5219 been assigned pursuant to this Chapter and shall monitor same to ~~insure~~ensure that duplicate Street  
5220 Names and numbers are prevented.

5221 (e) When site plans include construction of new streets (either private or public), a list  
5222 of all proposed Street Names shall be submitted to the Addressing Supervisor or designee for  
5223 review to conformance to the standards as listed in Section 90.6.

5224 **Sec. 90.5. Building and unit numbering.**

5225 All principal residential and commercial buildings in unincorporated Seminole County,  
5226 shall be issued an address by the Addressing Supervisor or designee, and shall post that address  
5227 including suite or unit numbers on the structure and their property in accordance with the following  
5228 guidelines:

5229 (a) ~~All addresses shall contain whole numbers only.~~ All address numbers shall be  
5230 displayed using numerals only (e.g., "123 Main Street") and shall not include spelled-out numbers  
5231 (e.g., "One Hundred Twenty-Three Main Street"). Alpha/numeric and fractional addresses shall  
5232 not be permitted (e.g., "123 1/2 Main Street" or "123A/123 Main Street, Unit A"). Address  
5233 numbers shall be made of durable weather resistant material, shall be permanently affixed to the

5234 structure and posted fronting the street the structure is addressed to. The color of the numbers shall  
5235 contrast the surrounding background surface of the structure so it stands out and is clearly visible  
5236 from both directions of the addressed street.

5237 (b) Addresses will not be assigned to vacant land, residential Accessory Buildings,  
5238 guest houses, mother-in-law suites, detached garages, or insubstantial structures.

5239 (c) Assignment of an address is warranted in conjunction with an issued building  
5240 permit. Addresses assigned by the Addressing Supervisor or designee shall be posted as follows:

5241 (1) Commercial type occupancies which do not have all occupants directly  
5242 fronting the appropriate street will be assigned a building address number in conjunction with suite  
5243 numbers to identify individual occupants. Commercial building address numbers shall be a  
5244 minimum of six (6) inches in height and one-half ( $\frac{1}{2}$ ) inch in width. Commercial buildings will be  
5245 assigned four-digit suite or unit numbers to be posted above all means of egress. Unit numbers  
5246 shall be of contrasting colors so as to be readily identifiable. Unit numbers shall be a minimum of  
5247 three (3) inches in height and one-half ( $\frac{1}{2}$ ) inch in width.

5248 (2) Multi residential buildings such as apartments which have direct access to  
5249 a common area or corridor will be assigned a main building number and further assigned three (3)  
5250 digit unit numbers to be posted above all means of egress. The main building number shall be a  
5251 minimum of six (6) inches in height and one-half ( $\frac{1}{2}$ ) inch in width. Numbers shall be of  
5252 contrasting colors so as to be readily identifiable. Unit numbers shall be a minimum of three (3)  
5253 inches in height and one-half ( $\frac{1}{2}$ ) inch in width.

5254 (3) Townhomes and duplexes with direct front door access to the street shall be  
5255 assigned a main address for each single-family dwelling. Address numbers shall contrast with the

5256 background surface of the structure, be of durable weatherproof material, and be a minimum of  
5257 four (4) inches in height and one-half (½) inch in width.

5258 (4) Residential address numbers on buildings which are less than fifty (50) feet  
5259 from the street shall affix numbers directly over the main egress door and all other means of egress.  
5260 Address numbers shall contrast with the surrounding surface, be of durable material and a  
5261 minimum of four (4) inches in height and one-half (½) inch in width.

5262 (5) Residential buildings which are over fifty (50) feet from the street shall be  
5263 required to use five (5) inch or larger numbers. All numbers are to be clearly seen from both  
5264 directions of the right-of-way, and shall be made of durable material and contrast with the  
5265 surrounding surface.

5266 (6) For plazas or other such commercial occupancies with multiple addresses,  
5267 the range of addresses shall also be posted on the main plaza or occupancy sign readily viewed  
5268 from the street from both directions.



5269 (7) For commercial structures, if ~~if~~ the main entrance of a building is not readily  
5270 visible from the street, address numbers shall be posted on the structure and at the entrance street  
5271 or adjacent driveway or as otherwise determined by the Addressing Authority. ~~to the building on~~  
5272 ~~both sides of a fence, post or mailbox.~~ Numbers shall be displayed on both sides of a fence, post,  
5273 sign, or mailbox leading to the building. Authorization may be ~~acquired~~ obtained from the  
5274 Addressing Supervisor or designee in ~~situations~~ cases where these standards may not be  
5275 appropriate. Any decisions made shall be ~~based~~ in the interest of emergency response.

5276 (8) Residential one (1) or two-family dwellings that do not have address  
5277 numbers plainly legible and visible from the street or road fronting the property shall also have the  
5278 address numbers posted on both sides of a fence, post, sign, or mailbox located at the entrance to

5279 ~~the property, which are more than fifty (50) feet from street must also have the address numbers~~  
5280 ~~posted on both sides of a mailbox or addressing post located at the entrance to the property. If~~  
5281 ~~access is by way of a street different from the address assigned, numbers shall be posted on the~~  
5282 ~~addressed street. Signage containing the Street Name and address number shall be required at the~~  
5283 ~~entrance street in these cases.~~

5284 (9) For new and existing buildings with an address on a different street,  
5285 sometimes referred to as a “vanity address,” the street name must be displayed alongside the  
5286 address numbers using the same size and style as required for address numbers. Both the address  
5287 and street name shall be posted on both sides of a fence, post, sign, or mailbox in a location  
5288 designated by the Addressing Authority.

5289 (d) Subdivisions and condominiums will be pre-addressed within fourteen (14)  
5290 working days after recording the plat in the public records. Developers of commercial sites with  
5291 multiple occupants or similar residential projects (apartments or condominiums) shall be required  
5292 to coordinate individual addressing prior to issuance of any building permits. This can be  
5293 accomplished by providing the Addressing Supervisor or designee with a site and building layout  
5294 plan at least ten (10) working days prior to the submission of building permit applications. This  
5295 plan should include adjacent road names, entrance locations, and all possible occupant division  
5296 lines for each floor.

5297 (e) The Addressing Supervisor or designee shall have the authority to deviate from  
5298 these standards as necessary to ensure the safety of the general public.

5299 \* \* \*

5300 **Sec. 90.10. Subdivision, plaza and building names.**

5301 (a) At the time of plan review for all new construction, the name by which the  
5302 development shall be legally known, (apartment complexes, shopping centers, commercial  
5303 buildings, mobile home parks, and all developments requiring site plan approval) shall be  
5304 submitted for review and approval to the Development Review Committee at the pre-application  
5305 meeting or prior to submitting a development application.

5306 (b) Potential names for subdivisions shall be submitted for review to the development  
5307 review committee at the pre-application meeting or prior to submitting a development application.  
5308 Name approval shall be determined prior to preliminary subdivision plan approval by the Board  
5309 of County Commissioners. Potential names for condominiums shall be submitted at the pre-  
5310 application meeting or prior to submitting a development application. Name approval shall be  
5311 determined prior to or during the site plan review process.

5312 (c) No names shall be approved which conflict with existing names or those previously  
5313 approved developments or preliminary subdivision plans (exception: franchise businesses). The  
5314 name shall not be the same or sound similar or in any way so similar to any name appearing on  
5315 any recorded plat or prior condominium or site plan in Seminole County as to confuse the records  
5316 or mislead the public as to the identity of the subdivision, or condominium except when the  
5317 subdivision is further divided as an additional unit or phase by the same developer or developer's  
5318 successors in title. In that case the additional unit or phase shall be given the primary name  
5319 followed by the unit, section or phase number in English words or numerals (No Roman numerals).

5320 (d) Names, once approved, shall be held until subdivision or site plans are no longer  
5321 valid by exceeding development approval time limits. Said name shall be the only conspicuous  
5322 name posted on the property. If the plan approval expires, the name shall require additional review

5323 and approval at the time of resubmittal. Names may be reserved upon request for up to one (1)  
5324 year pursuant to the pre-application meeting submittal.

5325 (e) The owners of a commercial building, plaza, apartment complex, subdivision, or  
5326 persons who desire to rename their property shall apply to the Addressing Supervisor or designee.  
5327 Said application shall include the legal description, the property appraiser Parcel identification  
5328 number(s), the current name, and the proposed name of the development. The application will be  
5329 subject to review and approval by the Addressing Supervisor or designee. ~~prior to being presented~~  
5330 ~~to the Board of County Commissioners adopting the name change.~~ Upon recording the adopted  
5331 ~~resolution, approval,~~ notification of affected parties shall be by established procedures.

5332 **Section 11. Conflicts.** This Ordinance shall control over any previously adopted County  
5333 ordinances or parts of ordinances in conflict with this Ordinance.

5334 **Section 12. Codification.** It is the intention of the Board of County Commissioners that  
5335 the provisions of this Ordinance will become and be made a part of the Land Development Code  
5336 of Seminole County, and that the word “ordinance” may be changed to “section”, “article”, or  
5337 other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-  
5338 lettered to accomplish such intention; providing, however, that Sections 11, 12, 13 and 14 of this  
5339 Ordinance shall not be codified.

5340 **Section 13. Severability.** If any provision or the application of this Ordinance to any  
5341 person or circumstance is held invalid, then it is the intent of the Board of County Commissioners  
5342 that such invalidity will not affect other provisions or applications of this Ordinance that can be  
5343 given effect without the invalid provision or application and, to this end, the provisions of this  
5344 Ordinance are declared severable.

5345           **Section 14. Non-Severability.** The Seminole County Board of County Commissioners  
5346 hereby declares that the provisions of this ordinance are intimately connected and integrated, and  
5347 therefore, they are not severable. If any section, paragraph, sentence, clause, or phrase of this  
5348 ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by any court of  
5349 competent jurisdiction, such decision shall render the entire ordinance null and void, and no other  
5350 portion or provision shall remain in effect

5351           **Section 15. Effective date.** This Land Development Code Ordinance will take effect upon  
5352 filing a copy of the Ordinance with the Department of State by the Clerk to the Board of County  
5353 Commissioners and the provisions of this Land Development Code shall be implemented and applied  
5354 to complete applications as of August 1, 2026. Notwithstanding the above, complete applications  
5355 submitted on or before July 31, 2026, will be reviewed under the existing Land Development Code  
5356 regulations. Complete applications received on or after August 1, 2026, will be subject to and  
5357 reviewed under the revised Land Development Code, effective August 1, 2026.



5358           **FIRST READING**, this \_\_\_\_ day of \_\_\_\_\_, 2026.

5359           **UPON SECOND READING, BE IT ORDAINED** by the Board of County  
5360 Commissioners of Seminole County, this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
GRANT MALOY  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida

\_\_\_\_\_  
ANDRIA HERR, Chairman

NJB/kw  
5/21/26