

Seminole County  
Land Development Code  
Rewrite  
FINAL DRAFT  
May 23, 2023

## CHAPTER 1 GENERAL PROVISIONS

Section	Subject	Proposed Changes
1.9	Further implementing actions	Revises procedures for reviewing Land Development Code (LDC) to be consistent with current practice <small>last revision 3/14/2022</small>

## CHAPTER 2 DEFINITIONS

Section	Subject	Proposed Changes
2.3	Definitions	Add/revise definitions as needed for LDC Update; delete existing definitions that are not used in the Code. Including new or revised definitions related to, lighting standards, surveying terms, historic trees <small>rev. 1/10/23</small> truck parking <small>rev. 5/23/23</small> Cluster subdivision revised to include "Must" be an improvement over conventional subdivision <small>rev. 5/23/23</small>

## CHAPTER 5 ADMINISTRATION

Section	Subject	Proposed Changes
5.12	Development Review Committee (DRC)	Updates titles of DRC to be consistent with current <small>rev. 3/14/2022</small>

## CHAPTER 30 ZONING REGULATIONS

Part	Subject	Proposed Changes
2	Establishment of Districts	Rename C-1, C-3 and M-2; add Missing Middle (MM) and Mixed Use (MUCD) Districts <small>rev. 3/14/22</small>

3	Administration	Clarify requirements to restore a nonconforming Structure <small>rev. 3/14/22</small>
4	Zoning District Standards	For each district provide a brief zone description (detailed information on permitted uses and development standards to be shown separately in tabular form). <small>rev. 3/14/22</small> Clarifications added to the R-4 density requirements and to the Landscaping requirements in RP zoning based on stakeholder feedback <small>rev 5/23/23</small>
5	Permitted Uses by Zoning District	<ul style="list-style-type: none"> <li>Establish Table YY to list Permitted, Limited, and Special Exception uses for all districts.</li> <li>Establish Use Consolidation Table to define detailed use categories. <small>rev. 5/23/23</small></li> <li><b>Commercial Kennel Added to use table</b></li> </ul>
6	Additional Use Standards	<ul style="list-style-type: none"> <li>Additional standards for Accessory Uses, Solar Facilities, Mobile Food Vendors, Civic Assembly, etc. <small>rev. 3/14/22</small></li> <li>Included additional standards for accessory buildings <small>rev. 5/23/23</small></li> <li>Backyard Chicken Program updated to remove requirement for permit; revised to allow up to 6 chickens and coops up to 170 square feet. <small>rev. 5/23/23</small></li> </ul>
7	Development Standards	General standards for measurement of setbacks, setbacks from natural water bodies, dimensional standards for residential and non-residential districts, etc. <small>rev 3/14/23</small>
8	Special Zoning Districts	<ul style="list-style-type: none"> <li>Establishment of and development criteria for Mixed Use Corridor (MUCD), Missing Middle (MM) and Affordable Housing (R-AH) Districts. <small>rev 5/23/2023</small></li> <li><b>Regulations for Self-Storage – moved to PD standards</b></li> </ul>
9	Supplemental Regulations	<ul style="list-style-type: none"> <li>Revisions to truck parking in residential districts <small>rev. 5/23/23</small></li> </ul>
10	Overlay Districts	<ul style="list-style-type: none"> <li>Add Rural Nonresidential Design Standards added to Scenic Corridor Overlay <small>rev. 3/14/22</small></li> <li>Delete US 17-92 CRA Target Zone Height Alternative Standards <small>rev 3/14/22</small></li> <li>Wekiva River Protect - additional regulations regarding clustering subdivisions and correct title of Development Services Director.</li> </ul>

11	Parking and Loading Regulations	<ul style="list-style-type: none"> <li>Revise and update required parking formulas <small>rev 3/14/22</small></li> <li>Allow for parking reductions and shared parking for carshare and transit-oriented development <small>rev. 3/14/22</small></li> <li>Establish bicycle parking requirements <small>rev 3/14/22</small></li> <li>Establish parking garage design guidelines</li> <li>EV readiness standards included</li> </ul>
14	Landscaping, Screening, Buffering, and Open Space	<ul style="list-style-type: none"> <li>Combine landscape, buffer, and open space requirements into one Part. <small>rev. 3/14/22</small></li> <li>BCC may alter buffer criteria as part of a PD approval <small>rev. 3/14/22</small></li> <li>Eliminate buffering between subdivisions of 4 units per acre or less <small>rev. 3/14/22</small></li> <li>Additional references to Florida Friendly landscaping added</li> <li>Removed non-Florida Friendly landscaping from preferred species list.</li> <li>Section 14.20 Fence section revised</li> </ul>
15	Performance Standards - Glare	<ul style="list-style-type: none"> <li>Illuminance standards added</li> </ul>
16	Outdoor lighting section added	<ul style="list-style-type: none"> <li>Additional regulations to reduce glare</li> </ul>

## CHAPTER 35 SUBDIVISIONS

Section	Subject	Proposed Changes
34.44	Required submittals for final plat	Changing the sheet size for plat submittal and other changes to be consistent with industry standards.
35.61	General	Including language from Chapter 40, requiring the same 25% tree save requirement and including new tree planting requirements for new residential lots <small>last rev. 3/14/22</small>

## Chapter 40 - SITE PLAN APPROVAL

Section	Subject	Proposed Changes
40.14	Titles	Revises titles to be consistent with current titles <small>rev. 3/14/22</small>
40.172	Titles	Revises titles to be consistent with current titles <small>rev. 3/14/22</small>



40.53	Required Submittals	Addition of requirement to provide information demonstrating compliance with Ch. 30 Part 68 Performance Standards.
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## CHAPTER 60 ARBOR REGULATIONS

Section	Subject	Proposed Changes
60.2	Scope	Exempt single family lots of 3 acres or less
60.3	BCC as Tree Committee	<ul style="list-style-type: none"> <li>• Appoint a Natural Resource Officer</li> <li>• Requires Natural Resources approval for removal of historic trees and can be appeal to Planning Manager or Development Services Director</li> </ul>
60.4	Permits Required	<ul style="list-style-type: none"> <li>• County not liable for tree hazards on private property <small>rev. 3/14/22</small></li> <li>• Permit trimming and maintenance of trees by property owners <small>rev. 3/14/22</small></li> </ul>
60.5.1	Logging	Now addressed in Chapter 30 <small>rev. 3/14/22</small>
60.7	Variance, appeal & penalty	<ul style="list-style-type: none"> <li>• Development Services Director may grant deviations where regulations create substantial hardship <small>rev. 3/14/22</small></li> <li>• Trees removed without permit must be replaced at 2:1 ratio of cumulative caliper <small>rev. 3/14/22</small></li> </ul>
		<ul style="list-style-type: none"> <li>• Specimen trees to be replaced a 4:1 ratio</li> <li>• Replacement fees doubled for trees removed without a permit <small>rev. 3/14/22</small></li> </ul>
60.9	Replacement	<ul style="list-style-type: none"> <li>• Recommend replacement species native to the region <small>rev. 3/14/22</small></li> <li>• Specimen trees to be replaced at 2:1 ratio</li> <li>• All replacement trees to be Florida Nursery Standard #1 or better <small>rev. 3/14/22</small></li> <li>• Trees located in a conservation area shall not count toward replacement requirements <small>rev. 3/14/22</small></li> <li>• If the number of replacement trees is unfeasible, the applicant may pay into the Arbor Trust Fund <small>rev. 3/14/22</small></li> </ul>

## CHAPTER 80 Construction

Section	Subject	Proposed Changes
	Construction Hours	Hours for construction were added

## Chapter 1 – General Provision

2

## CHAPTER 1 GENERAL PROVISIONS

4           **Section 1. Amendments to Chapter 1, General Provisions.** Chapter 1 of the Land  
Development Code of Seminole County is amended as follows (underlines are additions,  
6        strikethroughs are deletions, and remaining text is unchanged):

8        **Sec. 1.9. - Further ~~implementating~~ implementing actions.**

Any goals, policies or objectives of the 1991 Seminole County Comprehensive Plan which are  
10        not effectively implemented ~~to any extent through this Code~~ shall be ~~submitted to~~ reviewed  
~~by the program review committee~~ Local Planning Agency ~~by the~~ and referred to the ~~planning~~  
12        ~~and development director~~ Development Services Director, ~~for review subsequent to the~~  
~~planning and development director developing draft implementing land development~~  
14        ~~regulations as~~ who shall propose appropriate Code revisions relating to said goals, policies or  
objectives.

## Chapter 2 – Definitions

**Section 2. Amendments to Chapter 2, Definitions.** Chapter 2 of the Land

Development Code of Seminole County is amended as follows (underlines are additions, strikethroughs are deletions, and remaining text is unchanged):

SEC. 2.3 – DEFINITIONS

~~ACLFs: Adult Care Living Facilities.~~

~~Active railroad crossing: A roadway which crosses railroad track facilities which are trafficked by an average of two (2) or more trains per day.~~

~~Active school recreation area: A public school recreational area which is improved or equipped with facilities designed for games or athletic uses such as ball fields, tracks, stadiums and swimming pools, but not including unimproved open spaces and natural areas.~~

~~Adverse general market conditions: A recessionary level decline in the number of building permits issued by the county.~~

~~Aerial support: Structural supports used to suspend utility lines above the ground.~~

~~Airport: Orlando Sanford International Airport, Orlando International Airport, and/or Orlando Executive Airport and Flying Seminole Ranch Airports.~~

~~A.I.S.I.: American Iron and Steel Institute.~~

~~Arborist: A certified professional in the field(s) of landscape architecture, arbor science, forestry, or other related field.~~

~~As-built survey: A post-construction survey identifying the actual lengths and elevations of the stormwater management system by a certified land surveyor. Land Surveyor.~~

Assisted living facility: *As defined in Florida Statutes.*

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

Antiquated plat: A subdivision of land that does not comply with current zoning district and/or subdivision requirements, or that has limited development potential due to inadequate public facilities, services or environmental constraints. These generally include lands platted prior to modern land development regulations adopted in 1970. Examples include plats with substandard designs for lot size, configuration, roads or drainage facilities. A lot within an antiquated plat may be subdivided according to the requirements of Sec. 35.2(a).

~~Antiquated subdivision: A subdivision of land that was created prior to modern land development regulations adopted in 1970 and does not comply with current zoning and /or subdivision standards, typically in terms of lot size, road access, stormwater management or utility service.~~

~~Arcade: A series of arches supported on columns along the primary building facades, creating cover for pedestrians.~~

~~Artificial drainage system: Any canal, ditch, culvert, dike, storm sewer, or other manmade facility which tends to control surface flow of water.~~

Assembly: All buildings or portions of buildings used for gathering together fifty (50) or more persons for such purposes as ~~church sanctuary~~, religious services, marina, racquet club/health spas, golf course clubhouse and sit-down and drive-in restaurants. Separate definitions are applied to ancillary spaces such as offices and bulk storage areas. Net usable square footage as calculated for assembly uses excludes all non-public areas such as restrooms and kitchens. Concentrated Assembly is occupancy assigned based on seven (7)

square feet per person. Less concentrated assembly is occupancy assigned based on fifteen (15) square feet per person per NFPA, Life Safety Code, 1985 Issue.

Assembly, Civic: Not-for-profit assembly uses including community centers, meeting halls, recreation centers, clubhouses, and religious institutions. This excludes facilities operated by a property owners' association primarily for the use of its residents.

~~Auto camper: A lightweight, collapsible unit that is transported on an automobile or other vehicle and designed for travel, recreation, and vacation use.~~

~~Automatic controller: A mechanical or electronic timer, capable of operating valve stations to set the days and length of time of a water application.~~

~~Backlogged facility: Road on the state highway system operating at a level of service below the minimum level of service standards, which is not a constrained facility, and which is not programmed for construction adequate to bring it up to the applicable minimum level of service standard in the first three (3) years of the department's adopted work program or in a local government's capital improvements element.~~

Big box store development: An individual retail and/or wholesale commercial establishment with more than 75,000 square feet of gross floor area, such as a home improvement center or a membership warehouse club. The "gross floor area" of such a store includes outdoor storage areas and any outdoor area providing services, such as, but not limited to, outdoor merchandise display, garden supplies, plant display, snack bars, etc. "Gross floor area," however, does not include loading areas. For the purpose of determining the applicability of the 75,000 square foot threshold, the aggregate square footage of all adjacent stores which may share either a series of checkout stands, management areas, storage areas, common entrances, or a controlling ownership interest, shall be considered a single commercial establishment (for example, a plant nursery associated with a general merchandise store or

home improvement store, or a discount department store associated with a grocery store).

The term "big box development" does not include an individual commercial establishment integrated within an indoor mall regional shopping facility.

~~BEBR: Bureau of Economic and Business Research.~~

Breeder, Hobby: Any person or entity that intentionally causes or allows, willfully or through failure, to exercise due care and control, the breeding or studing of a dog or cat, resulting in no more than a total of one (1) litter per calendar year per legal residence, whether or not the animals in such litter are offered for sale or other transfer.

~~Building numbering maps: A master set of maps which, in conjunction with approved plats and site plans, details the existing street name and numbering scheme and the projected street name and numbering scheme within Seminole County. Said maps, in addition to the plats and site plans, being currently designated the one (1) inch to four hundred (400) feet legal section maps.~~

~~CAC: Citizen Advisory Committee.~~

~~CAD: Computer Aided Dispatch.~~

~~CALNO: Council of Governments~~

Caliper: A measurement of the size of a replacement tree at a predetermined point. Trunk diameter for trees up to four (4) inches is to be measured six (6) inches above the soil line. Trees four (4) inches in diameter and greater will be measured twelve (12) inches above the soil line.



Canopy: ~~A projecting cover for pedestrians in the form of a roof-like structure, which may or may not be supported by columns, providing protection from the elements, usually in a continuous fashion.~~

Canopy tree: ~~A self-supporting woody plant, typically having a minimum height at maturity of at least twenty (20) feet, planted primarily for its high crown of foliage. A species of tree which normally grows to a mature height of forty (40) feet or more.~~

Car sharing program: A fee-based or membership-based service that provides all qualified drivers access to dedicated car(s) or light truck(s) on a minute or hourly basis. Vehicles are available twenty-four(24) hours, seven (7) days a week at unattended self-service locations. No separate written agreement is required each time a customer uses a vehicle. Vehicle usage is provided at minute, hourly and/or 'per mile' rates that include insurance and maintenance.

~~CARL: Conservation and Recreational Lands Program.~~

~~CBD: Central Business District.~~

~~CFCRA: Central Florida Commuter Rail Authority.~~

~~CFRA: Central Florida Regional Airport~~

~~CMAC: Concurrency Management Citizen Advisory Committee.~~

~~CMTAC: Concurrency Municipal Technical Advisory Committee.~~

~~COHC: School Board Capital Outlay and Housing Committee.~~

Champion tree: Any tree that has been designated as the largest tree of its species in the state of Florida as measured by trunk diameter at breast height and crown diameter. These may include any species not listed on the restricted stock list.

~~Church or place of worship: Any building or property used for nonprofit purposes by an established religious organization holding tax exempt status under the Internal Revenue Code and/or Florida Statutes, where such building or property is used for worship services, along with customary accessory structures and activities which shall include parsonages, friaries, convents, fellowship halls, Sunday schools and rectories, but not including day care centers, community recreation facilities, and private primary and/or secondary educational facilities. Services and activities offered to non-members of the religious organization shall not be included in this definition.~~

Clearing: The removal of trees and brush from a substantial part of the land but shall not include mowing. Soil disturbance such as root raking or compaction shall also be considered clearing, if trees or their root systems are damaged in the process.

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.

Conservation area: Lands which have unsuitable or nonrated soils, wetland vegetative species, are seasonally flooded, and/or perform an environmental function, as described in the Seminole County Comprehensive Plan.

~~Conservation and recreational lands program (CARL): Created by the Florida Legislature (Sec. 253.023, F.S.) and implemented by the Department of Natural Resources, this program provides a means of acquiring and managing environmentally sensitive lands and other lands for recreation, water management and preservation of significant archaeological and historical sites. The areas to be purchased are selected by the land acquisition selection committee which annually ranks proposed projects according to criteria in Ch. 18.8, Florida Administrative Code. The Governor and Cabinet make final selection for acquisition based on recommendations made by the committee.~~

~~Corner building entrance: The primary entrance into a building located on the corner of an intersection of two (2) primary, or a primary and secondary road; said entrance shall be located in the corner of the intersecting walls or closely located near such intersection, to enable pedestrians approaching along both roadways to access the building.~~

~~Corner lot: A lot located on the corner of an intersection of two (2) primary, or a primary and secondary, street. See "Lot, corner."~~

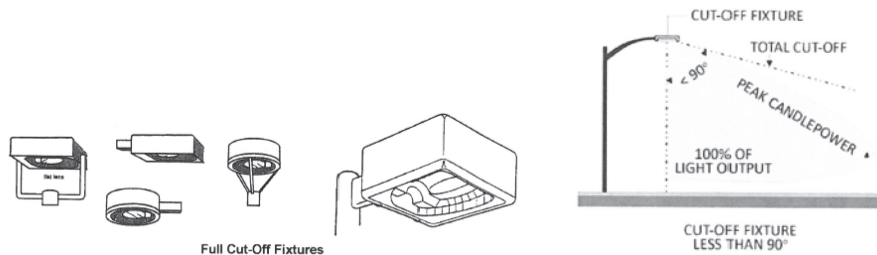
~~Corridor open space: Corridor open spaces are areas through which wildlife and/or people may travel and which may connect residential or recreational areas. They may also be designed to provide leisure activities and for aesthetics. Typical corridors include rivers, creeks, utility easements, thoroughfares, scenic roads and recreation trails. Wetland and floodplain areas are often associated with water-based corridors.~~

~~CRPP: East Central Florida Comprehensive Regional Policy Plan.~~

Cupola: A dome-shaped ornamental structure located on top of a larger roof or dome, often used as a lookout or to admit light and remove stale air.

Cover porch entries: An entrance porch to a building consisting of a covered and often columned area.

Cut-off fixtures: Light fixtures that are designed or shielded such that all light rays emitted by the fixture are projected below the horizontal plane running through the lowest point on the fixture where light is emitted. The light distribution may not be greater than 2.5% of the luminaire's lumen output at or above ninety (90) degrees vertical from the nadir and not more than ten (10) percent of a luminaire's lumen output at or above eighty (80) degrees vertical from nadir.



Cutoff angle (of fixture): The angle measured upward from the vertical at which the bare source is completely blocked from view.

Day care center: Structure or facility which provides child care for more than five (5) children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. Such facilities do not include Family Day Care Homes as defined in section 402.302(8), Florida Statutes (2017).

~~Day nurseries: An establishment where five (5) or more children under the age of six (6) years, excluding members of the family occupying the premises, are cared for. The term includes nurseries and kindergartens.~~

Delicatessen / Café: An establishment for sale of on- or off-site food consumption with no kitchen (toasters, microwaves, facilities for making hot or cold beverages are permitted).

Development Review Committee: A committee designated by the Board composed of the following personnel or their designee or designees the ~~and~~ Development Services Director, Director of ~~p~~ Public ~~w~~ Works, the ~~b~~ Building ~~o~~ Official, the Development Review Manager, the Planning Manager, the Comprehensive Planning Manager, the Public Safety Director, Environmental Services Director, Fire Marshal, the Seminole County School Board, a representative of the soil conservation service, the Director of Health and Human Services, the Division of Forestry, the Sheriff's Office and such other personnel as may be designated or assigned by the County Manager for the purpose of reviewing land development proposals and other related issues.

Development site:

(1) For properties within the Planned Development (PD) zoning district – all property included within the legal description of the approved PD zoning ordinance and/or

Development Order; or

(2) For properties in all zoning districts other than Planned Development (PD) – all property included within the final subdivision plat or site plan.

Diameter at breast height (DBH): A measurement of the size of a tree equal to the diameter, in inches, of a tree measured at four and one-half (4½) feet above the existing grade. For multi-trunked trees, the DBH shall mean the cumulative diameter of the three largest trunks, measured two (2) feet above the existing grade.

~~DIME: Dual independent map encoding.~~

270 ~~Dormer: A window set vertically into a small gable projecting from a sloping roof.~~

272 ~~Drip line: The vertical line running through the outermost portion of the tree crown extending~~  
~~to the ground. A vertical line from the horizontal extremity of the canopy of a tree to the~~  
274 ~~ground. For trees with canopies set off-center from the trunk, an area bounded by the~~  
~~average diameter of the drip-line will be centered on the point at which the trunk of the tree~~  
276 ~~is rooted.~~

278 ~~E-911 coordinator: That person designated by the County Manager to design, implement,~~  
~~and maintain an emergency telephone response system which involves the expeditious~~  
280 ~~response of public safety, police and other services resulting from such emergency~~  
~~telephone system.~~

282  
~~Easement: Any A strip of land created~~ right of use over the property of another encumbered  
284 through a valid written legal instrument for ingress-egress, public or ~~other~~ private utilities,  
drainage, sanitation, or other specified uses having limitations, the title to which shall  
286 remain in the name of the property owner, subject to the right of use designated in the  
reservation of the servitude.

288  
Easement, recorded: An easement which has been entered into the public records of  
290 Seminole County.

292 ~~ECFRPC: East Central Florida Comprehensive Regional Policy Plan.~~

294 ~~Effluent takeback program: Program allowing or requiring the piping of reuse water back to~~  
~~a development for use in commercial activities or landscape irrigation. This water cannot be~~  
296 ~~used for any purpose that may involve human consumption (fruit eaten raw, showers, etc.).~~

298 ~~EMS: Emergency Medical Service.~~

300 ~~EOC: Emergency Operations Center.~~

302 ~~ESGP: Emergency Shelter Grants Program.~~

304 ~~Exclusive transit facility: A physically separated rail or road lane reserved for multi-~~  
306 ~~passenger use by rail cars, busses, or van pools serving large volumes of home/work trips~~  
~~during peak travel hours. Exclusive transit facilities do not include high occupancy vehicle~~  
~~lanes.~~

308  
FAA: Federal Aviation ~~Authority~~ Administration.

310  
Family day care home: As defined in section 402.302(78), Florida Statutes (2001 2017).

312  
~~Fascia: A broad flat surface that is the outer edge of a cornice or roof.~~

314  
Florida-Friendly Landscaping Plant Guide: A publication by the Florida Department of  
316 Environmental Protection (FDEP) and the University of Florida Institute of Food and  
Agricultural Sciences (UF/IFAS) containing many of the UF/IFAS-recommended Florida-  
318 Friendly plants for each region of the state.

320 ~~Foot candles: A unit of light intensity stated in lumens per square foot and measurable with~~  
~~an illuminance meter. The measure of light noted as a unit of illuminance amounting to one~~  
322 lumen per square foot.

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

Full-cutoff fixture: A fixture that allows no emission of light above horizontal.

Full shielding: Internal and/or external shields and louvers provided to prevent brightness from lamps, reflectors, refractors and lenses from causing glare at normal viewing angles.

~~FLIN: Florida Library Information Network~~

~~GBF: Geographic Base File.~~

~~Geographic service area: For recreational facilities, a geographic service area identifies the time or distance which a resident is willing to travel to use a given park or facility.~~

Glare: The sensation of annoyance, discomfort, or loss in visual performance and visibility due to bright or uncontrolled light sources.

~~GIS: Geographic Information System.~~

Historic tree: A healthy tree with a trunk caliper of twenty-four (24) inches or more. Any live oak, bald cypress, or longleaf pine thirty-six (36) inches or greater DBH that is determined by Seminole County to be of such unique and intrinsic value to the general public because of its size, age, historic association or ecological value as to justify this classification. Prior to removal of any live oak, bald cypress, or longleaf pine thirty-six (36) inches or greater DBH, a report from a certified arborist must be submitted detailing the condition of the tree, if the condition of tree has a rating over 3 or above, the tree must be inspected by the Natural Resource Officer prior to removal. Any tree designated a Florida State Champion shall likewise be within this definition.

~~HRS: Department Of Health and Rehabilitative Services.~~

~~ILL: Interlibrary Loan System.~~



Illuminance: The quantity of light arriving at a surface divided by the area of the lighted surface, measured in foot candles

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

Kennel, Commercial: Any premises or structure wherein any person or entity engages in training, housing, sheltering, harboring, or boarding of domesticated animals and pets such as dogs and cats over three (3) months of age that exceeds the following numbers:

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

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

~~*KSF: Thousand square feet.*~~

~~Land surveyor: A land surveyor registered licensed under Chapter 472, Florida Statutes, who is in good standing with the Florida State Board of Professional Engineers and Land Surveyors.~~  
Florida Board of Professional Surveyors and Mappers.

~~Landscaped dividing strips: Landscaped areas containing ground cover, shrubs and trees or other landscaping used to partition parking areas into individual bays.~~

~~Law enforcement officer: An officer who is on official duty for a law enforcement agency including, but not limited to, the Sheriff's Office of Seminole County.~~

Live-work unit: See Missing Middle Standards

Littoral zone: A region lying along a shore of a water body that is shallow enough to support rooted aquatic vegetation.

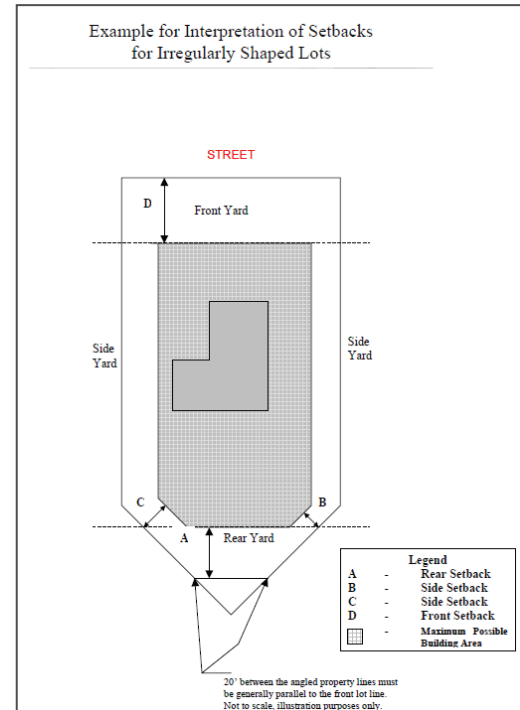
Lot, corner: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees. An intersecting access easement shall not establish any property as a corner lot.

Lot, double-frontage: A lot having two (2) or more of its non-adjoining property lines abutting upon a street or streets, ~~or ingress-egress easement not including alleys.~~ Lots having frontage on a natural 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.

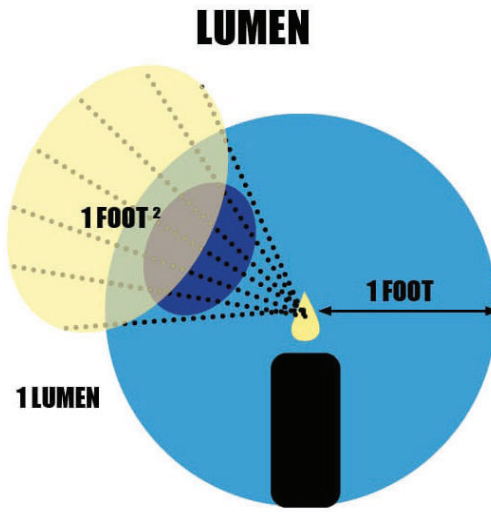
Lot line, front: The portion of a lot that abuts the ~~street or road~~ right-of-way or ingress-egress easement. In the case of a corner lot, ~~this may be either frontage~~ both street frontages shall be considered front lot lines.

Lot line, rear: That lot line which is opposite to and most distant from the front lot line of the lot. In the case of an irregular, triangular, or tapering lot, a line twenty (20) feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front lot line shall be considered to be the rear lot line (see diagram).

Lot line, side: Any lot line other than a front or rear lot line.



420 Lumen: A quantitative unit measuring the amount of light emitted by a lamp or luminaire.



422 Luminaire: A complete lighting unit consisting of the lamp or light source, fixture, and other  
424 parts designed to distribute the light.

426 Luminance: The quantitative measure of brightness of a light source or an illuminated  
428 surface, equal to luminous intensity per unit area of the source or surface viewed from a  
430 given angle.

432 Mass: The overall bulk, size, physical volume, or magnitude of a structure or project.

434 Mean sea level: The average height of the sea for all stages of the tide. It is used as a reference  
436 for establishing various elevations within the floodplain. For purposes of Part 12, Chapter 30,  
438 the term is synonymous with National Geodetic Vertical Datum (NGVD). North American  
440 Vertical Datum. (NAVD)

442 MPO: Metropolitan Planning Organization.

444 MSBU: Municipal Services Benefit Unit.

440 ~~MTAC: Municipal Technical Advisory Committee~~

442 Mobile food vendor. A vehicular food service establishment, which is self-propelled, or  
444 otherwise designed to be movable from place to place including, but not limited to, carts,  
mobile kitchens, hot dog carts, trailers, and lunch trucks. The term may also apply to a food  
446 service establishment that operates at a fixed location for a period of time in conjunction  
with a special event permitted in accordance with Section 30.1378(1). Persons selling fresh  
448 fruits, vegetables, or unprepared food from trucks, trailers or similar conveyances shall not  
be considered mobile food vendors.

450 Nadir: In the lighting discipline, nadir is the angle pointing directly downward from the  
452 luminaire, or 0°.

454 National Geodetic Vertical Datum (NGVD): As corrected in 1929 is a vertical control used as a  
reference for establishing varying elevations within the floodplain. Superseded by the North  
456 American Vertical Datum (NAVD) as corrected in 1988.

458 ~~OCLC: On-line computer library center.~~

460 Opacity: For purposes of Chapter 30, Part 14 (, the degree of screening required between a  
land use or development and an adjoining development, road, or vacant property.

462 ~~Opaque Materials: Materials that light cannot pass through.~~

464 ~~Open vista area: An area where views from the centerline of the right-of-way extend~~  
~~uninterrupted by natural vegetation or topography beyond the scenic corridor setback~~  
466 ~~established under this ordinance.~~

468 ~~OUATS: Orlando Urban Transportation Study.~~

~~Overspray: The water delivered beyond the landscaped area, wetting pavements, walks, structures, or other non-landscaped area.~~

~~PA: Planning area.~~

~~Pastoral open space: Pastoral open spaces are areas identified and maintained for present. Resource based and passive recreation which are compatible with the areas natural resources may be present. Examples of pastoral open space areas may include federal, state, or county parks and forests or other areas established for resource preservation.~~

~~PCD: Pounds per capita per day.~~

~~P.C.P. (permanent control point): A secondary, horizontal-control monument, according to Florida Statutes, Chapter 71-339, Page 3, Paragraph 13. 177.031 (13).~~

Personal truck: A truck intended for the private use of an individual and insured as a personal vehicle.

Personal Services: An establishment engaged in providing individual services generally related to personal needs such as beauty and barber shops, spa services, shoe repair, nail salons, and tailor shops. These uses may also include accessory retail sales of products related to the services provided.

Photometric plan: A diagram drawn to scale depicting the location of all light poles and building-mounted light fixtures in a specific area and a numerical grid of the maintained lighting levels that the fixture will produce. All values must be at grade unless otherwise stipulated.

~~Pick-up coach: A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.~~

Preserved trees: Trees that are designated to remain after construction and count toward replacement requirements per Chapter 60.

Professional surveyor: A person licensed by the State of Florida as a professional surveyor and mapper pursuant to Chapter 472, Florida Statutes.

~~Proportional capacity: The percentage of permitted capacity of a water or sewer treatment facilities which is dedicated to serving customers in other jurisdictions.~~

Protected tree: Any existing tree a with a minimum six inches (6") DBH on the approved plant species list or the Florida-Friendly Landscaping Guide Plant List for the Central Florida Region and appropriate USDA Plant Hardiness Zone. Unless exempted, all of these trees are subject to a tree removal permit per Chapter 60.

~~Public Entrance: An access into a building that is accessible by pedestrians from a street, a sidewalk or public walkway into the building interior.~~

Recessed Entry: An entry with an intermediate space created by location of the entry door offset further from the sidewalk than the remainder of the building façade.

~~Recharge characteristics: The capability of a property, prior to any alterations, to transmit ground water based upon the elevation, slope, compaction and type of soils.~~

~~Regional park: Regional parks are large, resource-based areas that serve two (2) or more communities or counties and are usually located within an hour's driving distance of the residents they serve. A space allowance of twenty (20) acres per one thousand (1,000) population is suggested. The park should serve a population of over one hundred thousand~~

(100,000) and should range in size from a minimum of two hundred fifty (250) acres to as much as several thousand acres.

Reliever airport: An airport facility designated by the Federal Aviation Administration to supplement passenger traffic capacity of a primary passenger airport (Orlando International Airport is Central Florida's primary facility. Central Florida Regional Airport is classified as a reliever airport.)

Recreational Vehicle: Self-propelled or permanently towable by a light duty truck; and not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Replacement trees: Trees planted to replace existing trees as required by Section 60.9.

~~Reservoir area: An area not on the public right-of-way which is provided for the temporary use of vehicles waiting to enter or leave a vehicle-oriented service or an off-street parking facility.~~

~~RRP: Rental Rehabilitation Program.~~

Sag lens, convex lens, or drop-lens: A clear or prismatic refracting lens that extends below the lowest opaque portion of the light fixture.

~~SC: Seminole County.~~

~~Scale: The relative size of a building when compared to other buildings, to its environment and to pedestrians.~~

~~SCOPA: Seminole County Port Authority.~~



Shielded fixture: A fixture constructed to have internal or external shields, top and side visors, hoods, or internal louvers to limit glare and light trespass caused by light emission from the luminaire.

Self Storage Facility: Establishment primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods.

Self Storage Facility, Limited Access: A self-storage facility consisting of one or more buildings with all storage bays accessed through interior hallways.

Self Storage Facility, Multiple Access: A self-storage facility with overall access to the site restricted by a fence or perimeter wall, allowing direct vehicular access to storage bay doors from the exterior of any building.

Setback: The minimum distance within a yard by which any building or structure must be separated from a street right-of-way or lot line, or edge of any recorded ingress-egress easement traversing the property, whichever lies closer to the building or structure.

Severely trimming: The cutting of branches and/or trunk of a tree in a manner which will substantially reduce the overall size of the tree area to destroy the existing symmetrical appearance or natural shape of the tree. This includes trimming or cutting in a manner, which results in the removal of main lateral branches leaving the trunk of the tree in a stub appearance.

~~SF: Single-family~~

Solar energy system: A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection,

storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

- Building-integrated solar energy systems: A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.
- Floating solar energy systems: A solar energy system mounted on a rack that is floating in a water body.
- Ground mounted solar energy systems: A solar energy system mounted on a rack or pole that rests on or is attached to the ground. Ground-mount systems can be either accessory or principal uses. (e.g. backyard solar panels, free-standing solar panels, and ground-mount PV systems).
- Roof mounted solar energy systems: A solar energy system mounted on a rack that is fastened to, ballasted, or adhered to a structure roof. Roof-mounted systems are accessory to the principal use.

~~Special act area: An area designated for special environmental protection by Florida Statute, typically providing for procedures for review of local comprehensive plans land development regulations and certain development permits applicable to a protection area delineated by the Act; and, other duties and requirements of county, regional and state agencies. The Wekiva Protection Act was the state's first such special act area within Seminole County.~~

~~Special facilities: These facilities include boat ramps, canoe trails, roadway rest stops and other recreational areas that are used for specific purposes.~~

~~Special transportation areas (STA's): Are compact geographic areas in which growth management considerations justify a lower minimum level of service standard than would~~

normally apply to some or all of the roads in such area. STAs may include all or portions of central business districts, outlying business districts, redevelopment areas, area wide or downtown developments of regional impact, regional activity centers, historical areas and state parts. STAs do not apply to entire cities or to strip development along individual state highway corridors. (FDOT definition)

Specimen tree: A tree identified by the Planning Division Manager or the County Forester as being of outstanding mature size, excellent form and a healthy example of the species. Live oak, magnolia, bald cypress and longleaf pine trees twenty-four (24) inches DBH or greater. Specimen trees shall also include Historic and Champion trees as defined in herein.

Spill-Light: Light that falls outside the property where the luminaire is located.

~~Standards: Seminole County water and sewer standards.~~

~~Standard housing: The term "standard housing" is defined as housing units being in good an inhabitable condition, not lacking complete plumbing facilities or heating facilities, or being overcrowded with more than 1.01 person per room.~~

~~Strip commercial: Strip commercial development is freestanding commercial development along a road as opposed to being concentrated at major intersections. Strip commercial is characterized by:~~

~~(1) Relatively small and narrow parcels (lot depths of approximately three hundred (300)~~

~~feet or less); or,~~

~~(2) Frequent curb cuts, lack of coordinated access such as cross access drives or joint use driveways; or~~

~~(3) Lack of coordinated parking, between commercial uses.~~

~~Subcanopy tree: A self-supporting woody plant typically having a maximum height at maturity of no more than twenty (20) feet, planted primarily for its screening purposes.~~

~~Submerged vegetation: The vegetation that is rooted under water and whose structural parts are also under water.~~

~~Substandard housing: The term "substandard housing" is defined as housing units being in dilapidated condition, lacking complete plumbing facilities, lacking heating facilities, and/or being overcrowded with more than 1.01 person per room. For purposes of the plan, substandard housing requiring "substantial rehabilitation," as defined by 24 CFR Part 92.2, in order to meet U. S. Department of Housing and Urban Development Minimum Housing~~

~~Quality Standards, shall be considered dilapidated and shall be considered for demolition.~~

~~Surveyor: Professional surveyor~~ licensed in the State of Florida.

~~TAC: Technical advisory committee.~~

To plat: In whatever tense used, "to plat" shall mean to divide or subdivide land into lots, blocks, tracts, sites, streets, rights-of-way, easements, or other divisions, however designated, and the recording of the plat in the office of the Clerk of the Circuit Court of Seminole County, in the manner authorized by Chapter ~~65-2274~~ 177 part 1, Laws of Florida, and other laws regulating the platting of land in Seminole County, Florida.

~~Transitional area: The area within a high intensity planned development area intended to be a multi-functional use district designed to buffer the higher intensity of use found in designated core areas. An area intended to act as a buffer between a lower intensity use and a higher intensity use, which has an intensity compatible to both uses.~~

~~Transparency: The amount of clear glass on a building wall, particularly on the front façade of a store or other building accessible from a sidewalk or public walkway.~~

~~Transitioning incorporated area: An area projected to become part of a city outside an existing urbanized area within the next ten (10) to twenty (20) years. (FDOT definition)~~

Transitioning urbanized area: ~~An area which is projected to become part of an existing urbanized area within the next twenty (20) years. (FDOT definition)~~

Tree: ~~Any living, self-supporting, perennial plant which has a trunk diameter of at least three (3) inches measured three (3) feet above grade (at the base of the tree) and normally grows to a minimum overall height of fifteen (15) feet.~~ Any living, woody self-supporting perennial plant which normally grows to a minimum height of fifteen (15) feet.

Trees, stand of: A naturally occurring grouping of five (5) or more trees forming a canopy of vegetation which results in a single unified drip-line.

Understory tree: A species of tree which normally grows to a mature height between fifteen (15) and thirty-nine (39) feet.

~~Urban subdivision: A subdivision which creates lots under five (5) acres in size and complies with the requirements of the urban subdivision regulations.~~

~~Utilitarian/urban open space: Utility open spaces are areas generally unsuited for development which may present a public safety or health hazard. These areas include floodplains, wetlands, water bodies, areas of poor soils, retention and detention drainage areas. Properly designed non-structural and landscaped retention areas may serve as an open space amenity.~~

USDA Plant Hardiness Zone: Standard by which growers can determine which plants are most likely to thrive at a location.

~~Volume: Occupied space measured in cubic units.~~

~~Water detention structure, water management structure: A facility which provides for storage of stormwater runoff and the controlled release of such runoff during and after a flood or storm.~~

Window, bay: A large window (or series of windows) projecting from the outer wall of a building and forming additional space in the interior.

~~Workshop: The term "workshop" means a meeting which usually involves staff level review of the subject material and may not necessarily involve general public involvement.~~

~~Workshops are used to revise proposed material pursuant to, or in preparation for, public hearings/meetings.~~

~~Yard area: An open space on the same lot with a building a developed lot or parcel, said space being unoccupied and unobstructed from the ground upward, with the exception of trees and other natural vegetation.~~

~~Yard, waterfront: A waterfront yard is a yard required on waterfront property with depth measured from mean high water line.~~

Yard, front:

- (a) A front yard is a yard extended between side lot lines across the front of a lot adjoining a street. In cases of ~~through~~ double frontage lots: unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one (1) of the front yards that would normally be required on a ~~through~~ double frontage lot is not in keeping with the prevailing yard pattern, the ~~land development administrator~~ Planning Manager may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

728 Yard, rear:

(a) A yard extending across the rear of the lot between inner side yard lines. In the case of  
730 ~~through double-frontage~~ lots, there will be no rear yards, but only front and side yards.

(b) Depth of a required rear yard shall be measured ~~in such a manner that the yard established~~  
732 ~~is a strip of the minimum width required by district regulations with its inner edge parallel~~  
~~with the rear lot line from the structure to the rear property line as defined under the term~~  
734 "lot line, rear" in this Section.

736 Yard, side:

(a) A side yard is a yard extending from the interior (rear) line of the required front yard  
738 to the rear lot line, or, in the absence of any clearly defined rear lot line, to the point  
on the lot farthest from the intersection of the lot line involved with the public street.  
740 In the case of ~~through double-frontage~~ lots, side yards shall extend from the rear lines  
of front yards required. In the case of corner lots, yards remaining after front yards  
742 have been established on both frontages shall be considered side yards.

## Chapter 5 – Administration



## CHAPTER 5 ADMINISTRATION

### Section 3. Amendments to Chapter 5, Administration. Chapter 5 of the Land

Development Code of Seminole County is amended as follows (~~underlines are additions, strikeouts are deletions, and remaining text is unchanged~~):

#### **Sec. 5.12. - Development Review Committee.**

(a) *Establishment and purpose.* There is hereby established a Development Review Committee which shall be responsible for ~~the enforcement of the~~ reviewing proposed developments for technical compliance with provisions of this Land Development Code and other applicable rules and regulations.

(b) *Composition of committee.* The Development Review Committee shall be composed as defined in Chapter 2 of this Code. The ~~Deputy County Manager responsible for Community Services Departments~~ Development Services Director or his or her designated alternate shall chair the Development Review Committee. Each member is charged with reviewing development plans for technical compliance with the Land Development Code and other applicable rules and regulations as it relates to their specific discipline or area of expertise and providing comments to the Applicant. Except for development applications that require approval by a Board as required by law or stated elsewhere in this Land Development Code, the Chair of the Development Review Committee has the final authority for approving or denying any development application that requires review by the Development Review Committee.

(c) *Duties and responsibilities.*

- (1) Reviewing all rezoning applications;
- (2) Reviewing all ~~proposed~~ subdivision plats;
- (3) Reviewing conceptual Special Exception Site Plans, as needed;
- (4) Reviewing all site plans as required in this Land Development Code ~~exceeding twenty-five hundred (2,500) square feet of building and paving, excluding those for single-family/duplex dwelling structures;~~
- (5) Reviewing all proposed specific amendments to the Comprehensive Plan;

(6) Preparing and reviewing proposed changes to land development ordinances; and

(7) Providing information and analysis to applicants, review boards, and the Board of County Commissioners prior to meetings and public hearings.

(d) *Meetings.*

(1) The Development Review Committee shall meet at least monthly and more often as necessary.

(2) An agenda shall be prepared and distributed to each member prior to each meeting.

(3) All applicants having requests reviewed by the Development Review Committee will be provided an agenda and invited to attend and participate in the meeting.

**~~Sec. 5.13. – Coordinator of development review.~~**

~~(a) *Appointment and purpose.* The Board of County Commissioners shall appoint a coordinator of development review who shall be responsible for the coordination and the enforcement of the provisions of this Land Development Code.~~

~~(b) *Duties and responsibilities.* The duties and responsibilities of the coordinator of development review shall include:~~

~~(1) Receiving applications for a development order, reviewing the same for completeness and sending them to applicable members of the Development Review Committee.~~

~~(2) Processing all applications for a development order to insure compliance with Chapter 20 of this Land Development Code and issuing development orders for all applications that do not require approval of the Board of County Commissioners.~~

~~(3) Presenting applicable applications for development orders to the Board of County Commissioners.~~

~~(4) Issuing those development orders that have been directed by the Board of County Commissioners.~~

## Chapter 30 - Zoning Regulations

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46 PART 1 INTERPRETATION AND APPLICATION:

1.1 Interpretation and Application – Sec 30.1

## 48 PART 2 ESTABLISHMENT OF DISTRICTS

### 2.1 Establishment of Districts (Abbreviations)

50 In order to classify, regulate, and restrict the uses of land, water, buildings, and  
52 structures; to regulate and restrict the height and bulk of buildings; to regulate the  
54 area of yards, courts, and other open spaces between buildings, and to regulate the  
intensity of land use, all the unincorporated area of Seminole County, Florida, is  
classified into one of the following districts:

A-1	Agriculture District
A-3	Rural 3 District
A-5	Rural 5 District
A-10	Rural 10 District
RC-1	Country Homes District
R-1	Single-Family Dwelling District
R-1B	Single-Family Dwelling District
R-1BB	Single-Family Dwelling District
R-1A	Single-Family Dwelling District
R-1AA	Single-Family Dwelling District
R-1AAA	Single-Family Dwelling District
R-1AAAA	Single-Family Dwelling District
R-2	One- and Two-Family Dwelling District
R-3	Multi-Family Dwelling District

R-3A	Multi-Family Dwelling District
R-4	Multi-Family Dwelling District
R-AH	Affordable Housing Dwelling District
RM-1	Single-Family Mobile Home District
RM-2	Single-Family Mobile Home Park District
RM-3	Travel Trailer Park District
PD	Planned Development District
UC	University Community District
PL4 <del>I</del>	Public Lands and Institutions
RP	Residential Professional District
OP	Office District
CN	Restricted Neighborhood Commercial District
C-1	Retail Commercial District
C-2	<del>Retail</del> <u>General</u> Commercial District
C-3	<del>General</del> Heavy Commercial and <del>Wholesale</del> Industrial District
CS	Convenience Commercial District
<u>MM</u>	<u>Missing Middle District</u>
<u>MUCD</u>	<u>Mixed Use Corridor District</u>
M-1A	Very Light Industrial District

M-1	Industrial District
M-2	M-2 <del>Impact-General</del> Heavy Industrial Zoning Classification District

## 2.2 Groupings and definition of groupings

- 56 a) Where the phrases "all residential districts," "residential districts," "zoned  
residentially," or "residentially zoned," or similar phrases, are used in these zoning  
58 regulations, the phrases shall be construed to include the following districts\*:

R-1	Single-Family Dwelling District
R-1A	Single-Family Dwelling District
R-1AA	Single-Family Dwelling District
R-1AAA	Single-Family Dwelling District
R-1AAAA	Single-Family Dwelling District
R-2	One- and Two-Family Dwelling District
R-3	Multi-Family Dwelling District
R-3A	Multi-Family Dwelling District
R-4	Multi-Family Dwelling District
R-AH	Affordable Housing Dwelling District
RM-1	Single-Family Mobile Home District
RM-2	Single-Family Mobile Home Park District
RM-3	Travel Trailer Park District
PD	Planned Development District



RP	Residential Professional District
MM	Missing Middle District

\* The phrases shall also be construed to apply to the RC-1 (Country Homes), A-1 (Agriculture), A-3, A-5, and A-10 (Rural) Districts on issues related to administrative setback variances approved by the Planning Manager under Section 3.5 and truck parking in residential districts pursuant to Section 9.4 on property which is primarily residential, and has not been assigned an Agricultural Tax Classification under section 193.461, Florida Statutes.

b) Where the phrases "Commercial District," "zoned commercially," "commercially zoned," "commercial zoning," or similar phrases, are used in these Zoning Regulations, the phrases shall be construed to include:

CN	Restricted Neighborhood Commercial District
C-1	Retail Commercial District
C-2	<del>Retail</del> <u>General</u> Commercial District
CS	Convenience Commercial District
<u>MUCD</u>	<u>Mixed-Use Corridor District</u>
PD	Planned Development

c) Where the phrases "industrial districts," "zoned industrially," "industrially zoned," "industrial zoning," or similar phrases, are used in these Zoning Regulations, the phrases shall be construed to include:

C-3	<del>General Heavy Commercial and Wholesale</del> Very Light Industrial District
M-1A	Very Light Industrial District
M-1	Industrial District

M-2	M-2 <del>Impact-General</del> <u>Heavy Industrial Zoning</u> <del>Classification</del> <u>District</u>
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- 72 2.3 Districts shown on maps – Sec 30.23
- 2.4 Official Zoning Atlas – Sec 30.24
- 74 2.5 Interpretation of district boundaries – Sec 30.25
- 2.6 Application of zoning classification regulations – Sec 30.26

## PART 3 ADMINISTRATION

### 3.1 Planning and Zoning Commission – SEC 30.41

3.1.1 The Board of County Commissioners of Seminole County shall appoint a 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 a minority of the terms of such members shall expire in any one (1) year.

3.1.2 The Board of County Commissioners may, from time to time, amend or supplement the County's land development regulations and zoning classifications. Proposed changes may be recommended by the Planning and Zoning Commission.

Additionally, any owner of affected property may make application for a change in the property's zoning classification on a form prescribed by the current planning office; provided, 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.

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

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 therein.

#### 3.1.5 Special exceptions.

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 on the proposed action and if the special exception should be denied or granted with appropriate conditions and safeguards to the 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 which a special exception is required; provided, however, that said Board must first make a determination that the use requested:

1. Is not detrimental to the character of the area or neighborhood or inconsistent with trends of development in the area; and
2. Does not have an unduly adverse effect on existing traffic patterns, movements and volumes; and
3. Is consistent with the County's comprehensive plan; and
4. Will not adversely affect the public interest; and

- 112 5. Meets any special exception criteria described in Additional Use Standards;  
and
- 114 6. Meets the following additional requirements if located in the applicable zone:
- 116 a) If located in A-10, A-5, A-3, or A-1:
- 118 i. Is consistent with the general zoning plan of the rural zoning  
classifications; and
- 118 ii. Is not highly intensive in nature; and
- 120 iii. Is compatible with the concept of low-density rural land use; and
- 122 iv. Has access to an adequate level of public services such as sewer, water,  
police, fire, schools and related services.
- 122 b) If located in OP
- 124 i. Is consistent with the general zoning category and plan of the OP  
Office District.
- 126 ii. Is compatible with the concept of low intensity of land usage and site  
coverage.
- 128 iii. Has access (where applicable) to urban services, such as, sewer ~~sewage~~,  
water, police, fire, and related services.
- 130 iv. Will not create, by reason of its characteristics, a requirement for the  
granting of a variance as a prerequisite to the granting of said special  
132 exception, especially (by way of illustration and not limitation)  
variances relating to setbacks, lot size, building height, lot coverage,  
access, or parking and loading.
- 134 c) If located in RP:
- 136 i. Is not detrimental to the character of the area or neighborhood or  
inconsistent with the trends of development in the area; and
- 138 ii. Is not incompatible with the concept of low intensity of land usage and  
site coverage; and
- 140 iii. Does not have an unduly adverse effect on existing traffic patterns,  
movements, and intensity.

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

150 c) Application for special exception. An applicant for a special exception shall file  
with the Planning & Development Division a written application accompanied by  
payment of the appropriate fees, and a conceptual plan. For applications within  
152 ~~the OP zoning district the~~ The conceptual plan should include: ~~the following~~ A a  
simple development plan drawn to an appropriate scale indicating the legal  
154 description, lot area, site dimensions, right-of-way location and width, tentative  
parking areas and number of parking spaces, proposed building location and  
156 setbacks from lot lines, total floor area proposed for building, proposed points of  
access with tentative dimensions, locations of identification signs not on building,  
158 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  
160 Seminole County Arbor Regulations, and a general plan for proposed landscaping.

3.2 Planning Manager – SEC 30.42

3.2.1 A Planning and Development Division Manager, herein after referred to as the Planning Manager, shall be designated by the County Manager as the administrative official to direct the activities of the planning office or its successor, to furnish information and assistance to the Planning and Zoning Commission, to the Board of County Commissioners, and to enforce the provisions of the zoning regulations.

3.2.2 It is the intent of these land development regulations that questions of interpretation and enforcement shall first be presented to the Planning Manager that such questions shall be presented to the Board of Adjustment only on appeal.

3.2.3 The Planning Manager shall have the power to grant an application for a setback variance in residential zoning classifications when the variance requested is equal to or less than ten percent (10%) of the required setback requirement; provided, however, that only one (1) variance on a property may be granted under this procedure. If the Planning Manager denies an application for a variance, such denial may be appealed to the Board of Adjustment in accordance with the provisions of Section 3.3

3.3 Board of Adjustment – SEC 30.43

3.4 Public notice – SEC 30.44

3.5 Community Meeting procedure – SEC 30.49

3.6 Time limit – SEC 30.45

3.7 Successive applications for rezoning and special exceptions – SEC 30.46

3.8 Assignment of duties – SEC 30.47

3.9 Interpretation of Code – SEC 30.48

3.10 Nonconforming uses – SEC 30.1348 (PART 70)

3.10.1 In General

a) A nonconforming building may be maintained and repairs and alterations may be 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 of partitions or other interior alterations are permitted.

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

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

d) A nonconforming building or structure, which is hereafter damaged or destroyed to the extent of fifty (50) percent or more of its value by flood, fire, explosion, earthquake, war, riot, or ~~force majeure act of God, may~~ shall not be reconstructed or restored for the same use except in compliance with ~~the regulations of this section~~ all applicable provisions of the Code.

### 3.10.2 Nonconforming mobile homes in Agricultural Zones

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

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 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 development.
2. Construction on existing, legally created, lots or parcels of record platted or 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 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 extended or enlarged beyond the limits of the originally approved master plan of development.

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

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 use in accordance with Section 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 related to protecting the health, safety, and welfare of the occupancy.

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.

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 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.

d) This Section shall not affect any mobile or manufactured home approved for temporary occupancy under Section 6.4.4.

3.10.4 Non-conforming lots in Agricultural Zones

Where lots of record no longer meet current requirements due to surveying or other errors, if both the current records of the Seminole County 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 both the appraiser's records and on the original plat.

3.10 Administrative waiver of lot size and lot width zoning requirements – SEC 30.27

3.11 Requirements for an administrative waiver – SEC 30.25

3.12 Rezoning to more restrictive included district – SEC. 30.1358

~~3.13 Procedures for determining net residential density – SEC. 30.1359~~



## PART 4 ZONING DISTRICT STANDARDS

### 4.1 General Requirements.

a) No building, structure, land, or water shall be used or occupied and no building, structure or part thereof shall be erected, constructed, reconstructed, located, moved, or structurally altered except in conformity with the standards for the Zoning District in which it is located and any other applicable regulations of this Code including but not limited to:

1. Development Standards, Part 7
2. Parking and Loading Regulations, Part 11
3. Landscaping, Screening, Buffering, Part 14

b) Except as otherwise provided, uses are permitted in accordance with Permitted Uses, Part 5

c) The following Zoning Districts are subject to Performance Standards Part 16:

1. All Commercial Zones
2. All Industrial Zones

### 4.2 A-10, A-5, And A-3 Rural Zoning ~~Classification~~ District/Rural Subdivision Standards

#### 4.2.1 Zone Description:

The lands included in the A-10, A-5 and A-3 Rural Districts are generally located in the rural areas of the County where urban services are minimal or nonexistent. While these lands may be currently in agricultural use, when developed, they are devoted to rural residential living. Depending upon the land use designation assigned to a parcel by the 1991 Seminole County Comprehensive Plan, the minimum lot size shall be either three (3) acres, five (5) acres or ten (10) acres unless otherwise permitted in the provisions of this part relating to clustering. The properties that are assigned these zoning classifications are the respective properties assigned the Rural 10, Rural 5 and Rural 3 land use designations and these zoning classification assignments are accomplished consistent with and in order to implement the provisions of the Seminole County Comprehensive Plan.

#### 4.2.2 Subdivision Standards:

Subdivision within the A-10, A-5 and A-3 Rural Districts shall only occur in accordance with the Rural Subdivision Standards in Section 35.72.

#### 4.2.3 Optional cluster provisions

- a) The purpose of these optional cluster provisions is to preserve open space along roadway corridors, preserve open space in rural residential areas, preserve natural amenity areas, enhance the rural character of the area and ensure that development along the roadway corridors improves or protects the visual character of the corridor. Developers or property owners may elect to cluster development in the A-10, A-5 and A-3 zoning Districts provided that the area not devoted to development shall be preserved through a perpetual open space easement. Cluster developments should be located on the property so as to minimize incompatibility with neighboring lower density developments where homes are not clustered. The approval for clustering shall be granted during the platting process and must meet the following conditions:
- b) An application to plat the property shall include a specific development plan for the entire site which includes both the specific locations of lots on-site and that identifies all remaining open space not platted as a lot that is to be included in the open space easement. A development order will be recorded with the final plat specifying that this open space easement shall be perpetually restricted to open space and may be utilized for active agricultural use including, but not limited to, citrus or other fruit or vegetable crops, grazing and pasturing of animals and, in some cases, silviculture.
- c) All platted lots must contain, at a minimum, one (1) net acre of buildable land and have a minimum width at the building line of 100 feet.
- d) In the A-3 zoning District, the overall net density of the project, including the land contained in the open space easement, shall not exceed one (1) dwelling unit per three (3) net buildable acres.
- e) In the A-5 zoning District, the overall net density of the project, including the land contained in the open space easement, shall not exceed one (1) dwelling unit per five (5) net buildable acres.
- f) In the A-10 zoning District, the overall net density of the project of one (1) dwelling unit per ten (10) net buildable acres may be increased up to one (1) dwelling unit per five (5) net buildable acres by utilizing the clustering provisions provided herein. The density bonus may be awarded based on the amount of buildable land preserved as open space. Each project would be authorized a total of two (2) dwelling units for each eight (8) buildable acres of land that would be preserved under an open space agreement.

g) All remaining open space shall be preserved in perpetuity through the use of an open space easement. The easement shall be in such form as is deemed acceptable by the County Attorney and shall be recorded for the entire property which is subject to development including both the residential lots and the remaining open space. Such perpetually restricted open space may be in active agricultural use including, but not limited to, citrus or other fruit crops, grazing and pasturing of animals and silviculture, but only as set forth in the open space easement.

#### 4.3 A-1 Agriculture

##### 4.3.1 Zone Description:

The lands included within the A-1 Agricultural District are often characterized as being located in areas of the County where urban services are minimal or nonexistent. The A-1 classification is also present in the majority of future land use designations established under the Seminole County Comprehensive Plan. These lands may have access to a full range of urban services and are potentially appropriate for reclassification to greater development densities and intensities, as determined by the Comprehensive Plan.

Properties developed under the A-1 classification are devoted to a wide range of residential and non-residential development types, including agricultural uses and detached single-family dwellings. ~~A-1 is not classified as a residential zoning district under Section 30.22.~~

#### 4.4 RC-1 Country Homes District

##### 4.4.1 Zone Description:

This District comprises certain land, water, and structures having a light density of development; it is single-family residential in character and has open space where similar development is expected to occur. Sites are so planned that the greatest utilization of the land may be made for country living without many of the undesirable features of a purely agriculture district.

#### 4.5 R-1, R-1B, AND R-1BB Single-Family Dwelling Districts

##### 4.5.1 Zone Description:

These Districts are composed of certain lands, water, and structures having a low and medium density of development and predominantly single-family in character. 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 access to thoroughfares or collector streets.

4.6 R-1AAAA, R-1AAA, R-1AA and R-1A Single-Family Dwelling District

4.6.1 Zone Description:

These Districts comprise certain lands, water, and structures having a low density of development; they are single-family residential in character and have additional open space where it is desirable and likely that such similar development will occur and continue. Uses are limited primarily to single-family dwellings and such nonresidential uses as are intended to provide service to the immediate and adjacent areas.

4.7 R-2 One and Two-Family Dwelling District

4.7.1 Zone Description:

This District is composed of certain limited areas where it is desirable, because of an established trend, to recognize a more intensive form of residential use than in the single-family districts. Provision is made for the erection of duplex dwelling structures but no multiple-dwelling structures.

4.8 R-3 and R-3A Multiple-Family Dwelling Districts

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 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 access to thoroughfares or collector streets.

4.8.2 Density regulations.

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

1. A maximum of thirteen (13) dwelling units per net buildable acre in the R-3 Multi-Family Dwelling District; or
2. A maximum of ten (10) dwelling units per net buildable acre in the R-3A Multi-Family Dwelling District.

4.8.3 R3, R3-A - General Provisions and Exceptions – SEC 30.250

- a) Development 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 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, 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, and a general plan for proposed landscaping shall be submitted along with application 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 issuance of any ~~building permit~~ site plan approval.
- b) 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. ~~shall be designed exclusively for the use of the complex residents and shall, except for carports and/or garages, be located within the complex and not on the perimeter.~~
- c) Personal services uses, designed primarily for the occupants of the complex, such as, ~~nursery schools~~ 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) 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 by the ~~Board of Adjustment~~ Planning and Zoning.
- d) Recreation and open space comprising no less than twenty-five (25) percent of the gross land area, exclusive of the perimeter buffer, shall be set aside for usable recreation and open space.
- e) Within condominium projects, deed covenants shall be required to insure the 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 deterioration of the individual units within the complex.
- f) Prior to the issuance of building permits, a complete site plan of the project shall be submitted to the ~~land management office~~ planning and development division for approval. Detailed site plan shall indicate: location of buildings, parking spaces, driveways, streets, service areas, walkways, recreation facilities, open areas, and landscaping.

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

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

#### 4.9 R-4 Multiple-Family Dwelling District

##### 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 certain uses which are quasi-residential in character.

##### 4.9.2 Building site area regulations.

The maximum lot coverage for dwelling structures shall be determined in accordance with the following schedule:

Building Height	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%

~~Accessory buildings shall maintain the same setback as the dwelling structures~~

##### 4.9.3 General provisions and exceptions.

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 recommendation and to the Board of County Commissioners for approval, prior to issuance of any site plan approval ~~building permit~~.

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

c) If covered and enclosed storage for vehicles is provided, garage doors may not face a public right-of-way.

#### 4.10 RM-1 Single-Family Mobile Home Residential District

##### 4.10.1 Zone Description:

This District is composed of certain areas where it is proposed that mobile homeowners may purchase lots and establish mobile home permanent residences on

those lots. Such districts shall be subdivided in accordance with all the amenities of any residential district.

#### 4.10.2 General provision and exceptions.

a) Each parcel assigned the RM-1 zoning classification ~~shall not be~~ shall be not less than ten (10) acres in size.

b) A twenty-five (25) foot landscaped buffer strip shall be required and maintained between adjacent properties and the RM-1 Mobile Homes District and shall be planted with trees and shrubs so as to attain a solid landscape screen at least six (6) feet high within eighteen (18) months after planting. The buffer area shall be considered to be in addition to the required lot area and shall be platted and utilized as greenbelt areas (easements) being part of any adjacent lots.

c) 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. Except for access drives or streets, the required setback shall be landscaped with the twenty-five (25) feet nearest to the individual lots intermittently planted with trees and shrubs in order to accomplish an effective barrier against road noise.

d) Any mobile home must be on a substantial foundation and firmly anchored in accordance with the Seminole County Mobile Home Tie-Down Regulations. All such units shall have permanent skirting around the bottom in such manner as to prevent the accumulation of junk or debris from collecting under the mobile or modular home. Wheels shall be removed from all mobile homes.

e) This zoning District may remain in place where designated on the official zoning map; however, no additional properties are to be assigned this zoning district.

f) Mobile home/manufactured housing siting standards. See Part 9, Chapter 30.

#### 4.11 RM-2 Single-Family Mobile Home Park District

##### 4.11.1 Zone Description:

This District is composed of certain areas where it is proposed that mobile home sites shall be offered for rent for residential purposes only.

##### 4.11.2 General provisions and exceptions.

a) At time of rezoning application, a development plan will be submitted showing the area and dimensions of the tract of land, the location of any structures, location of roads and ~~drainage~~ stormwater management structures, and location of sewer and water plants.

- b) Each mobile home park assigned the RM-2 zoning classification shall be not less than ten (10) acres in size.
- c) A landscaped buffer strip, at least twenty-five (25) feet in depth, shall be required and maintained between adjacent properties and the RM-2 District and shall be planted with trees and shrubs so as to attain a solid landscape screen at least six (6) feet high within eighteen (18) months after planting. Such buffer strip shall be considered to be in addition to the required mobile residence space and shall remain clear of structures. In addition, no part of the buffer area shall be considered as providing part of a required recreation area.
- d) Each mobile home park shall have ten (10) percent of the total area set aside for park purposes. Such area may have swimming pool, recreational building, and recreational structures thereon. Restroom facilities for men and women shall be provided as required by the State ~~Division~~Department of Health.
- e) Each mobile home park shall provide an area and building housing laundry facilities available to the occupants of the park.
- f) A mobile home park shall be subject to single ownership and no lots or trailer spaces may be sold individually.
- g) Each mobile home park shall have fire hydrants no further than one thousand (1,000) feet apart.
- h) Management shall be responsible for a minimum of twice-a-week garbage and trash collection. Covered containers shall be provided for such materials.
- i) Streets in mobile home parks shall be adequately lighted with street lights at all intersections and not further than three hundred (300) feet apart.
- j) No individual laundry facilities shall be permitted outside main laundry building, except where located in a mobile home or in a minimum-size eight (8) feet by ten (10) feet utility building situated at the rear of a mobile home site.
- k) Mobile home/manufactured housing siting standards: Section 9.2.
- l) No conventional housing permitted.
- m) Underground utilities shall be provided in all mobile home parks.
- n) A setback of fifty (50) feet shall be provided between individual mobile residence spaces and any street right-of-way which borders the RM-2 District. Except for access drives or streets, the entire fifty (50) feet shall be landscaped, with the twenty-five (25) feet nearest to the individual spaces intermittently planted with trees and shrubs, in order to accomplish an effective barrier against road noise.



o) Prior to issuance of any permits, complete plans, prepared by an engineer registered in the State of Florida, shall be submitted showing exact details of the mobile home park construction, including roadway construction details. All roads within such zone shall be a minimum of forty (40) feet in width with twenty-four (24) feet of paved surface required for collector streets and twenty (20) feet of paved surface required for local streets.

p) This zoning District may remain in place where designated on the official zoning map; however, no additional properties are to be assigned this zoning District.

q) ~~Drainage~~ Stormwater management aspects of all RM-2 Mobile Home Park Districts shall be approved by the County Engineer. An architect or engineer registered in the State of Florida shall design all buildings within the park area.

#### 4.12 RM-3 Travel Trailer Park and Campsites

##### 4.12.1 Zone Description:

This District is composed of certain areas where travel trailers and tent campsites are permitted for short periods of time. These areas are generally in less densely populated locations and should have natural or man-made recreational facilities in the vicinity.

##### 4.12.2 General provisions and exceptions.

a) At the time of application for rezoning, a preliminary plan of development shall be submitted. After rezoning, no construction may commence until final development plans have been submitted and approved by the Planning and Zoning Commission and appropriate building permits issued.

b) Access roads entering a travel trailer park shall, at the minimum, match the surface of the public road providing access to the park. If the public road is paved, the access road of a travel trailer park shall be paved for a distance of one hundred (100) feet into the park from all entrances and exits, and shall be at least twenty-four (24) feet in width. Travel trailer park roads which are not paved shall be hard-surfaced, well-drained, and all-weather stabilized (e.g., shell, marl, etc.). All road curves shall have a minimum turning radius of fifty (50) feet. All cul-de-sac shall have a maximum length of five hundred (500) feet and terminate in a turning circle having a minimum radius of fifty (50) feet.

c) Each travel trailer site shall have parking pads of marl, shell, paving, or other stabilized material.

d) All requirements of the State Department of Health regarding sanitary standards are applicable pursuant to Chapter 513, Florida Statutes (2001).

e) Travel trailer parking areas and campsites shall be maintained free of litter, rubbish, and other materials. Fires shall be made only in stoves, incinerators, and other equipment intended for such purposes. Firefighting and protection equipment shall be provided at appropriate locations within the park. All equipment shall be maintained in good operating condition and its location shall be adequately marked.

f) In all travel trailer and camping parks, there shall be at least one (1) recreation area which shall be easily accessible from all travel trailer and camping sites. The size of such recreation areas shall be not less than twenty-five (25) percent, including buffer area, of the gross site land area.

g) In all travel trailer and camping parks, there shall be at least one (1) recreation area, which shall be not less than twenty-five (25) percent, including buffer area, of the gross site land area.

h) This zoning District may remain in place where designated on the official zoning map; however, no additional properties are to be assigned this zoning District.

#### 4.12.3 Site area regulations.

a) 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.

b) 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.

#### 4.12.4 Fencing

The entire park, except for access and egress shall be enclosed with a fence or wall six (6) feet in height or by existing vegetation or screen planting adequate to conceal the park from view.

### 4.13 RP Residential Professional District

#### 4.13.1 Zone Description:

The intent of the RP Residential Professional District is to provide a district where existing residential dwelling structures can be utilized for office use and not adversely affect adjacent property owners or traffic patterns. The District is generally found along collector ~~roadways~~ roads, or ~~major~~ arterial roads and transitional areas identified in the future land use element of the comprehensive plan. It is further intended that this District ~~would normally~~ be utilized for the conversion of existing structures. The development of vacant property for office use shall, at the minimum, comply with the lot size and setback, ~~landscaping, and buffering~~ requirements contained in the ~~OC~~ OP Office District.

## Restrictions and Conditions.

The Board of County Commissioners may place such restrictions and conditions on property being assigned the RP zoning classification as said Board shall, in its sound discretion, deem necessary to protect the character of the area or neighborhood, the public investments in streets and roads or other public facilities, and the public health, safety, and welfare. Restrictions or conditions imposed during approval may include, but not be limited to:

- a) Operating hours.
- b) Control of outdoor lighting.
- c) Buffer and landscaping requirements shall comply with Part 14 unless otherwise approved. In any case where the required buffer width exceeds a setback requirement noted in this Section, the greater standard shall apply.

### 4.13.2 Changes to approved special exception use.

Any substantial change to the approved site plan or any substantial change of use shall be reviewed by the Planning and Zoning Commission and approved by the Board of County Commissioners.

### 4.13.3 Application for rezoning and site plan approval.

- a) For properties exceeding one (1) acre, at the time application is made for rezoning, a detailed site plan shall be submitted covering the total property to be rezoned. The site plan shall be drawn to ~~sufficient~~ scale (not smaller than one (1) inch to fifty (50) feet) and shall indicate:

1. Proposed use of property.
2. Exact location of all buildings.
3. Areas to be designated for off-street parking.
4. All means of ingress and egress.
5. All proposed screens, buffers, and landscaping
6. Areas to be designated to stormwater management.

- b) The Board of County Commissioners shall not rezone to RP, or approve any special use, for any lot or parcel that does not have adequate area to provide the necessary parking requirements for the use intended.

#### 4.13.4 Off-street parking requirements.

The off-street parking and landscaping requirements shall be determined by the Board of County Commissioners at the time of ~~special-exception~~ approval. Determination shall be based on the anticipated traffic generation of the use requested and the landscaping required to preserve and protect the residential character of the area.

#### 4.13.5 Lapse of approval.

The approval of a special use and the associated site plan shall expire if a building permit or occupational license is not obtained within one (1) year of approval.

### 4.14 OP Office District

#### 4.14.1 Zone Description:

The intent of the OP Office District is to promote orderly and 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 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 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 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.

#### ~~4.14.2 Site plan approval.~~

~~At time of application for rezoning, a detailed site plan shall be submitted covering total property to be rezoned. Any substantial change to said site plan must be reviewed by the Planning and Zoning Commission and approved by the Board of County Commissioners, prior to issuance of a building permit.~~

### 4.15 CN Restricted Neighborhood Commercial District

#### 4.15.1 Zone Description:

This District is designated to serve those areas in Seminole County that are predominantly residential in character, but which require some neighborhood service establishments and shops. Such commercial uses permitted in this District shall be highly restrictive and designed to serve primarily the residents of the immediate neighborhood.

4.15.2 Special restrictions.

~~a) No consumption of food or drink will be permitted on the premises of any business in this zone.~~

a) All parking areas ~~and drives~~ used by the public shall be ~~paved~~ graded, filled, and/or compacted to support the weight of vehicles using the site, as determined by the County Engineer. All drives and required ADA Accessible (handicapped) spaces shall be paved.

b) Buffering and landscaping shall comply with Part 14. In any case where the required buffer width exceeds a setback requirement noted in this Section, the greater standard shall apply.

~~c) Incandescent~~ Lighting may be used for illuminating the parking area, advertising signs, or any portion of the property as long as the direct light is not visible to drivers on the highways and no red or green illumination will be permitted within one hundred (100) feet of any street intersection.

d) No advertising sign shall be higher than fourteen (14) feet at its highest point above grade and there shall be a nine (9) foot clearance to the bottom of the sign. No advertising sign shall be wider than eight (8) feet. Any variance shall be approved by the Board of Adjustment ~~after public hearing.~~

e) No amplification of sound shall be permitted which will carry to outside areas.

f) No business operating upon property assigned the CN zoning classification shall operate other than between the hours of 7:00 a.m. and 11:00 p.m. ~~If the building or use is adjacent to property assigned a residential zoning classification or land use designation, the hours of operation may be limited by the Board of County Commissioners or voluntarily by the property owner or developer to between 7:00 a.m. and 9:00 p.m.~~

4.16 CS Convenience Commercial District

4.16.1 Zone Description:

This District is designated to serve those areas in Seminole County that are predominantly residential in character but require also provide opportunities for convenience or grocery stores. The uses in this District shall be highly restrictive and designed to serve primarily the residents of the immediate neighborhood.

#### 4.16.2 Special restrictions.

- 668 a) All parking areas ~~and drives~~ used by the public shall be ~~paved~~ graded, filled,  
670 and/or compacted to support the weight of vehicles using the site, as determined  
by the County Engineer. All required drives and ADA Accessible (handicapped)  
spaces shall be paved with asphalt or concrete.
- 672 b) Buffering and landscaping shall comply with Part 14. In any case where the  
674 required buffer width exceeds a setback requirement noted in this Section, the  
greater standard shall apply.
- 676 c) ~~Incandescent~~ Lighting may be used for illuminating the parking area, advertising  
678 signs, or any portion of the property as long as the direct light is not visible to  
drivers on the highways and no red or green illumination will be permitted within  
one hundred (100) feet of any street intersection.
- 680 d) No advertising sign shall be higher than fourteen (14) feet at its highest point  
above grade and there shall be a nine (9) foot clearance to the bottom of the  
682 sign. No advertising sign shall be wider than eight (8) feet. Any variance shall be  
approved by the Board of Adjustment ~~after public hearing.~~
- 684 e) No amplification of sound shall be permitted which will carry to outside areas.
- 686 f) No business located on property assigned the CS zoning classification shall operate  
688 other than between the hours of 7:00 a.m. and 11:00 p.m. ~~If the building or use on~~  
~~property assigned the CS zoning classification is adjacent to property assigned a~~  
~~residential zoning classification or land use designation, the hours of operation~~  
~~may be limited by the Board of County Commissioners or voluntarily by the~~  
~~property owner or developer to between 7:00 a.m. and 9:00 p.m.~~
- 690 g) All trash receptacles shall be screened from off-premise view.

#### 4.17 C-1 Retail Commercial District

##### 4.17.1 Zone Description:

694 This District is composed of lands and structures used primarily to provide for the  
retailing of commodities and furnishing selected services. ~~The regulations with it~~  
~~intend~~ It is intended to permit and encourage a full development range of essential  
696 commercial uses, while at the same time ~~however~~, protecting nearby residential  
properties from any possible adverse effects of commercial activity. ~~It is expected~~  
698 ~~that most commercial uses in this district will occur as planned shopping centers.~~  
Multifamily units such as condominiums, apartments, ~~and~~ townhouses and above-  
700 store "flat" housing units ~~is~~ are permitted to provide affordable housing in close  
proximity to employment centers. The provision of multifamily uses is limited to ~~ten~~

702 ~~(10) twenty (20) percent of the total number of developable acres assigned the C-1~~  
704 ~~zoning classification net buildable area of any development site and forty-nine (49)~~  
~~percent of total floor area~~ to preserve the commercial character of the District and to  
maintain adequate commercial uses to serve surrounding residential districts.

706 4.17.2 Building site area requirements.

Adequate space will be provided for off-street parking (segregated for commercial  
708 and residential uses), loading, and landscaping requirements. The floor area of  
permitted residential uses shall be incidental to commercial uses and shall not exceed  
710 fifty (50) percent of the commercial floor area. Residential floor areas will not be  
counted toward the floor area ratio calculation for the commercial use.

712 4.18 C-2 ~~Retail~~ General Commercial District

4.18.1 Zone Description:

714 This District is composed of lands and structures used primarily to provide services,  
supplies, and accommodations to the motorist. It is comprised of businesses that do  
716 not necessarily seek independent locations generally along major thoroughfares.  
Multifamily units such as condominiums, apartments, ~~and~~ townhouses, and above-  
718 store "flat" housing ~~units is are~~ permitted to provide ~~affordable~~ housing in close  
proximity to employment centers. The provision of multifamily is limited to ~~ten (10)~~  
720 ~~twenty (20) percent of the total number of developable acres assigned the C-2~~  
~~zoning classification net buildable area of any development site and forty-nine (49)~~  
722 ~~percent of total floor area~~ to preserve the commercial character of the District and to  
maintain adequate commercial uses to serve surrounding residential districts.

724 4.18.2 Building site area requirements.

Adequate space will be required for off-street parking (segregated for commercial  
726 and residential uses), loading, and landscaping requirements. The floor area of  
permitted residential uses will be incidental to commercial uses and shall not exceed  
728 fifty (50) percent of the commercial floor area, and residential floor areas will not be  
counted toward the floor area ratio calculation for the commercial use.

730 4.19 C-3 ~~General~~ Heavy Commercial and Wholesale Industrial District

4.19.1 Zone Description:

732 This district is composed of those lands and structures, which, by their use and  
location, are especially adapted to the business of wholesale distribution, storage and  
734 light manufacturing. These are large space users and bear little relationship to the

County's residential areas. Such lands are conveniently located to principal thoroughfares and railroads.

#### 4.20 M-1A Very Light Industrial District

##### 4.20.1 Zone Description:

This District is composed of lands so situated as to provide an area for very light, clean, industrial development. The purpose of this District is to encourage and develop industry of an exceptionally clean, non-objectionable type and to protect it from encroachment of smoke, fumes, vibration, or odors of any objectionable nature. The M-1A zoning District includes those industrial uses that include fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot, or lighting.

#### 4.21 M-1 Industrial District

##### 4.21.1 Zone Description:

This District is composed of lands so situated as to be well adapted to industrial development, but where proximity to residential or commercial districts makes it desirable to limit the manner and extent of industrial operations. The purpose of this District is to permit the normal operation of the majority of industrial uses under such conditions of operations as will protect abutting residential and commercial uses and adjacent industrial uses.

##### 4.21.2 Enclosed buildings and outside storage.

All uses shall be maintained within an enclosed permanent building and any outside storage shall be in an area screened from view from adjacent property.

#### 4.22 ~~M-2 Impact-General~~ M-2 Heavy Industrial Zoning Classification District

##### 4.22.1 Zone Description:

This District is composed of those lands and structures which have secondary impacts or by their use and location, are especially adapted to the business of wholesale distribution, storage, light manufacturing, sexually oriented and adult uses. These users should bear little relationship to the County's residential areas.

##### 4.22.2 Appeals.

Denials of development permits relating to the permitted uses set forth in the Sec. 5.2 Permit Use Table ~~Section 30.902(s) and (t)~~ in this zoning classification may be appealed to the circuit court in and for Seminole County.



768 ~~4.22.3 Alcoholic beverage establishments.~~

770 ~~a) The provisions relating to the M-2 zoning classification are supplemental to the  
land development regulations relating to alcoholic beverages establishments.~~

4.23 Special Zones

772 4.23.1 The following special zoning districts are accompanied by detailed standards which  
774 may include alternative subdivision and other standards. They are subject to the  
standards provided in Part 8: Special Zoning Districts.

a) MUCD Mixed-Use Corridor District

776 b) MM Missing Middle District

c) R-AH Affordable Housing Dwelling District/Subdivision Standards/Administration

778 d) PD Planned Development

e) PLI Public Lands and Institutions

780 f) ~~UC University Community District~~

## PART 5 PERMITTED USES BY ZONING DISTRICT

### 5.1 General Requirements

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

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

a) Additional Use Standards, Part 6

b) Supplemental Regulations, Part 9

### 5.1.2 Interpretation of Permitted Uses Table

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

b) Unlisted Similar Use. If a use is not listed but is similar in nature and impact to a 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) for a use interpretation. The unlisted use is subject to any additional standards applicable to the similar permitted use.

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 and Zoning Commission for recommendation and approved by the Board of County Commissioners.

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 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 be established first.

f) P - Permitted Uses:

Indicates the specific use is permitted in the specific zoning district.

g) L - Limited Uses:

Certain uses may be allowed when meeting specified conditions, 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 public health, safety, and welfare.

h) S - Special Exception

816 The Board of County Commissioners may permit uses designated as Special  
818 Exception within a given zoning district upon making the findings of fact required  
by Section 3.1.5 of this Code; providing, however, such uses may be subjected to  
or limited by conditions of the Board.

820 5.2 Permitted Use Table & Footnotes

See enclosed table.

822 5.3 Use Consolidation

824 a) Detailed use categories have been consolidated as described in the Use  
Consolidation Table.

b) See enclosed table.

DRAFT - Seminole County Land Development Code (Permitted Uses) 3/17/2022	A-10, A-5, A-3	A-1	RC-1	R-1AAAA, R-1AAA, R-1AA	R-1A	R-1	R-1B	R-1BB	R-2	R-3A	R-3	R-4	R-AH	MM	RM-1	RM-2	RM-3		RP	OP	CN	CS	C-1	C-2	C-3	MUCD	M-1A	M-1	M-2
Residential and Lodging Uses																													
Assisted living facility			S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S	S	S		S	S <sup>5</sup>	S <sup>5</sup>				S			P <sup>29</sup>	P <sup>29</sup>		S			
Adult living facility										S	S	S			S <sup>5</sup>					P				P <sup>29</sup>					
Bed and breakfast	S	S																						P	P	P			
Boarding house/ Dormitories										S	S	S														S			
Campground / RV Park																	P												
Community residential home (1-6 unrelated persons)	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>	P <sub>L</sub>		L		L	L	P <sub>L</sub>	P <sub>L</sub>	L			P									
Community residential home (7-14 unrelated persons)	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	S <sup>5</sup>	L	L	L	L	L												L			
Dormitories										S	S	S														S			
Dwelling, multiple-family										P	P	P <sup>46</sup>	L	L									P <sup>29</sup>	P <sup>29</sup>	P <sup>29</sup>	P		P <sup>29</sup>	
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	L	P	P	P	P	P																					
Guest cottage		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																											
Above-store or above-office flat																				S <sup>56</sup>				P	P	P			
Living quarters in conjunction with a commercial, occupied by owner, operator or employee.																							S	S	S				
Living quarters for guards, custodians, and caretakers			P														P <sup>21</sup>								S		P	P	P
Group home, Other										S	S				P											S			
Guest or tourist home <sup>7</sup>	S					S	S	S	S																	S			
Hotels & motels (exc. Bed & breakfast)												P <sup>47</sup>				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	L	L													P	P	P												
Manufactured home	P	S																											
Transient parking of recreational vehicles, campers, etc.	L	L									S						P												
Public and Civic Uses																													
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	P	L	P	P
Community	S	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					
Places of Worship	S <sup>8</sup>	P	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S <sup>8</sup>	S	S	S								P			P	P	P			P	P
Educational Buildings associated with Place of Worship				S <sup>8</sup>	S <sup>8</sup>																P								
Private clubs, lodges, fraternal organizations		S																		S <sup>35</sup>			P	P	P			P	P
Fire Stations																				P	P	P	P	P	P				
Libraries																					P	P	P	P	P				
Medical facilities																													
Hospital		S <sup>12</sup>										S								S <sup>36</sup>			S	S	S	S			P
Clinic, Medical or Dental																			S	P	P	P	P	P	P	P	P		
Retail Pharmacy																							P	P	P	P	L	P	P
Pain management clinic																								P				P	P
Residential facility, nursing home or rehabilitation center												S								S <sup>36</sup>			S	S	S	S			P
Parks or Open Areas	P <sup>2</sup>	P																		P						P			
Parks and Recreational Areas, Publicly Owned and Operated			S	S	S	S	S	S	S						S														
Recreational Facilities, Private		P <sup>13</sup>		S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>			S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>	S <sup>17</sup>						P	P	P	S <sup>43</sup>	S <sup>43</sup>	S <sup>43</sup>
Community Buildings, accessory			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P			
Schools																													
Free-standing Kindergarten and/or VPK program		S				S	S	S	S				S	S	S					P						P			
Elementary school, Public or private	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			P	P	P	P	P	S	P	S		
Middle school, Public or private		S	S	S	S	S	S	S	S	S	S	S		S	S	S	S			P	P	P	P	P	S	P	S		
High school, Public or private		S	S	S	S	S	S	S	S	S	S	S		S	S	S	S			P	P	P	P	P	S	S	S		
Vocational, business and professional (non-industrial)																				S <sup>35</sup>						S	P	P	P
Industrial Trade Schools																									P				P
College or university		S																								S			

P Permitted  
L Limited Uses  
S Special Exceptions

<b>DRAFT - Seminole County Land Development Code (Permitted Uses)</b> 3/17/2022	A-10, A-5, A-3
	A-1
	RC-1
	R-1AAAA, R-1AAA, R-1AA
	R-1A
	R-1
	R-1B
	R-1BB
	R-2
	R-3A
	R-3
	R-4
	R-AH
	MM
	RM-1
	RM-2
	RM-3
	RP
OP	
CN	
CS	
C-1	
C-2	
C-3	
MUCD	
M-1A	
M-1	
M-2	

Commercial Uses																														
Automobile sales & service																														
Car wash																					P	P				P	P			
Automobile, mobile home, and RV sales (excludes repair)																					P	P				P	P			
Automobile service & repair																						P				P	P			
Mechanical garages, bus, cab and truck repair, and storage																					S	P				P	P			
Paint & body shop																					S	P				P	P			
Bank																		S <sup>36</sup>			P	P	P	<u>P</u>						
Convenience store																	L <sup>48</sup>				P	P	P	P	<u>P</u>					
Self-service gasoline pumps as an accessory use																				S	S	S	S				P			
Contractors establishments with no outside storage																						S	S							
Dry cleaning (pick-up and drop-off only)																					P <sup>30</sup>	P <sup>30</sup>	P	<u>P</u>						
Food and Beverage																														
Alcoholic beverage establishment																					S	S		<u>S</u>						
Delicatessen / Café																					<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Ice cream / Coffee / Tea shop																					P	P	P	P	<u>P</u>					
Restaurant, drive-through																						S								
Restaurant, standard																						P	P	P	<u>P</u>	P	P	P		
Funeral home																			S <sup>36</sup>			P	P	P	<u>P</u>		P	P		
Indoor recreation																						P	P	P	<u>P</u>					
Museum																						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					
Studios, Physical Fitness (includes dance, martial arts)																				P	P	P	P	P	<u>P</u>	P	P	P		
Indoor assembly and entertainment																														
Theaters and Cinemas																						P	P	P	<u>P</u>		P	P		
Commercial Kennels	S	S																					P	P			P	P		
Laundry, self-service																					P	P	P	P	<u>P</u>					
Office uses																		S	P	P	P	P	P	P	<u>P</u>	P	P	P		
Office showroom																								P			P			
Outdoor advertising signs (Billboards)																							L	L						
Outdoor entertainment and assembly																														
Theater, drive-in																						S								
Stadiums, racetracks, and speedways		S <sup>14</sup>																												
Outdoor recreation and amusement uses, intensive		P <sup>13</sup>																					P	P	<u>P</u>					
Outdoor recreation uses, extensive		S <sup>9</sup>	S <sup>9</sup>																											
Outdoor storage of merchandise and/or materials																							P <sup>44</sup>	P <sup>44</sup>		P <sup>44</sup>	P <sup>44</sup>	P <sup>44</sup>		
Personal Services																					P	P	P	P	P	<u>P</u>				
Retail Sales/Services																														
Light Retail																					P	P	P	P	P	<u>P</u>	L <sup>51</sup>			
General Retail																							P	P	P	<u>P</u>	L	P	P	
Grocery store																						P	P	P	P	<u>P</u>				
Agricultural Supplies Feed stores																								P				P		
Building and plumbing supplies																							P	P						
Flea market																								S						
Furniture warehouse with retail sales																								P	P			P	P	
Marine sales and service																								P	P			P	P	
Printing and book binding shops																								P	P	<u>P</u>	P	P	P	
Retail, rural																														
Produce stand		P <sup>4</sup>	P <sup>4</sup>																											
Temporary sale of agricultural products																						S <sup>27</sup>	S <sup>27</sup>	S <sup>27</sup>	S <sup>27</sup>	S <sup>27</sup>				
Sexually oriented businesses																													P	
Studios, Radio/television (excluding towers)																							P	P	P	<u>P</u>	P	P	P	
Studios, Artist (includes music, photographic)																					P	P	P	P	P	<u>P</u>	<u>P</u>		P	
Veterinary Clinic <sup>1</sup>			S <sup>12</sup>																				P	P	P	<u>P</u>			P	P

- P Permitted
- L Limited Uses
- S Special Exceptions

DRAFT - Seminole County Land Development Code (Permitted Uses) 3/17/2022	A-10, A-5, A-3	A-1	RC-1	R-1AAAA, R-1AAA, R-1AA	R-1A	R-1	R-1B	R-1BB	R-2	R-3A	R-3	R-4	R-AH	MM	RM-1	RM-2	RM-3		RP	OP	CN	CS	C-1	C-2	C-3	MUCD		M-1A	M-1	M-2	
Industrial Uses																															
Automobile wrecking lots																													S	S	
Bottling and distribution plants																									P			P	P	P	
Cabinetry and woodworking shops																												P	P	P	
Data processing services																												P	P	P	
Incineration of organic materials		S																													
Junk and Recycling Yards Storage or bailing of rags, iron, paper, or																													S	S	
Laundry and dry cleaning plants																								P				P <sup>40</sup>	P <sup>40</sup>	P	
Lithography and publishing plants																								P				P	P	P	
Machine shops																												P <sup>50</sup>	P <sup>50</sup>	P <sup>50</sup>	
Machinery sales and storage																								P				P	P	P	
Manufacturing, Light																												P	P	P	
Manufacturing, Heavy																													S	S	
Soap																													S	S	
Feed Mill																													S	S	
Fertilizer																													S	S	
Concrete block plants and redi-mis concrete plants																													S	S	
Animal Processing Stock Yards or slaughter of animals																													S	S	
Water-based and/or epoxy-based coatings, adhesives, sealants and paints																													P	P	
Sawmill		S																													
Storage																															
Contractors' equipment storage yards																									P					P	
Self-service storage																								P <sup>(61)</sup>				P <sup>(60)</sup>	?	?	
Testing of materials, equipment and products																													P	P	P
Trade shops (including upholstery, metal)																									P				P	P	
Warehouse and Distribution																									P			P <sup>41</sup>	P <sup>41</sup>	P	
Cold storage and frozen foodlockers																									P			P	P	P	
Lumber Storage and Distribution																								S	P			P	P	P	
Wholesale storage of flammable liquids or gases																													S <sup>45</sup>	S <sup>45</sup>	
Wholesale meat and produce distribution																								P				P	P	P	
Infrastructure and Transportation																															
Airplane landing field or heliport		S																										S	S	S	
Communications tower, camouflage design																							P	P	P			P	S	P	
Communications tower, general	S	S	S	S	S	S	S	S	S	S	S	S			S		S	S	S	S	S	S	S	S	L <sup>33</sup>			L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	
Landfill, Sanitary		S																											S	S	
Parking garages or lots, primary use																								P	P	P <sup>(59)</sup>		P	P	P	
Sewage treatment and related facilities, public		S															P <sup>20</sup>														
Sewage and/or water treatment plant, subdivision				S	S	S	S	S	S						S						S										
Solid waste transfer, storage and recovery station																													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	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	P	P	P
Ground-Mounted Solar, Accessory	P	P	S	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	S	S																		S				S	S			P	P	P	
Ground-Mounted Solar, Large	S	S																										S	S	S	
Temporary asphalt plants for public road construction		S																													
Truck Terminal																													P	P	P
Utility and service structures, public	S	S	S	S	S	S	S	S	S							P				S			S	S	S	S		P <sup>42</sup>	P <sup>45</sup>	P	
Water treatment plant		S															P <sup>20</sup>														
Agricultural and Other Uses																															
Agriculture uses generally	P <sup>3</sup>	P <sup>3</sup>																													
Commercial Pig Farm		S																													

P Permitted  
L Limited Uses  
S Special Exceptions

Footnotes: (DRAFT 3/14/2022)
1. No overnight boarding except for animals being treated on the premises
2. Publicly and privately owned passive parks.
3. 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 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 structures.
4. 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.
5. 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 as amended from time to time.
7. Guest or tourist homes when located on state or federal highways.
<del>8. Churches and their attendant educational and recreational buildings and off-street parking.</del>
9. When making use of the land with nominal impacts to natural resources as determined by the Planning Manager.
10. Plant nurseries and greenhouses not involved with retail sales to the general public.
<del>12. Hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes when such facilities and homes are approved and licensed by the State of Florida.</del>
13. Neighborhood recreation areas, when approved as part of a subdivision plat.
14. 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.
15. Riding stables, provided that no structure housing animals is located nearer than one hundred (100) feet from a property line.
17. 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.
20. 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 with a six (6) foot chain-link fence and shielded by screen planting.
27. 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.
29. Density and design criteria must conform to the standards for properties assigned the R-3 zoning classification.
30. 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; 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.
33. 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 Exception.
35. 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.
36. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required.
40. Only nonflammable solvents shall be used. (Class IV National Fire Protective Association Code.)
41. Provided no storage is done outside an enclosed structure
42. 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.
43. Recreational facilities provided by an employer within the district for the exclusive use of employees, their families, and guests.
44. Outside storage of parts, supplies or materials shall be permitted only in an enclosed or fenced area.
45. 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.
<del>46. Apartment dwellings having no commercial business connected therewith, but may be equipped to serve meals to their tenants.</del>
<del>47. Motels, when located on officially designed State or Federal highway. Facilities may be provided for serving meals but shall be operated only in conjunction with the operation of the motel.</del>
48. A service store, with living quarters, if desired, to provide groceries, bottle gas, a snack bar, and supplies for occupants of the park.
49. Recreational facilities, such as, golf courses, swimming pools, tennis courts, marinas, etc. Petroleum products may be sold in marina areas only for marina use.
50. Using only electrically fired forges
51. 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.
59. Subject to landscaping and screening requirements of the MUDC district.
60. Limited access self-storage facility, subject to standards Part 8, Section 8.5.3 (f)
61. Limited Access and Multiple Access Self-storage facilities, subject to standards in Part 8, Section 8.5.3(f)

Use consolidate:

Indoor recreation
Bowling Alley
Museum
Historical and cultural exhibits
Dance and music studios

Indoor Private Assembly and Entertainment
Arenas
Theaters
Cinemas
Banquet halls

Office uses
Architects
Attorneys
Engineering
Finance offices (accounting, auditing, bookkeeping)
Insurance
Medical and dental
Office showroom
Real estate
Telephone business offices and exchanges

Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP  
Only mentioned in RP

Retail sales and services, light
Book, stationery, and newsstands
Candy Stores and ice cream shops
Florist and gift shops
Hobby and craft shops
Interior decorating and draperies
Jewelry stores
Locksmiths
Luggage shops
Pharmacies Drug and sundry stores
Sporting goods
Tobacco shops
Toy stores
Wearing apparel shoes

Personal Services
Barber and beauty shops
Shoe repair
Tailoring shops
Watch and clock repair

Retail sales / service uses (general)
Appliance stores
Bakeries
Pet stores
Employment agencies
Furniture stores
Hardware stores
Quick print shops

Light industrial uses (exc. Water treatment plant)
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

Manufacturing, Light
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

Outdoor recreation uses, extensive
Country Club
Golf Course
Golf Driving Range
Gun club
Fishing club or camp
Marina

Outdoor recreation uses, intensive
Swimming pools
Tennis Sports courts (e.g. Tennis, Basketball, Pickleball, Volleyball, Handball)

## PART 6 ADDITIONAL USE STANDARDS

### 6.1 Accessory Buildings and Uses

#### 6.1.1 Accessory uses in office and multiple -family residential uses

Accessory uses ~~when may be permitted~~ are intended to complement any permitted uses ~~and are designated to be for the primary use of employees and/or clients of the office occupants.~~

a) Accessory uses 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~~.

b) Location. Accessory uses shall be included as tenants within a principal office building and shall not be permitted to occupy separate buildings.

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

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

e) Accessory uses as described above are permitted in the following zones:

1. OP Office District

2. R-3A, R-3, and R-4 Multiple-Family Dwelling Districts

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

#### 6.1.2 Accessory buildings and uses in residential areas – SEC. 30.1345

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

~~b) In the case of corner lots, the lot shall be treated as having front yards on any side abutting a road right-of-way. In no event shall an accessory building or structure be established prior to the principal use to which it is accessory.~~

c) In any residential area, no ~~commercial kennels nor~~ any livestock or fowl, other than backyard chickens in compliance with Section 6.19, may be housed or pastured closer than one hundred fifty (150) feet to any lot line nor may any commercial production of any stock, animal, or fowl be permitted.

d) In the case of double frontage lots and where there is a conforming six (6) foot high minimum solid fence or wall to the rear of the property and in the case of detached accessory structures under two hundred (200) square feet in size and under twelve (12) feet in height, there shall be a minimum ten (10) feet rear yard setback. Specific to RC-1: Any structure used to stable horses shall maintain a minimum setback of fifty (50) feet from property lines and a minimum setback of one hundred (100) feet from any residential structure on an adjacent lot or parcel

e) Accessory buildings shall not exceed the principal building in terms of mass, size, and height unless located in the A-1 zoning District and used for agricultural purposes such as a livestock barn or stable. Each detached accessory structure or building shall not exceed fifty percent (50%) of the living area of the principal building. This provision does not apply to accessory structures within the A-3, A-5, and A-10 zoning Districts. A screened pool structure height may exceed the height of the principal structure.

f) An accessory building or structure greater than 200 square feet and twelve (12) feet in height shall comply with the following architectural standards unless located in the A-1, A-3, A-5, and A-10 zoning districts and used for agricultural purposes such as a livestock barn or stable: the exterior and roof (if any) shall be comprised of materials commonly used throughout Seminole County in single family residential construction, such as stucco, brick, vinyl, aluminum or wood for the siding or walls and shingles, tiles or corrugated metal for the roof. Accessory Dwelling Units must conform with Section 6.1.3 of this part.

~~g) The size limitation of accessory buildings or structures, when secondary to single family residential uses, is further limited as follows: Each detached accessory building or structure shall not exceed 600 square feet or 50 percent of the living area of the principal building, whichever is less, unless otherwise stated herein. This provision does not apply to accessory structures within the A-3, A-5, and A-10 zoning districts.~~

#### 6.1.3 Accessory Dwelling Units

a) Accessory Dwelling Units Generally.

1. It is the purpose of this Section to allow accessory dwelling units (ADUs), as defined in Section 2.3, with appropriate regulations, in all Single Family, Agricultural, and Rural Districts; and in Planned Developments which are approved for single family use. It is also the purpose of this Section to create a regulatory framework that encourages the development of ADUs that are rented on the local housing market to residents of unincorporated Seminole County. The County adopts the view of the Florida Legislature as stated in section 163.31771, Florida Statutes, pertaining to the need to encourage the permitting of ADUs in single family residential areas in order to increase the availability of affordable rentals for extremely-low-income, very-low-income, low-income, or moderate-income persons.
2. On any lot or parcel containing an ADU, either the principal dwelling or the ADU shall be occupied by the owner of the property. ADUs shall not be subdivided or otherwise conveyed into separate ownership from the principal dwelling. ADUs shall be rented or leased for a minimum period of thirty (30) days.
3. An existing home may be utilized as an ADU upon construction of an additional unit at least two hundred eighty-five percent (285%) of the size of the original unit. Except as authorized under Section 5.19(b), an existing structure to be converted to an ADU may be no larger than 1,000 square feet.
4. The provisions of this Section permitting ADUs do not authorize persons to violate applicable restrictive covenants or homeowner association rules and regulations. The County does not police or enforce private restrictive covenants or homeowner association rules and regulations. Persons obtaining approval for ADUs are solely responsible for compliance with all applicable restrictive covenants and homeowner association rules and regulations.
5. ADUs shall not be permitted in association with nonconforming residential development in the Industrial, Commercial, Office, and Higher Intensity Planned Development (HIP) future land use designations.
6. The Board of Adjustment shall not consider variances related to ADU size, or minimum area and width of any lot where an ADU is proposed.
7. A minimum of one (1) off-street parking space shall be provided for the ADU, located on the same lot or parcel and served by the same driveway as the principal dwelling unit. This space shall be paved or covered with a stabilized surface acceptable to the County Engineer. No ADU parking space shall be located within a required buffer or setback area, or to the rear of the unit.
8. Impact Fees.

- 926 (a) If used for affordable rental purposes, impact fees for an ADU shall be  
waived or reduced as dictated by the adopted Impact Fee Rates/Schedule.  
928 An application for a building permit to construct an affordable rental  
must include an affidavit from the applicant which attests that the unit  
930 will be rented at an affordable rate to an extremely-low-income, very-  
low-income, low-income, or moderate-income person or persons.  
932 Seminole County will require deed restrictions or other agreements as  
necessary to ensure that the ADU is used for affordable housing  
purposes.
- 934 (b) If an ADU is not used for affordable rental purposes or the application  
does not include an affidavit which attests to the ADU as an affordable  
936 rental, impact fees will be assessed as dictated in the Seminole County  
Impact Fee Rate Schedule.

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

- 940 1. ADUs in A-3, A-5, and A-10 shall be permitted by right subject to  
~~requirements stated in Section 30.102(k).~~ the following requirements:

- 942 (a) No more than one (1) accessory dwelling unit shall be permitted on any  
parcel or lot;
- 944 (b) Except as provided in Section 5.19(b), total floor area of the accessory  
dwelling unit shall not exceed thirty-five percent (35%) of the gross floor  
area of the main residence; or 1,000 square feet, whichever is less;
- 946 i. A manufactured home, as defined in Section 2.3, may be permitted as  
an ADU on property where the principal structure is also a  
948 manufactured home.
- 950 ii. The moving hitch, wheels, axles, and transporting lights shall be  
removed from a manufactured dwelling unit and skirting shall be  
952 placed around the base, in compliance with any regulations of the  
National Flood Insurance Program, to ensure neighborhood  
compatibility.

954 c) Accessory Dwelling Units in Other Districts.

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

2. An ADU shall be architecturally compatible with the principal dwelling unit and subject to the same building code requirements. The following criteria shall be met, as applicable:
- (a) The ADU must have a complementary appearance to that of the principal structure. This may be achieved through use of the same natural materials used to construct the primary structure such as wood, stone, and/or manufactured products such as brick, stucco, or decorative concrete block. Also, architectural elements such as awnings, parapets, decorative molding, and windows may be utilized to create compatibility and consistency between the appearance of the principal dwelling unit and an ADU.
  - (b) Building elevations shall be provided for review prior to issuance of permits.
3. Impervious coverage for any lot or parcel wherein an ADU is constructed shall not exceed the following limits:

Zoning District	Maximum Impervious Coverage*
RC-1, A-1	30%
R-1BB	65%
R-1B	60%
R-1	50%
R-1A	40%
R-1AA	40%
R-1AAA	40%
R-1AAAA	30%
PD	**
<p>*The per-lot impervious coverage provided for by the approved Master Stormwater Management System Design (excludes Planned Developments).</p> <p>**The per-lot impervious coverage provided for by the approved Master Stormwater Management System Design for the Planned Development.</p>	

6.1.4 Accessory buildings in agricultural zones – SEC 30.110

a) Buildings or structures which are not intended to be used for the housing or shelter of livestock or ~~poultry~~ fowl and which are accessory to the residential use shall maintain the same front and side yards as the main structure and shall maintain rear yards of a minimum of ten (10) feet. Accessory buildings or structures shall not project beyond the established building line unless set back a minimum of one hundred (100) feet from the front property line.

b) Buildings or structures which are intended for use or used for the housing or shelter of livestock or ~~poultry~~ fowl and silos, granaries, windmills, barns and similar structures in conjunction with the operation of an agricultural use or commercial kennels shall observe a minimum setback of fifty (50) feet from any property line and be spaced a minimum of one hundred (100) feet from any residence on an adjacent lot or parcel.

6.1.5 Accessory uses in RM-1 District

Mobile home lots may include such accessory uses as are customarily utilized by mobile home occupants. These shall include accessory storage buildings and carports. Such accessory buildings shall have no sanitary plumbing (i.e., kitchen sinks, commodes, bathtubs, showers, or kitchen facilities, but laundry tubs or washing machine connections are permitted). Screened porches or cabanas provided they are attached to the mobile home. Total additions to the living area shall be limited to equal square footage of the mobile home, but shall not exceed eight hundred (800) square feet. Other accessory uses shall not exceed five hundred (500) square feet.

6.1.6 Accessory uses in RM-2 District – SEC.30.324

Mobile home sites may incorporate screened porches, cabanas, and carports with utility areas attached to the mobile home.

6.2 Accessory Housing for Employees

6.2.1 Applicable to RM-3

One (1) house or mobile home is permitted as office and housing for the operator of the park. Additional houses or mobile homes may be permitted for night watchman or security guards on approval of the ~~Board of Adjustment~~ Planning and Zoning.

1008 6.2.2 Applicable to the OP Zoning District

1010 A single-family dwelling unit may be permitted in connection with a permitted  
1012 use provided said use is occupied only by the owner or operator of the business.  
When permitted, the residence shall be either above the office or attached to the  
ground-floor frontage.

1014 6.2.3 Applicable to Commercial Zoning Districts

1016 The Board of County Commissioners may authorize living quarters, in conjunction  
with a commercial use, to be occupied by the owner or operator of the business  
or an employee.

1018 6.2.4 Applicable to the M-1A Zoning District

1020 Living quarters for guards, custodians, and caretakers are permitted when such  
facilities are accessory uses to the primary use of the premises.

6.2.5 Applicable to the M-1 Zoning District

1022 The Board of County Commissioners may authorize the parking and location of a  
mobile home or house trailer to provide quarters for a watchman or security  
1024 guard after study of the area and review of the conditions pertaining to the need.

6.3 Additional Use Standards specific to Agricultural Zones

1026 a) Uses by general permit in agricultural zones – Sec 30.112 & 30.130

b) Special Exceptions – A-1 Zone

1028 1. A manufactured home may be permitted as a Special Exception without a  
specific time limit on a lot or parcel of record subject to the following  
1030 requirements:

a) Only one (1) single-family manufactured home may be permitted.

1032 b) It shall bear a seal certifying that it is built in compliance with the federal  
Manufactured Home Construction and Safety Standard Act.

1034 c) It shall be subject to all applicable regulations of the zoning classification  
(i.e., setbacks, land uses).

1036 d) Where installation of a septic tank is proposed, an acceptable percolation  
and depth-of-water-table test shall be submitted at the time of  
1038 application.



1040 e) If the proposed site is known to be in a flood prone area, an acceptable  
plan shall be submitted at time of application which details steps to  
prevent hazard to health and property.

1042 f) An approved single-family manufactured home shall be firmly anchored in  
1044 accordance with all applicable codes and shall have skirting installed to  
screen the underside of the structure.

1046 g) The moving hitch, wheels and axles and transporting lights shall be  
removed from a manufactured dwelling unit and skirting shall be placed  
1048 around the base, in compliance with any regulations of the National Flood  
Insurance Program, to ensure neighborhood compatibility.

1050 c) ~~An accessory dwelling unit (ADU) may be approved subject to the requirements of  
Section 30.1345(g).~~

#### 6.4 Temporary Uses

1052 6.4.1 Carport/garage/yard sales – SEC. 30.1351

1054 6.4.2 Permits for site specific special events, outdoor sales of merchandise, ~~and~~ temporary  
package storage permits, and mobile food vendors – SEC. 30.1378

a) Mobile food vendors.

1056 1. Purpose and Intent. These regulations are intended to establish requirements  
1058 for the sale of prepared foods on a temporary basis from motorized vehicles,  
trailers, carts and other movable devices, within specified commercial zoning  
1060 districts unless otherwise preempted by FS 509.102. No formal permit or  
approval shall be issued by Seminole County for a particular property or  
1062 mobile food vendor, but all required documentation, including licenses and  
owner authorization, shall be in the vendor's possession at all times while in  
1064 operation, and shall be provided to any County official upon request. Mobile  
food vendors not in compliance with Sec. 6.4.2 shall be prohibited unless  
approved as part of a Special Event Permit under Sec. 6.4.2

1066 2. Exemptions. Specifically excluded from these regulations are the following:

a) Produce stands in agricultural zoning districts.

1068 b) Ice cream trucks and similar vehicles operating on public streets.

c) Food sales on active construction sites not accessible to the public.

1070 d) Sales of non-food items in any district.

3. General Requirements. All mobile food vendors shall meet the following requirements:

- a) Mobile food vendors shall be permitted in C-1, C-2, C-3 and M-1 Districts, but may also be allowed in the Planned Development (PD) District where an approved master development plan permits general retail commercial uses, and where mobile food vendors are not specifically prohibited through a development order.
  - b) Mobile food vendors shall not operate on vacant lots or within one hundred (100) feet of any structure containing a residence. Operation of an individual vendor at any location shall be limited to three (3) consecutive days and a total of twelve (12) days in any calendar month.
  - c) Except as provided herein, mobile food vendors shall not occupy any of the following:
    - i. Site entrances, exits, and driveway aisles.
    - ii. More than ten (10) percent of parking spaces required under Section 30.1221.
    - iii. Buffers required under Part 14 Chapter 30.
    - iv. Open space areas required under Part 14, Chapter 30.
    - v. Stormwater retention areas, drainage easements, and related facilities.
- However, the Development Services Director may reduce or eliminate the above restrictions where it is demonstrated that the food vendor activity does not significantly impair the functioning of the development site with respect to the applicable provisions of this Code. In doing so, the Director may establish conditions as necessary to meet the purpose and intent of these provisions. Any such waiver shall be valid for a ninety (90) day period, but may be extended at the Director's discretion. Waivers shall be made in writing, and shall include specific location, effective date, and expiration date.
- (d) Tents and/or canopies exceeding one hundred (100) square feet, and electrical wiring outside of vehicles shall be prohibited.
  - (e) Outdoor amplification of sound shall be prohibited.
  - (f) Business activity shall be prohibited during the hours of 11:00 p.m. to 7:00 a.m.

- 1104 (g) Overnight parking of mobile food vendor vehicles shall be prohibited.
- 1106 (h) Signage is limited to information painted on or otherwise affixed to mobile food vendor vehicle; and no freestanding signs shall be permitted.
- 1108 (i) All mobile food vendors shall obtain the required license(s) from the State of Florida and a business tax receipt (BTR) from Seminole County.
- 1110 (j) All mobile food vendors shall obtain a notarized letter from the property owner authorizing the mobile vendor activity. This letter shall note specific calendar days when the individual vendor may operate on the property, and confirm access to on-site restrooms for patrons of the vendor. Where on-site restroom access is not available, mobile food vendors shall operate only under a Special Event Permit in accordance with Sec. 6.4.2.
- 1116 4. Additional Requirements. All mobile food vendors utilizing electricity for any purpose, and/or gas or open flames for cooking, shall meet the following requirements:
- 1118
- 1120 (a) Each vendor shall obtain an annual fire inspection from the Seminole County Fire Prevention Bureau.
- 1122 (b) Vendors shall maintain current inspections for NFPA 96 hoods and fire extinguishers.
- 1124 (c) Cooking equipment shall comply with NFPA 96.
- 1126 (d) Class K Fire extinguishers shall be provided for the protection of cooking appliances that use combustible cooking media.
- 1128 (e) A minimum of one portable fire extinguisher with a rating of not less than 2-A: 10-B: C shall be provided.
- 1130 (f) Electrical equipment and installations shall comply with NFPA 70, National Electrical Code.
- (g) Externally mounted generators, when in use, shall be isolated from the public by either physical guards, fencing, or enclosures.

1132 6.4.3 Temporary sales office in new subdivisions – Sec 30.1357

1133 6.4.4 Temporary Uses in Agricultural Zones

1134 a) It is the intent of this Section that uses ~~listed in subparagraphs (1) through (d) be~~  
1135 ~~of a temporary nature, but all uses~~ listed herein may be allowed in the A-1, A-3,  
1136 A-5, and A-10 zoning Districts, after review by the Planning and Development  
1137 Division Manager, subject to the Limited Use process described in Section 5.1.2.  
1138 ~~The Manager may impose additional conditions and limitations in furtherance of~~  
~~the public health, safety, and welfare. Limited uses are as follows:~~

1140 1. Temporary occupancy of a mobile home or recreational vehicle while a  
1141 permanent dwelling is under construction subject to the following criteria:

1142 (a) An appropriate building permit, as required by the County, shall be  
1143 secured prior to placement and occupancy of a mobile home or  
1144 recreational vehicle.

1145 (b) The residence shall be actively under construction and inspection during  
1146 the period a mobile home or recreational vehicle is on the property.

1147 (c) Permit to place and/or occupy a mobile home or recreational vehicle is  
1148 limited to a one (1) year period; however, said permit may be renewed by  
1149 the Development Services Director for one (1) additional period of up to  
1150 one (1) year.

1151 (d) Prior to final inspection of the residence, the property owner shall furnish  
1152 the Planning and Development Division with acceptable evidence as to the  
1153 date and method that the mobile home will be removed; and, provided  
1154 further, that said mobile home shall be removed within thirty (30) days  
1155 after final inspection of the residence.

1156 2. Temporary occupancy of a mobile home or recreational vehicle may be  
1157 permitted on the same lot with a single-family residence for housing a  
1158 chronically ill relative or a practical nurse subject to the following:

1159 (a) That a hardship is substantiated by documentary evidence, such as,  
1160 medical records, doctor's recommendations, etc.

- 1162 (b) That permits normally be limited to a maximum two (2) year period unless  
the ~~Growth Management~~ Development Services Director, or the Board of  
1164 County Commissioners on appeal, determines that the medical hardship  
results from a chronic illness that may continue to exist for an  
1166 undetermined period of time. In such cases approval may be granted for a  
period in excess of two (2) years; provided, however, that the mobile home  
1168 shall only be occupied by the chronically ill relative for which the approval  
was granted or the practical nurse who provides medical care for the  
chronically ill relative.
- 1170 3. Temporary occupancy of a mobile home or recreational vehicle may be  
approved for housing a night watchman for a nonresidential use in the A-1  
1172 Agriculture District subject to the following criteria:
- (a) Where it can be substantiated by documentary evidence that chronic  
1174 vandalism occurs.
- (b) That such use is immediately necessary.
- 1176 (c) That the permit be limited to a one (1) year period; however, when  
substantiated, the Development Services Director may approve one (1)  
1178 additional period of up to one (1) year.
- 1180 4. Temporary occupancy of a mobile home or recreational vehicle may be  
approved for a member or members of the family subject to the following:
- (a) A mobile home or recreational vehicle shall be placed on the same lot or  
1182 parcel as the family residence.
- (b) The necessity or hardship shall be substantiated by documentary evidence.
- 1184 (c) That permits be limited to a one (1) year period which may be renewed by  
the Development Services Director for successive one (1) year periods after  
1186 review of the necessity or hardship.

6.5 Automobile service stations – Sec 30.1352

1188 6.6 Alcoholic beverage establishments – Sec 30.1353

Performance standards.

1190 Landscaping and buffer requirements. ~~Active/passive buffer setback standards~~  
1192 ~~(Section 30.1232) shall be applied to~~ On property where an on-premise  
1194 consumption alcoholic beverage establishments is the sole use of the  
1196 development site, the opacity of all required buffers under Section 14.7 shall be  
1198 increased by 0.2. However, these standards this requirement shall not apply to  
on-premise consumption alcoholic beverage establishments that are part of a  
planned shopping center unless the ~~Board of Adjustment~~ Board of County  
Commission finds that off-site impacts require such setbacks additional  
buffering.

#### 6.7 Communication Antennas/Towers

- 1200 6.7.1 Legislative purpose and intent – SEC. 30.1362
- 6.7.2 Applicability/Administration – SEC. 30.1363
- 1202 6.7.3 Performance Standards – SEC. 30.1364
- 6.7.4 Design Criteria – SEC. 30.1365
- 1204 6.7.5 Abandonment – SEC. 30.1366
- 6.7.6 Communication Antennas – SEC. 30.1367
- 1206 6.7.7 Co-location of communication tower antennas – SEC. 30.1368
- 6.7.8 Certification of compliance with FCC NIER standards – SEC. 30.1369
- 1208 6.7.9 Non-conforming uses – SEC. 30.1370, SEC. 30.105 & SEC. 30.108 (D)
- 6.7.10 Camouflage towers, where permitted – SEC. 30.1371

#### 1210 6.8 Mobile homes

#### 6.9 Sexually oriented businesses/adult entertainment establishments

- 1212 6.9.1 Separation requirements and miscellaneous provisions – Sec 30.1355
- 6.9.2 Design standards – Sec 30.1380
- 1214 6.9.3 Conflicting Zonings – Sec 30.1380.1
- 6.9.4 Seminole County/City of Sanford Joint Planning Interlocal Agreement Relating to
- 1216 Adult or Sexually Oriented Uses – Sec 30.1380.2

6.10 Community Residential Homes and Assisted Living Facilities ~~and Group Homes~~

6.10.1 Statement of intent.

a) In order to prevent concentration of foster care and group home facilities and the detrimental impact to a neighborhood caused by a high concentration of these facilities, the Board of County Commissioners shall exercise care in considering a request to establish a foster care or group home facility by determining that the approval of the new facility or addition to an existing facility, when considered in light of the number of other such facilities licensed by the state (excluding foster homes) in the vicinity of the proposed site will not stress the limited capacity of a neighborhood's existing social structure to accommodate foster care and group home facilities. A second intention of this provision is to protect existing foster care and group home facilities from the possibility that an over concentration of such facilities in a neighborhood might develop which may inadvertently recreate an institutional setting. Such a setting is an impediment to the successful functioning of foster care and group home facilities.

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

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

That the location does not create an over-concentration of such homes or substantially alter the nature and character of the area as defined in Section 419.001(3)(c), Florida Statutes (2020). In the event that the provisions of this Section conflict with the provisions of section 419.001(3)(c), Florida Statutes (2020), section 419.001(3)(c) shall govern.

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

a) That the location does not create an over-concentration of such homes or substantially alter the nature and character of the area as defined in Section 419.001(3)(c), Florida Statutes (2020). In the event that the provisions of this Section conflict with the provisions of Section 419.001(3)(c), Florida Statutes (2020), Section 419.001(3)(c) shall govern.

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

c) In multiple-family residential districts, the Board of County Commissioners shall determine that the proposed use is compatible with the area in its intensity of land use. ~~Persons per acre (PPA) may be used as a guide establishing equivalency with density which is typically specified as dwelling units per acre (DUPA). Based on a 2.1 person per household factor for multiple family residences in Seminole County, the persons per acre for R-3A is twenty one (21) and for R-3 is twenty seven (27).~~

d) A copy of the application to the appropriate State agency shall accompany the application for the special exception.

6.11 Family Day Care homes – SEC 30.1356.1

6.12 Home Office – Sec. 30.1377

6.13 Farmworker housing

6.13.1 Farmworker housing, either single family or multifamily dwellings, including manufactured homes, if the land use is a bona fide agriculture use; provided, however, that such structures may house only those persons and their immediate family employed in carrying out such bona fide agricultural use. Mobile homes constructed prior to June 15, 1976 shall not be permitted.

6.13.2 Sec. 30.1361

6.14 Pain management clinics – Sec. 30.1379

6.15 Automobile Wrecking Lots

6.15.1 In reviewing a special exception for an automobile wrecking lot the following additional standards shall be considered:

a) No junkyards or automobile graveyards, as defined in section 339.241, Florida Statutes, shall be located closer than one thousand (1,000) feet to any secondary, primary, or interstate highway.

b) The lots must be enclosed with a wall or solid fence not less than six (6) feet in height; and,

c) All fences, as defined in section 339.241, Florida Statutes, shall be provided as specified in said section.

6.16 Vacation rentals - Sections 30.1373 through 30.1376

6.17 Civic Assembly Uses

6.17.1 Civic Assembly uses are classified by size and intensity as follows:

a) Neighborhood Facility. A civic assembly use generally designed for and intended to serve the residents of one neighborhood or small (approximately one square mile) geographic area, which meets the following standards:



1. Maximum Lot Area: five (5) acres of developable land
  2. Maximum Assembly: one hundred (100) seats or fewer in the largest assembly space
- b) Community Facility. A civic assembly use generally designed for and intended to serve the residents of several neighborhoods within the same approximate geographic area. Community facilities are typically designed to accommodate a larger number of people for a wider geographic area than neighborhood facilities, but are more locally focused than regional facilities, and meet the following standards:
1. Maximum Lot Area: ten (10) acres of developable land
  2. Maximum Assembly: 500 seats or fewer in the largest assembly space
  3. Exceptions: An assembly facility proposed on more than ten (10) acres of developable land with fewer than 500 seats in the largest assembly space may be classified and approved as a community facility in residential zoning districts through the special exception process when the County Commission finds that the increased acreage of the development site will not have a detrimental effect on the residential character of the neighborhood and any negative impacts can be effectively mitigated.
- c) Regional Facility. A civic assembly use generally designed for and intended to serve the residents of the entire county and nearby communities. Assembly facilities proposed to contain more than 500 seats in the largest assembly space shall be considered regional facilities.
- d) Civic Assembly Uses in Mixed-Use, Retail, or Office Developments. Civic Assembly uses proposed to occupy one or more tenant or condominium spaces in an existing shopping center, mixed-use building, or office park are classified as Neighborhood, Community, or Regional Facilities by number of seats only. Minimum and maximum lot area requirements do not apply to these locations.
- e) Civic Assembly Uses in Rural Locations: Maximum lot area requirements may be exceeded in rural zones subject to the requirement the developed area does not exceed the maximum excluding areas for outdoor recreation.
- 6.17.2 Accessory Uses
- a) In addition to otherwise permitted uses, customary accessory structures and activities are permitted which shall include:
1. One residence for an employee or caretaker.
  2. Fellowship halls and food preparation areas.
  3. Office space in support of the Assembly Use.

1324 4. Classrooms, playgrounds, and childcare facilities for use in association with  
1326 assemblies but not including day care centers, community recreation facilities,  
and private primary, secondary, vocational, and/or collegiate educational  
facilities.

1328 b) Other uses accessory to a Civic Assembly Use may be permitted where otherwise  
1330 allowed within a given zoning district and subject to the conditions of the use  
within that district.

c) Uses accessory to a Civic Assembly Use may:

1332 1. Share parking and circulation with the Civic Assembly Use where located on  
the same or contiguous properties and hours of operation permit.

1334 2. The acreage of the Civic Assembly Use may be counted towards any minimum  
1336 acreage requirement for the accessory use assuming all other standards of the  
accessory use are met.

#### 6.17.3 Architectural Exceptions

1338 Non-habitable, decorative architectural features may exceed the height limit in the  
applicable zoning district by the greater of twenty (20) feet or fifty (50) percent of the  
1340 maximum allowable height in the zoning district..

#### 6.17.4 Alcohol Beverages

1342 No Civic Assembly Uses may sell alcohol for on- or off-premise consumption unless  
approved by Board of County Commissioners as a Special Exception.

#### 1344 6.17.5 Limited Uses and Special Exceptions

a) Where a limited use permit or special exception is required for a civic assembly  
1346 use, the following review criteria shall be used to determine the appropriateness  
of the application:

1348 1. Protects Residential Neighborhoods. Outdoor use areas, including vehicular use  
areas, must be located and designed to minimize potential negative impacts  
1350 on residential zoning districts and residential uses in approved PDs, including  
but not limited to mitigation of light spill-over, glare, noise (from mechanical  
1352 equipment, recreational facilities, outdoor classrooms, etc.), and any other  
negative impacts associated with the type of civic assembly use proposed.  
1354 Assembly uses in residential zones may not apply for a permanent license to  
sell alcoholic beverages for on-premise consumption.

- 1356 2. Traffic. Vehicular ingress, egress, and on-site circulation must be designed and  
1358 constructed to ensure the least possible impact on neighboring properties  
and residential streets. Primary ingress and egress must be from the highest  
1360 service level adjacent street, unless otherwise approved by the Planning and  
Zoning Commission and Board of County Commissioners. For community and  
1362 regional assembly facilities, vehicular access to the facility must be from a  
collector of four lanes or more, or an arterial street. Parking areas must be  
designed and located to minimize conflict with pedestrian and bike pathways.
- 1364 3. Noise Abatement. Civic Assembly uses often involve groups of people arriving  
1366 and departing at one time (as is common with many assembly uses), outdoor  
gatherings, or sound amplification. Therefore, issues related to noise from  
1368 gatherings, events, vehicles, and equipment must be addressed through  
conditions of approval for a special exception permit. Conditions including but  
1370 not limited to the location of outdoor use areas on the property, limitations  
on hours or days of operation, and additional noise abatement strategies may  
be required.
- 1372 4. Lighting. Lighting of outdoor areas must be cut-off or fully shielded to reduce  
1374 glare and prevent light overspill into adjacent properties. Lighting for sports  
fields and outdoor recreation areas, where operational characteristics prevent  
1376 the use of cut-off or fully shielded lights, must be turned off no later than  
10:00 p.m. or be located such that the lights are not visible from a residential  
zoning district or residential uses in an approved PD.
- 1378 5. One- and Two-Family Residential Zoning Districts. In order to protect the  
1380 surrounding residential neighborhood from the encroachment or expansion of  
civic assembly uses, assembly facilities located in one- or two-family  
1382 residential zoning districts must meet the following additional standards:
- 1384 a) Desired Development Patterns. Assembly facilities located in residential  
1386 zoning districts should function as compact, singular sites and all desired  
activities and required facilities (to include parking facilities, principal use  
buildings, and accessory use buildings) should be located on one  
development site consisting entirely of contiguous parcels of land, which  
may include property located directly across the street.

1388                    b) Non-contiguous Parcels. Where a parcel owned or leased by the civic  
assembly use is not contiguous to the parcel(s) containing the principal  
1390                    assembly building, the use of the non-contiguous parcel(s) is limited to the  
following uses: occasional overflow parking (maximum two (2) times per  
1392                    week and located within a five (5)-minute walk defined as quarter (1/4) mile  
of continuous sidewalk), passive recreation space, playgrounds, walking  
1394                    trails, outdoor classrooms or seating, or reflection or meditation space.

                         c) Acquisition of Land. If additional property is acquired for use by the  
1396                    assembly facility, an amendment to the special exception permit shall be  
required prior to any development on the property.

1398    6.17.6 Conditions Specific to Zoning Districts:

R-AH: Must meet non-residential acreage requirement established within this zoning  
1400                    district.

                         6.18    Solar Facilities

1402    6.18.1 General Conditions:

                         a) Site plan approval is required for all ground-mounted or floating solar energy  
1404                    systems, except for ground-mounted solar as an accessory use.

                         b) All hazardous areas must be fenced and properly signed to notify the public of  
1406                    potential safety hazards.

                         c) Power and communication lines - Power and communication lines running  
1408                    between banks of solar panels and to nearby electric substations or  
interconnections with buildings shall be buried in a manner consistent with  
1410                    applicable code requirements. Exemptions may be granted by the Board of  
1412                    County Commissioners in instances where soil conditions, water courses, or other  
1414                    elements of the natural landscape interfere with the ability to bury lines, or  
distance makes burial infeasible, at the discretion of the Planning Manager. Points  
of interconnection may be above ground.

                         d) Reflectors — All solar energy systems using a reflector to enhance solar  
1416                    production shall control and minimize the glare from the reflector affecting  
adjacent or nearby properties.

1418                    e) Required open space and plantings must be maintained per the approved plans.

                         f) When required, fencing shall be a minimum of seven (7) feet in height. Where  
1420                    animal habitats are present, fencing shall have four (4) to six (6) inches openings  
near ground-level to allow for the passage of wildlife.

1422 6.18.2 Additional Special Exception Criteria:

1424 Where permitted as a special exception, the application shall demonstrate that the  
property is of marginal value for other uses. Preferred sites include: airport safety  
zones (subject to glare studies) and brownfields.

1426 6.18.3 Specific to Roof-Mounted Solar Energy Systems:

1428 a) For a roof-mounted system installed on a sloped roof that faces the front yard of a  
lot, the system must be installed at the same angle as the roof on which it is  
1430 installed with a maximum distance, measured perpendicular to the roof, of  
eighteen (18) inches between the roof and highest edge or surface of the system.

1432 b) For a roof-mounted system installed on a sloped roof, the highest point of the  
system shall not exceed the highest point of the roof to which it is attached.

1434 c) Notwithstanding the height limitations of the zoning district: For a roof-mounted  
system installed on a flat roof, the highest point of the system shall be permitted  
to extend up to six (6) feet above the roof to which it is attached.

1436 6.18.4 Specific to Building-Integrated Solar Energy Systems:

1438 a) Building-integrated solar systems are subject to the zoning criteria for buildings  
within the applicable zoning district.

1440 b) Building-integrated solar systems may be integrated into non-habitable structures  
such as shade-structures, public art, or carports subject to the criteria otherwise  
applicable to such structures.

1442 6.18.5 Specific to Ground-Mounted Solar Energy System

1444 a) Maximum Height: Ground- or pole-mounted solar energy systems shall not exceed  
fifteen (15) feet in height when oriented at maximum tilt.

1446 b) System Scale:

1. Accessory:

1448 a) Definition: Occupy less than twenty (20) percent of the lot and the solar  
energy system is less than 40,000 square feet of land area.

1450 b) For residential properties: A ground-mounted solar system must be  
located in the rear yard.

1452 c) Must adhere to the applicable zoning district setbacks. Accessory structure  
setbacks may be used where applicable. Square footage of above ground  
elements of a ground-mounted solar system shall not count against area  
1454 coverage maximums for accessory structures.

2. Medium:

Solar energy systems with less than ten (10) impacted acres that do not meet the standards for accessory systems.

3. Large:

a) Solar energy systems resulting in more than ten (10) impacted acres.

b) Specific to Floating Solar Energy Systems:

c) Floating solar energy systems which occupy less than thirty (30) percent of a proposed stormwater facility and less than 40,000 square feet may be considered an accessory use. All other floating solar energy facilities shall be a special exception. In no case shall a floating solar energy system exceed sixty (60) percent of the area of a stormwater facility.

6.18.6 Specific to parking lots.

Solar systems designed to provide shade over required parking spaces or over walkways in parking lots of non-residential or multi-family uses:

a) Are considered accessory use and are not subject to limitations on size or lot coverage.

b) May extend to twenty (20) feet in height.

c) Parking spaces covered using solar canopies shall be exempt from tree requirements provided that:

1. Along each edge of the parking lot that abuts a public street or a property line, trees must be provided at intervals of not more than fifty (50) feet on center for canopy trees or thirty (30) feet on center for understory trees.

2. If parking is located between the public street and the main entrance of the building, a walkway must be provided which creates a direct connection between the public sidewalk and the main entrance.

3. Walkways must be shaded with either solar canopy structures, awnings, or trees.

4. Parking areas exceeding six (6) acres must be divided into blocks not exceeding four (4) acres separated by an internal drive or pedestrian path which shall incorporate trees at intervals of not more than fifty (50) feet on center for canopy trees or thirty (30) feet on center for understory trees.

6.18.7 Landscape Requirements:

Ground cover and buffer areas — the following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover for Medium and

1490 Large Ground Mounted Solar Energy Systems. Additional site-specific conditions may  
1491 apply as required.

1492 a) Large-scale removal of mature trees on the site is prohibited. Tree removal is  
1493 subject to the requirements of the Chapter 60: Arbor and site plan requirements.

1494 b) Ground-mounted solar facilities shall be a minimum distance of thirty (30) feet from  
1495 canopy trees (as measured from tree center) in order to minimize maintenance costs.  
1496 The applicant shall submit a vegetative management plan prepared by a qualified  
1497 professional. The plan shall identify:

1498 1. The natural resource professionals consulted or responsible for the plan.

1499 2. The conservation, habitat, eco-system, or agricultural goals, which may  
1500 include: providing habitat for pollinators such as bees and monarch  
1501 butterflies, providing habitat for wildlife such as upland nesting birds and  
1502 other wildlife, establishing vegetation for livestock grazing, reducing on-site  
1503 soil erosion, and improving or protecting surface or ground-water quality.

1504 3. The intended mix of vegetation upon establishment.

1505 4. The management methods and schedules for how the vegetation will be  
1506 managed on an annual basis, with particular attention given to the  
1507 establishment period of approximately three years.

1508 c) Perennial vegetation shall be planted and maintained for the full operational life of  
1509 the project, to prevent erosion, manage runoff, and build soil.

1510 d) Vegetative cover should include a mix of perennial grasses and wildflowers that  
1511 will preferably result in a short stature with a diversity of or flowering plants that  
1512 bloom throughout the growing season. Blooming shrubs may be used in buffer  
1513 areas as appropriate for visual screening. Perennial vegetation (grasses and forbs)  
1514 as listed on the Approved Plant Species List or Florida-Friendly Plant Guide for the  
1515 Central Florida Region and appropriate USDA Plant Hardiness Zone, are  
1516 preferably native to Florida, but where appropriate to the vegetative management  
1517 plan goals, may also include other naturalized and non-invasive species which  
1518 provide habitat for pollinators and wildlife and/or other ecosystem services (i.e.  
1519 clovers).

1520 e) Plant material must not have been treated with systemic insecticides, particularly  
1521 neonicotinoids.

1522 f) The applicant shall submit a financial guarantee in the form of a letter of credit,  
1523 cash deposit or bond in favor of the Seminole County equal to 125% of the costs  
1524 to establish the vegetative management plan. The financial guarantee shall  
1525 remain in effect until vegetation is sufficiently established.

6.18.8 Facilities and Notifications:

- a) Foundations - A qualified engineer shall certify that the foundation and design of the solar panel racking and support is within accepted professional standards, including but not limited to wind loads, given local soil and climate conditions.
- b) Approved Solar Components — Electric solar energy system components must have an Underwriters Laboratories (UL) or equivalent listing and solar hot water systems must have a Solar Rating and Certification Corporation (SRCC) rating.
- c) Compliance with Building Code — All solar energy systems shall meet approval of local building code officials, consistent with the State of Florida Building Code, and solar thermal systems shall comply with HVAC-related requirements of the Florida Energy Code.
- d) Utility Notification: All grid-intertie solar energy systems shall notify the relevant electric utility and comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.
- e) Aviation Protection: Solar farms located within 500 feet of an airport or within the approach zones of an airport must notify the airport and may be subject to additional analysis. Evidence of notification and any required submittals shall be provided to the County.

6.18.9 Decommissioning:

- a) A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life for the following systems:
1. Any medium or large solar energy system.
  2. Any floating solar energy system.
- b) The decommissioning plan must meet the following requirements:
1. Decommissioning of the system must occur in the event the project is not in use for twelve (12) consecutive months.
  2. The plan shall include provisions for removal of all structures and foundations, disposal, restoration of soil and vegetation and assurances that financial resources will be available to fully decommission the site.
  3. Seminole County may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

6.19 Backyard Chicken Program

6.19.1 Intent, definitions, applicability

- a) The intent of this ~~Ordinance~~ Section is to create and implement a Backyard Chicken Program to permit the keeping of chickens on occupied single-family lots



- located in the unincorporated areas of the County, subject to the terms and conditions of this Ordinance Section.
- b) For the purposes of this Ordinance Section, the term "chicken" refers to female chickens (hens) only.
- c) This Ordinance Section does not authorize persons to violate applicable restrictive covenants or homeowners' association rules and regulations. The County does not police or enforce private restrictive covenants or homeowners' association rules and regulations. Persons ~~applying for and receiving permits under this Ordinance~~ are keeping backyard chickens are solely responsible for compliance with all applicable restrictive covenants and homeowners' association rules and regulations.
- d) The term "predators" includes, but is not limited to, bears, raccoons, coyotes, bobcats, and foxes.
- e) The term "subject property" is the occupied single-family residential lot with ~~which the backyard chickens Program permit is associated.~~
- f) ~~A permit under the~~ The Backyard Chicken Program is not applicable to or required for a single-family residential lot on which poultry production is a permitted use.
- 6.19.2 ~~Permit and g~~ General conditions for the keeping of chickens on occupied single-family residential lots.
- ~~a) Persons desiring to participate in the Backyard Chicken Program must apply for and obtain a permit from the Planning and Development Manager or his/her designee prior to keeping chickens. The Planning and Development Division shall charge a non-refundable fee as established in the Administrative Code to persons applying for a permit under this Ordinance to cover processing costs. If the person applying for a permit is not the fee simple owner of the subject property, the fee simple owner must provide owner authorization and consent to the application. Only one (1) permit per occupied single-family residential lot will be issue~~
- ~~b) In order to obtain a permit under this Ordinance, persons applying for a Backyard Chicken Program permit must show that he/she can meet the requirements of this Ordinance Section. The County will conduct site inspections of the subject property to make compliance determinations under this Ordinance Section. The Planning and Development Manager may deny a permit application if he/she determines that the person(s) applying for a permit cannot meet the requirements of this Ordinance Section. The issuance of a Backyard Chicken Program permit is conditioned upon and subject to the terms and conditions of this Ordinance Existing permits issued under the Backyard Chicken Pilot Program~~

- 1598        ~~prior to the adoption of this Ordinance shall be extended and included as part of~~  
1599        ~~the Backyard Chicken Program subject to the Requirements of this Ordinance.~~
- 1600        ~~e) a) Persons applying for a keeping backyard chickens pursuant to this Section~~  
1601        ~~Program permit are encouraged to must successfully complete provide proof of~~  
1602        ~~successful completion of a University of Florida Agricultural Extension Service (UF~~  
1603        ~~IFAS) class or an equivalent class approved by the Seminole County UF IFAS~~  
1604        ~~Extension on the care and raising of chickens. The Planning and Development~~  
1605        ~~Division will maintain a schedule of such classes~~
- 1606        ~~d) b) Persons applying for keeping backyard chickens pursuant to this Section in a~~  
1607        ~~Backyard Chicken Program permit thereby (a) agree to the terms and conditions~~  
1608        ~~of this Ordinance Section, and (b) upon a code enforcement complaint, grant the~~  
1609        ~~County and its officers, employees and agents a right-of-entry upon the subject~~  
1610        ~~property (including the rear yard) for inspection purposes to ensure compliance~~  
1611        ~~with this Ordinance Section. (c) agree to remove chickens and chicken coops and~~  
1612        ~~enclosures upon the termination or expiration of a Backyard Chicken Program~~  
1613        ~~permit, and (d) hold the County and its officials, officers, employees and agents~~  
1614        ~~harmless concerning matters relating to the Backyard Chicken Program permit~~  
1615        ~~and this Ordinance.~~
- 1616        ~~e) c) Up to ~~four (4)~~ six (6) backyard chickens may be kept on an occupied single-~~  
1617        ~~family residential lot. upon receiving a Backyard Chicken Program permit from the~~  
1618        ~~Planning and Development Manager or his/her designee. Chickens shall not be~~  
1619        ~~kept on duplex, triplex, or multi-family properties, or within mobile~~  
1620        ~~home/manufactured home parks.~~
- 1621        ~~f) d) Backyard chickens must be kept within a coop or enclosure and may not be~~  
1622        ~~released or set free to roam unless under the direct supervision of their owner in~~  
1623        ~~compliance with this Ordinance Section. Such supervised roaming must be~~  
1624        ~~confined to the backyard of the subject property.~~
- 1625        ~~g) e) Ducks, geese, turkeys, peafowl, male chickens/roosters, or any other poultry or~~  
1626        ~~fowl are not allowed under the provisions of this Ordinance Section.~~
- 1627        ~~h) f) Backyard chickens must be kept for personal use only. Selling chickens, eggs,~~  
1628        ~~feathers, or chicken manure, or the breeding of chickens for commercial purposes~~  
1629        ~~is prohibited.~~
- 1630        ~~i) g) Backyard chickens may not be bred or slaughtered on premises. Backyard~~  
1631        ~~chickens shall not be used or trained for the purpose of fighting for amusement,~~  
1632        ~~sport or financial gain.~~
- 1633        ~~j) h) The coop and enclosure must be screened from the neighboring property.~~  
1634        ~~Screening must be accomplished using an opaque fence and/or landscape screen~~  
1635        ~~(existing vegetation may be used if sufficient ~~enough~~ to create an opaque screen).~~

- k) i) All applicable building permits must be obtained prior to constructing fences and the enclosures to house chickens.
- h) j) Unless otherwise in conflict with Florida Statutes, a dog or cat that injures or kills a chicken that wanders onto the property at which the dog or cat resides will not, for that reason alone, be considered a dangerous or aggressive animal.
- m) k) Deceased chickens must be properly disposed of within twenty-four (24) hours of expiring and in accordance with Florida law. Contact a University of Florida Agricultural Extension Service office for requirements regarding proper disposal methods.
- n) l) No manure may be allowed to accumulate on the floor of the coop or ground. ~~Permit holders~~ Persons keeping backyard chickens must implement a manure management program, whereby the coop and enclosure are cleaned regularly. For example, a fly-tight bin for storage of manure could be utilized; the size of which must be sufficient to contain all accumulations of manure. A manure box inside the coop is recommended. The fly-tight bin must be kept at least twenty (20) feet away from all property lines. Composting of chicken manure may be allowed in the enclosed fly-tight bin. There shall be no perceptible odor emanating from the manure storage/composting bin.

6.19.3 Location and requirements for chicken coops and enclosures

- a) Chicken coops and fenced enclosures must be ~~located~~ in the rear/back yard (behind the home). No coop or enclosure ~~will~~ is be allowed in any front or side yard. Yard, as used in this provision, references location, not building setback area.
- b) The coop and enclosure must be a minimum of ten (10) feet from the rear and side property lines and twenty (20) feet from any neighboring residential homes. On corner lots, coops and enclosures must meet the required side street setback per the subject property's applicable zoning district.
- c) If the coop structure exceeds one hundred (100) square feet in size (ten-foot by ten-foot), a building permit is required under the Florida Building Code.
- d) The coop must be covered and ventilated, and a fenced enclosure/run is required. The coop and enclosure must be completely secured from predators, including all openings, ventilation holes, doors, and gates. Fencing or roofing is required over the enclosure in addition to the coop, ~~in order~~ to protect the chickens from predators. The coop must also be tied down for wind resistance.
- e) For properties located in a Seminole County Urban Bear Management Area, feed, coops, and runs must be secured, and chickens protected from bears in accordance with the Florida Fish and Wildlife Conservation Commission guidelines for "Living with Florida Black Bears". All outdoor attractants must be

- 1674 secured. If electric fencing is utilized, it may only be installed around the coop,  
pen, and run and not along the property lines or anywhere else on the property.
- 1676 f) All stored feed must be kept in a rodent and predator-proof container or inside a  
secured structure.
- 1678 g) The coop must provide a minimum of ~~four (4)~~ three (3) square feet per chicken; a  
1680 minimum of five (5) square feet of run per chicken, and be of sufficient size to  
permit free movement of the chickens. The coop may not be taller than ~~eight (8)~~  
1682 twelve (12) feet, measured from the natural grade, and must be easily accessible  
for cleaning and maintenance. Coops may not exceed a maximum of one hundred  
~~fifty (150)~~ seventy (170) square feet.

1684 6.19.4 Health, sanitation and nuisance as applied to the keeping of chickens.

- 1686 a) Backyard chickens must be kept within a coop and enclosure and may not be  
allowed to roam outside the subject property. Backyard chickens may not be  
1688 released or set free from such coop or enclosure unless the chickens are under  
the direct supervision of their owner. Chickens may be allowed to roam outside  
1690 the coop and run within their owner's backyard under the immediate supervision  
of their owners for limited periods of time for purposes of socializing, interaction  
and cleaning of the coop and run.
- 1692 b) Chicken coops and enclosures must always be maintained in a clean and sanitary  
condition. Activities subject to the ~~Backyard Chicken Program permit~~ this Section  
1694 must be conducted in a manner that does not create any nuisance consisting of  
odor, noise, or pests, or contribute to any other nuisance condition. There shall be  
1696 no perceptible odor that is objectionable to neighboring properties emanating  
from the chickens or the enclosure.
- 1698 c) In a public health emergency declared by the Seminole County Health  
Department, including, but not limited to, an outbreak of Avian Flu or West Nile  
1700 virus, immediate corrective action may be required in accordance with applicable  
public health regulations and procedures. Persons keeping backyard chickens  
1702 ~~Program permit holders consent to~~ must be in compliance with such required  
corrective action.

1704 6.19.5 Violations

- 1706 a) In the event that a violation of this ~~Ordinance~~ Section occurs, the County has the  
right to undertake one (1) or more of the following remedies or actions:
- 1708 1. Institute code enforcement proceedings and prosecute code violations against  
the violator and the property owner of the real property where the violation  
occurs;

- 1710 2. Issue a civil citation as a Class III violation to the violator for each violation in  
1712 accordance with Section 53.32 of the Seminole County Code of Ordinance  
Sections; and/or
- 1714 3. Take any other action or remedy authorized by law or in equity, including, but  
1716 not limited to, instituting an action in court to enjoin violating actions, in  
which case the violating person shall be liable to the County for  
reimbursement of the County's attorneys' fees and costs concerning such  
action; and/or
- 1718 ~~4. Revoke the Backyard Chicken Program permit for the keeping of chickens and  
Require that the chickens be removed within ten (10) days.~~

	RESIDENTIAL																UNIT OF MEASURE
	Single and Two Family Dwelling Districts									Multiple Family Dwelling Districts			Mobile Home Districts			Other	
AREA AND DIMENSION REGULATIONS	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	21,180	13,500	11,700	9,000	8,400	6,700	5,000	9,000				7,000	5,000	1,500	9,000	Sq. Feet
Min. Parcel/Lot Width at Building Line	120	100	100	90	75	70	60	50	75				70	50 <sup>(7)</sup>	30	75	Feet
Min. Front Yard Requirement	35	25	25	25	25	25	20	20	25	25 <sup>(4)</sup>	25 <sup>(4)</sup>	25 <sup>(6)</sup>	20 <sup>(9)</sup>	20	25 <sup>(10)</sup>	25	Feet
Min. Side Yard abutting street or road	35	25	25	25	<del>25</del> / 15 <sup>(3)</sup>	<del>25</del> / 15 <sup>(3)</sup>	<del>20</del> / 15 <sup>(3)</sup>	<del>20</del> / 15 <sup>(3)</sup>	<del>25</del> 15 <sup>(3)</sup>				20 <sup>(9)</sup>	20	25 <sup>(10)</sup>	25	Feet
Min. Side Yard Requirement	20	10	10	10	7.5	7.5	7.5	5	10	25 <sup>(4)</sup>	25 <sup>(4)</sup>	25 <sup>(6)</sup>	10 <sup>(9)</sup>	10	25 <sup>(10)</sup>	10	Feet
Min. Rear Yard Requirement	35	30	30	30	30	30	25	20	30	25 <sup>(4)</sup>	25 <sup>(4)</sup>	25 <sup>(6)</sup>	20 <sup>(9)</sup>	15	25 <sup>(10)</sup>	30	Feet
Open Space <sup>(18)(19)</sup>	-	-	-	-	-	-	-	-	-	25%	25%	35% <del>200 sq. ft. per DU</del>	25%	25%	25%	25%	% of Parcel Area
Maximum Building Height	35	35	35	35	35	35	35	35	35	35	35	60 <sup>(5)</sup>	35	35	35	1 Story <sup>(8)</sup>	Feet
Minimum Living Area Per Unit:	<del>700</del> <del>1200</del>	<del>700</del> <del>1600</del>	<del>700</del> <del>1600</del>	<del>700</del> <del>1300</del>	<del>700</del> <del>1100</del>	<del>450</del> 700	<del>450</del> 700	<del>450</del> 700	<del>450</del> 700	-	-	-	-	-	-	-	Square Feet
<b><i>Accessory Structures</i></b> <sup>(1)</sup>																	
Min. Front setback	(11)	<u>(11)</u>	<u>(11)</u>	<u>(11)</u>	<u>(11)</u>	<u>(11)</u>	<u>(11)</u>	<u>(11)</u>	<u>(11)</u>	(2)	(2)	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	<u>(11)</u>	Feet
Min. Side Yard Requirement	20	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	Feet
Min. Rear Yard Requirement	20	10	10	10	10	10	10	10	10	(2)	(2)	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>	Feet

(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 <del>Street side minimum yard shall be reduced to fifteen (15) feet for corner lots to be located on intersections without</del> 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 AASHTO requirements.
<del>(4) Thirty five (35) feet for two story.</del>
(5) No building or structure shall exceed sixty (60) feet, and FAA approval shall be obtained for buildings exceeding thirty-five (35) feet in height.
(6) Increased an additional ten (10) feet for each story over one (2)
(7) 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.
(8) For new construction only
(9) 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.
(10) The entire park, except for access and egress, shall be set back twenty-five (25) feet from any property line
(11) Structure shall not project forward of the front building line of the principal structure.
(18) 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.
(19) Open space features and configuration shall be consistent with the requirements of <b>Part 69, Chapter 30.</b>

~~To maintain visual compatibility within and between the various single family zoning classifications in terms of dwelling unit size, the above minimum dwelling unit size requirements may be increased at the time of rezoning by the Board of County Commissioners. In determining the appropriateness of larger minimum dwelling unit size requirements, the following criteria shall be considered:(1)The extent to which the increased dwelling unit size is more compatible with existing dwelling units on adjacent parcels; and(2)The extent to which the increased dwelling unit size provides a transition from adjacent larger units, through the proposed development site, to existing smaller units or land zoned to permit smaller units in the immediate vicinity of the proposed development site~~

**DRAFT - Seminole County Land Development Code (Development Standards)**

Draft 3/14/2022

[illegible]



(1) Silos, granaries, windmills, barns, and other structures concurrent to the operation of an agriculture enterprise may exceed the height limit.
(2) Setback shall be equal to or greater than the main residence unless setback is equal to or greater than 100 feet.
(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.
(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.
(5) Yard requirements shall be same as for the primary structure
(12) 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.
(14) No minimum building site area required; however, adequate space will be provided for off-street parking, loading, and landscaping requirements.
(15) 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.
(16) 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 <del>be retained as a landscaped green area and</del> remain unpaved except for normal entrance drives, <u>and shall be landscaped as required in Part 14</u> . 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 <del>the</del> <u>not less than</u> 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 <del>that</del> sufficient area for the loading and unloading of vehicles is provided, consistent with generally <del>acceptable</del> <u>accepted</u> engineering practices and principles.
(17) 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.
(18) 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.
<del>To maintain visual compatibility within and between the various single-family zoning classifications in terms of dwelling unit size, the above minimum dwelling unit size requirements may be increased at the time of rezoning by the Board of County Commissioners. In determining the appropriateness of larger minimum dwelling unit size requirements, the following criteria shall be considered:(1)The extent to which the increased dwelling unit size is more compatible with existing dwelling units on adjacent parcels; and(2)The extent to which the increased dwelling unit size provides a transition from adjacent larger units, through the proposed development site, to existing smaller units or land zoned to permit smaller units in the immediate vicinity of the proposed development site.</del>

1720    **PART 7      DEVELOPMENT STANDARDS**

7.1    Applicability

1722    7.1.1    No building, structure or part thereof shall be erected, constructed, reconstructed,  
1724           located, moved or structurally altered except in conformity with the development  
             standards of this Part except as otherwise permitted by this Code.

7.2    General Standards

1726    7.2.1    **Measurement of setbacks – SEC. 30.1343**

1728           a) Setbacks shall be measured ~~perpendicular to~~ along the distance from the property  
             line to the ~~first vertical plane which intersects any portion~~ nearest vertical surface  
             of the structure ~~other than~~ except for a nominal roof overhang except that, with  
1730           ~~regard to rear yard setbacks, the setback shall be measured parallel with the side~~  
             ~~of the dwelling unit such that wherever the line strikes the closest property line~~  
1732           ~~shall be the point at which the rear yard setback is measured. The graphic~~  
             ~~depiction set forth below relative to rear yard setbacks is hereby incorporated~~  
1734           ~~into this provision.~~

1736           b) In residential subdivisions approved after the effective date of this Section, there  
             shall be a minimum setback of twenty (20) feet from the nearest edge of a  
             sidewalk to a garage or carport, notwithstanding any other provision of this Code.

1738    7.2.2    **Setbacks for Future Road Widening – SEC. 30.1342**

7.2.3    **Minimum setbacks from water bodies – SEC 30.1380.3**

1740           a) New Principal Buildings in all zoning districts on lots or parcels legally created after  
             the effective date of these regulations shall be located a minimum distance of  
1742           fifty (50) feet from the shoreline of Natural Water Bodies as determined by the  
             Normal High Water Elevation. For the purposes of these regulations, "legally  
1744           created" shall include developments having received Preliminary Subdivision Plan  
             approval pursuant to Chapter 35 of the Land Development Code of Seminole  
1746           County.

1748           b) New Principal Buildings in all zoning districts on lots or parcels that were legally  
             created or have received Preliminary Subdivision Plan approval prior to the  
             effective date of these regulations shall meet the setback from the shoreline of  
1750           Natural Water Bodies in effect at the time the Preliminary Subdivision Plan was  
             approved or the lot or parcel was created.

1752           c) Swimming Pools and Accessory Structures:

- 1754 1. All Accessory structures, excluding docks and bota houses, shall be located a  
1756 minimum distance of twenty-five (25) feet from the shoreline of a Natural  
1758 Water Body as determined by the Normal High Water Elevation
2. The water's edge of a pool shall be located a minimum distance of thirty (30)  
feet from the shoreline of a Natural Water Body as determined by the Normal  
High Water Elevation.
3. A screen enclosure shall be located a minimum distance of twenty-five (25)  
feet from the shoreline of a Natural Water Body as determined by the Normal  
High Water Elevation.

1762 d) ~~The terms "Natural Water Body" and "Normal Ordinary High Water Elevation" shall~~  
1764 ~~be as established by the County and field-verified by a professional surveyor, and~~  
~~must be shown on a certified survey that is no more than five (5) years old.~~  
1766 For the purpose of this Section, the terms "Natural Water Body" and "Normal  
1768 High Water Elevation" shall be as defined in Section 2.3 of this Code. Where  
setbacks are required under this Section, the Normal High Water Elevation shall  
be as established by the County and field-verified by a professional surveyor, and  
must be shown on a certified survey that is no more than five (5) years old.

1770 7.2.4 Location of swimming pools and pool screen enclosures – SEC. 30.1345.1

- 1772 a) The water's edge of a pool shall be located a minimum distance of ten (10) feet  
1774 from the side and rear property line of a lot, parcel, or piece of land upon which it  
is located. It shall not be located any closer to the front lot line of a lot, parcel, or  
1776 piece of land than the main or Principal Building or residence. For the purpose of  
this Section, any corner lot shall be treated as having front yards on any side  
abutting a road right-of-way. ~~The water's edge of a pool shall be located a~~  
1778 ~~minimum distance of thirty (30) feet from the shoreline of a Natural Water Body~~  
~~as determined by the Normal High Water Elevation.~~
- b) Any pool screen enclosure shall comply with the side yard setback requirement for  
the Principal Building and shall be located a minimum distance of five (5) feet  
from the rear property line. It shall not be located nearer to the front lot line of a  
lot, parcel or piece of land than the Principal Building. For the purpose of this  
Section, any corner lot shall be treated as having front yards on any side abutting  
a road right-of-way. ~~A screen enclosure shall be located a minimum distance of~~  
~~twenty-five (25) feet from the shoreline of a Natural Water Body as determined by~~  
~~the Normal High Water Elevation.~~

- 1788 c) In the case of double frontage lots and where there is a conforming six (6) foot  
high minimum solid fence or wall at the rear of the property, a swimming pool  
1790 shall be no closer than ten (10) feet to the rear property line and the pool screen  
enclosure no closer than five (5) feet to the rear property line.
- 1792 ~~(d) For the purpose of this Section, the terms "Natural Water Body" and "Normal High  
Water Elevation" shall be as defined in Section 2.3 of this Code. Where setbacks  
1794 are required under this Section, the Normal High Water Elevation shall be as  
established by the County and field-verified by a professional surveyor, and must  
be shown on a certified survey that is no more than five (5) years old.~~
- 1796 d) Refer to Part 7.2.3 for specific setback standards for pools near a Natural Water  
Body
- 1798 e) Pool grading shall not affect adjacent properties and the pools shall be designed  
so that the backwash discharges to the street, unless otherwise approved by the  
1800 Public Works Director or designee. All pool construction and maintenance must  
comply with Chapter 270, Part 9, Storm Sewer System Discharges, of the Seminole  
1802 County Code of Ordinances and Chapter 2.6, Erosion and Sediment Control, of  
the Public Works Department Engineering Manual.
- 1804 7.2.5 Yards – SEC. 30.1346
- On double-frontage ~~through~~ lots, the required front yard shall be provided on each  
1806 street.
- 7.2.6 Front yard exceptions in dwelling districts – SEC. 30.1341
- 1808 7.2.7 Lot widths on irregular shaped lots – SEC. 30.1360
- 7.2.8 Living Area
- 1810 Living area described the covered and conditioned space within a structure which  
excludes garages, carports, open or screened porches, or breezeways.
- 1812 7.2.9 Height limitations on amateur radio operator's equipment – SEC. 30.1347
- 1814 7.2.10 Height limitations on property assigned a non-residential zoning classification – SEC.  
30.1347
- 7.3 Dimensional Standards Table
- 1816 7.3.1 Dimensional and other standards associated with conventional residential zoning  
districts and select Special Zoning districts are described in the table below.
- 1818 See Dimensional Standards Table enclosed
- 7.3.2 Dimensional and other standards associated with conventional non-residential  
1820 zoning districts and select Special Zoning districts are described in the table below.
- See Dimensional Standards Table enclosed

1822    **PART 8      SPECIAL ZONING DISTRICTS**

8.1    Description of Special Zoning Districts

1824    8.1.1    Purpose

1826    Special Zoning Districts are intended to address development that incorporates  
1828    multiple uses or typologies and/or addresses a specific goal in the comprehensive  
      plan requiring the implementation of interrelated standards specific to that  
      development type.

8.1.2    Subdivision Standards in Special Zoning Districts

1830    Special Districts may incorporate subdivision standards that are specific to that  
1832    district. Such standards are intended to facilitate the specific goal of the applicable  
      district and apply only to that district.

8.2    MUCD Mixed Use Corridor District

1834    8.2.1    Intent and Purpose

1836    The Mixed-Use Corridor District is intended to enable and encourage efficient use of  
1838    land, reduce cost of public infrastructure, and support flexible transportation options,  
1840    including walking and bicycling, by locating complementary uses in close proximity  
      to each other and providing for pedestrian-oriented site development to allow users  
      to travel easily between uses. MUCD allows for a blend of various uses including  
      retail, office, residential, institutional, and limited heavy commercial in a single  
      project and/or in the same building.

1842    8.2.2    Applicability

a) Location

1844    The Mixed-Use Corridor District is permitted in the following comprehensive plan  
      categories:

- 1846    1. Identified centers and corridors with the comprehensive plan.  
      2. Areas with the MXD future land use designation.

1848    b) Rezoning

1850    Any application for a zoning map amendment to MUCD must be accompanied by  
      a conceptual site plan that includes the following:

- 1852    1. Density and intensity of the proposed development.  
      2. Proposed uses

- 1854 3. Points of access to existing roadways and neighboring properties including future access points to undeveloped properties.

1856 The submitted conceptual site plan must be evaluated by the Board of County Commissioners and become a condition of approval of the Mixed-Use Corridor District for the subject property.

1858 c) Process for Approval of Substantial Change

1860 After rezoning of the subject property, any substantial change to the approval must be evaluated by the Board of County Commissioners through the same review process as the original application. Other changes may be approved by the  
1862 Development Services Director. The determination of "substantial" change will be made by the Development Services Director based on criteria such as, but not  
1864 limited to, the following:

- 1866 1. Increase in the overall density/intensity of the proposal.  
1868 2. The addition of a use requiring a Special Exception.  
1870 3. Reconfiguration of or addition of points of access to the site such that neighboring residents and/or property owners may be adversely affected.  
1872 4. Any change potentially creating additional off-site impacts such as traffic, noise, stormwater management, and public facility demand.  
1874 5. Deviation(s) from standard LDC requirements exceeding ten (10) percent.  
6. A reduction in transportation connectivity within the site.  
7. Any change deemed by the Development Services Director to significantly change the nature or intent of the proposal.

d) Final Development Plan Required

1876 Subsequent to rezoning, the applicant must submit a final development plan consistent with the development criteria and limitations enacted in the approved  
1878 zoning and the MUCD standards. This plan must be reviewed and approved by the Development Services Director or designee.

1880 A final development plan must be submitted to the Planning and Development Office containing the following information:

- 1882 1. Proposed uses and their general locations on the site  
2. Building elevations  
1884 3. Frontage types  
4. Location of Active Ground Floor Uses

- 1886 5. Existing residential uses in proximity to the development
- 1888 6. Setbacks, building heights, landscaped areas, civic spaces and stormwater management areas.
- 1890 7. Site circulation for motor vehicles, pedestrians, and bicycles
- 1892 8. Access points to external roadways, sidewalks, and trails
- 1894 9. Parking lots and structures
- 1896 10. Boundary survey, tax map reference etc.
11. Aerial map showing project context (500 to 1000 feet around the site)
- Subdivided parcels within a mixed-use development will be subject to all development criteria and conditions established in the overall plan. Such plans may not be altered without approval by the Development Services Director.

### 8.2.3 Allowable Uses, Densities, and Intensities

1898 Specific uses proposed must be allowable in MUCD in the Land Use Table 5.2 subject to any applicable conditions in or other provisions of this LDC.

#### 1900 a) Permitted Density and Intensity

1902 Density and Intensity are permitted per the applicable Future Land Use District in the Comprehensive Plan. For applications incorporating multiple uses, the net buildable acres for the entire project will be used as the basis for calculating density and for calculating intensity. The site acreage may not be divided for the purposes of calculating density/intensity for different uses.

#### 1906 b) Mixed Use Requirements

1908 Except as provided in this Section, all developments in MUCD shall include one or more uses from at least two of the following use categories as defined in Table 5.2:

- 1910 • Residential uses
- 1912 • Public and civic uses
- Commercial uses

Except that single use applications are limited to tracts of less than six (6) acres.

1914 Distinct uses or components of an MUCD development must have a unified site design and must not be separated into functionally separate development sites.

1916 Separate uses may be located in a single building or multiple buildings and

1918                    typically make joint use of site amenities and facilities, such as open space, landscaping, parking, and stormwater management.

c) Active Ground Floor Uses

1920                    Where referenced, "active ground floor uses" means uses (permitted in the  
1922                    District) at least twenty (20) feet in depth adjacent to the public sidewalk that are  
accessible to the public or used as a common space by building tenants.  
Examples of such uses include:

- 1924                    1. Retail
2. Food and beverage
- 1926                    3. Indoor recreation
4. Galleries
- 1928                    5. Lobby and reception areas
6. Club rooms with transparent windows
- 1930                    7. Live/Work Units

8.2.4 Building Height

- 1932                    a) At rezoning, the parcel shall be designated as MUCD High Intensity or MUCD Low  
1934                    Intensity, specifying the maximum allowable height. Stories are measured from  
finished floor to finished ceiling. Ground floor stories shall not exceed sixteen (16)  
1936                    feet in height for residential buildings or twenty-five (25) feet in height for non-  
residential or mixed-use buildings. Upper stories shall not exceed fourteen (14)  
feet in height.
- 1938                    b) Height Transitions: Building heights shall be limited to Low Intensity within one  
hundred (100) feet of existing single-family lots.
- 1940                    c) Buildings exceeding the specified number of stories must have a ten (10)-foot  
stepback in any wall adjacent to a street. Stepbacks are related to the building  
1942                    elevation facing the street and are a measure of the horizontal distance between  
a wall at a specified elevation and its position at street level. Heights may also be  
1944                    subject to additional restrictions including transition requirements.
- 1946                    d) Maximum story height and required stepbacks shall apply as described in Table  
8.2-A.



**TABLE 8.2-A: MUCD BUILDING HEIGHT REGULATIONS**

	<u>Min. Parcel Area Required</u>	<u>Maximum Height</u>	<u>Required Stepback Height</u>
<u>Low Intensity</u>	<u>n/a</u>	<u>3 stories</u>	<u>Above 2 stories</u>
<u>High Intensity</u>	<u>2 Acres</u>	<u>6 stories</u>	<u>Above 3 stories</u>

## 8.2.5 Frontage Types

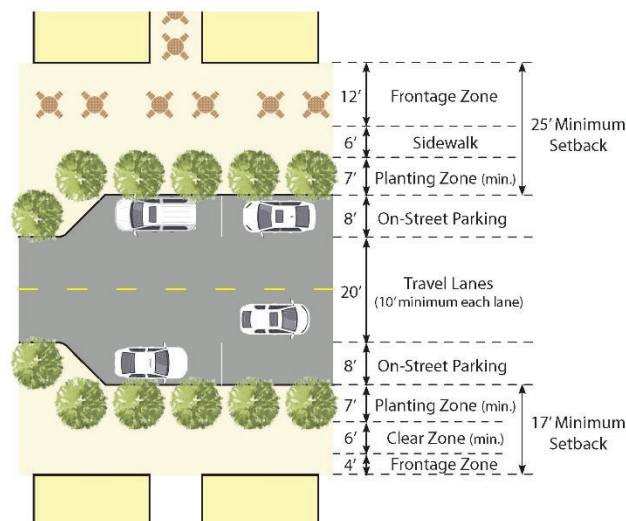
a) For the purposes of defining frontage types and required design elements:

1. Major Streets are defined as streets with four (4) or more travel lanes.
2. Minor Streets are defined as streets with two (2) travel lanes.

b) In order to coordinate and set minimum standards for buildings, sidewalks, and public facing areas, each block face within a proposed development must be assigned a frontage type and comply with the standards associated with the applicable frontage type.

1. Type A: Active Frontage – Type A frontage should be applied to areas predominantly consisting of active ground floor uses such as a “main street.” These frontages feature generous sidewalks, landscaping, and public amenities such as benches and public trash/recycling receptacles. Type A frontages should have on-street parallel parking. Type A frontage should not be interrupted by driveways.

**FIGURE 8.2-1 ACTIVE FRONTAGE CONFIGURATION**



- 1964
- 1966
- 1968
2. Type B: Passive Frontage – Type B frontages are appropriate for blocks with building entrances for a variety of less active uses including office and residential. They typically have on-street parking. They may include some driveways to access parking, loading, or services when access via a Type C Frontage is not feasible or a second entrance is needed.

FIGURE 8.2-2 PASSIVE FRONTAGE WITH PARKING

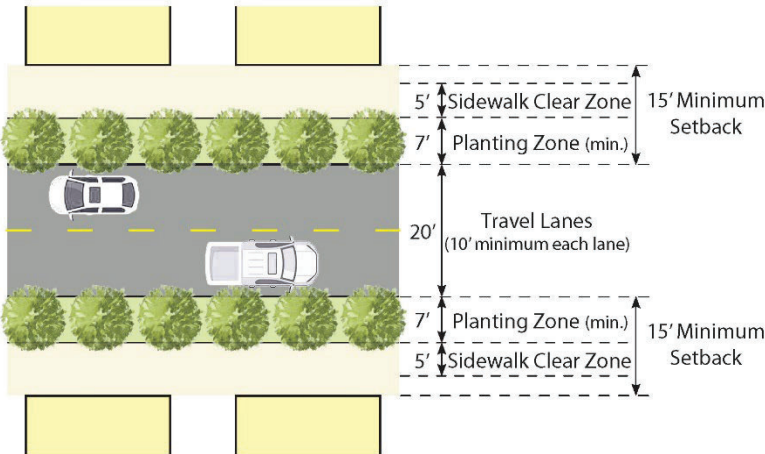
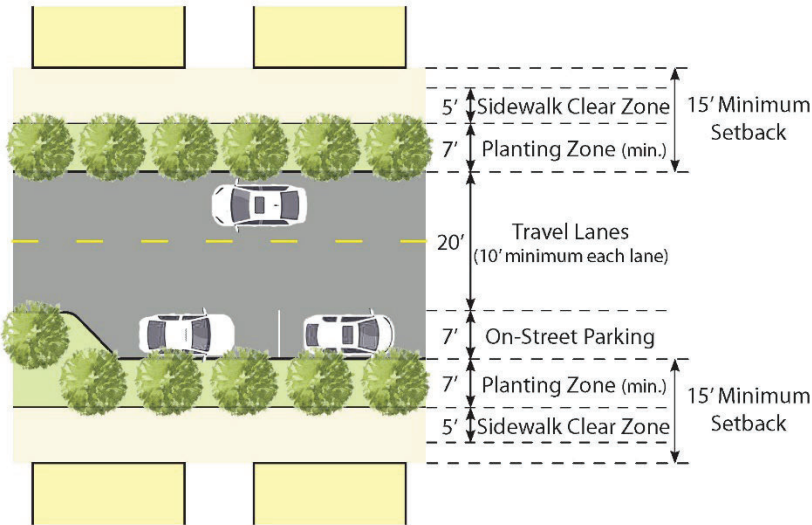
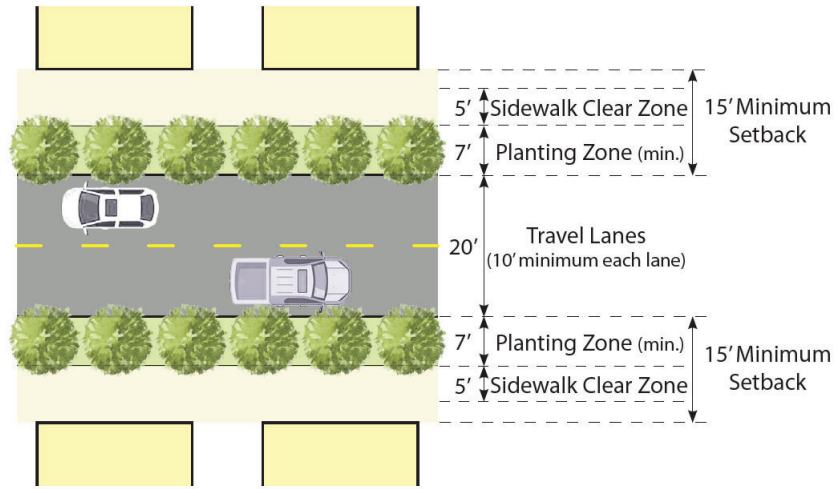


FIGURE 8.2-3 PASSIVE FRONTAGE WITH PARKING ON ONE SIDE



**FIGURE 8.2-4 PASSIVE FRONTAGE WITHOUT PARKING**



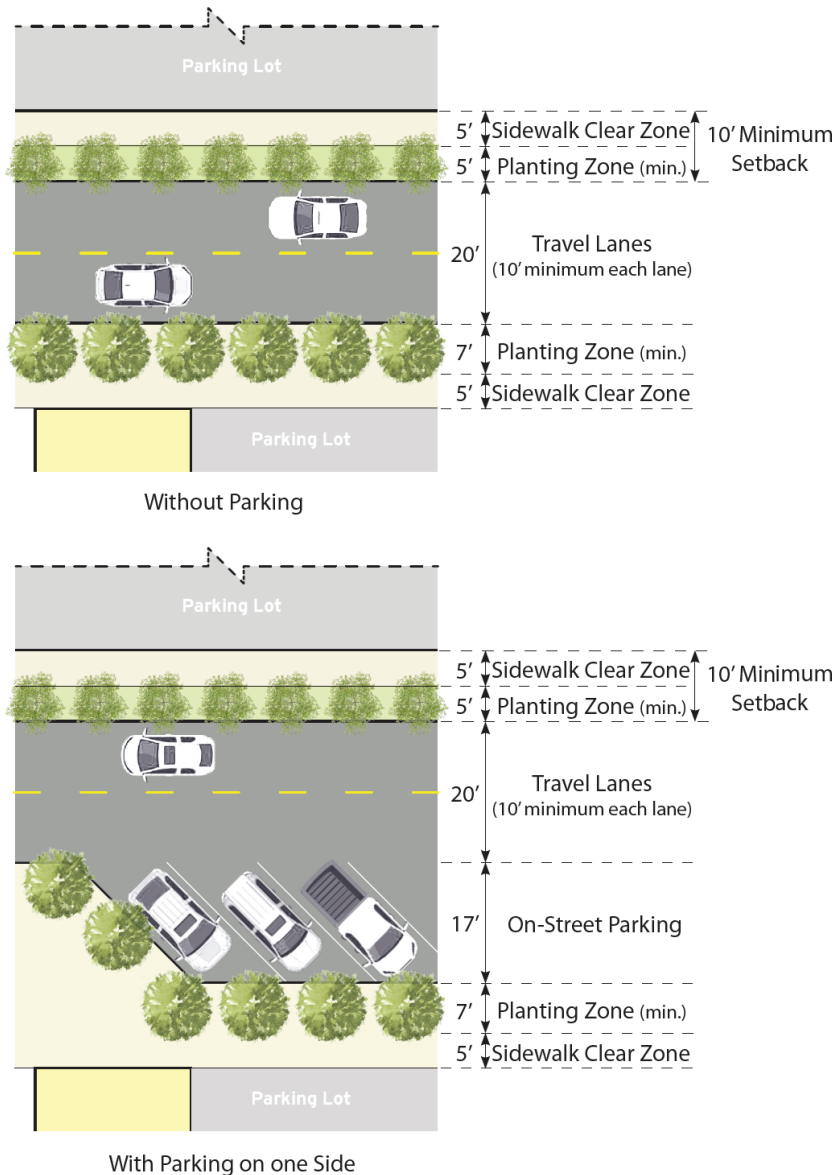
1974

1976

1978

3. Type C: Service Frontage – Type C frontages are located adjacent to parking, loading or service areas. Driveways to access parking and loading areas should be located on Type C Frontages whenever feasible. These streets may have angled parking.

**FIGURE 8.2-5 SERVICE FRONTAGE VARIATIONS**



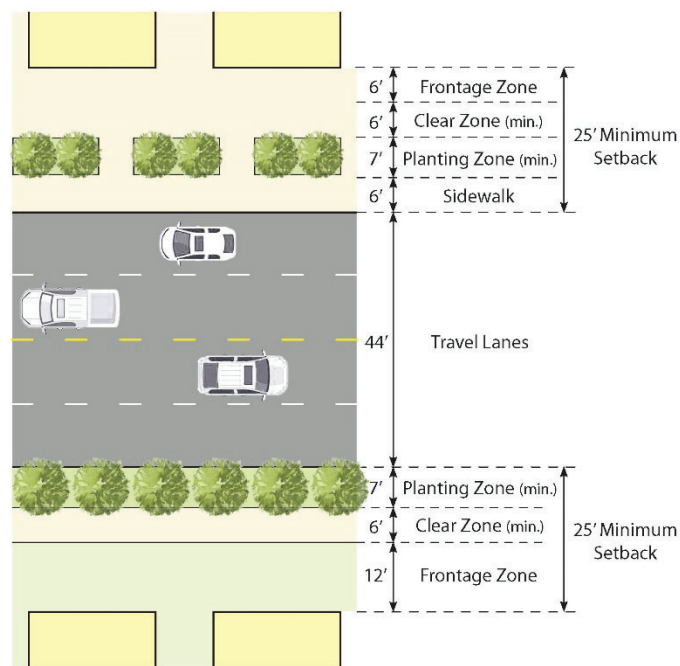
1980

1982

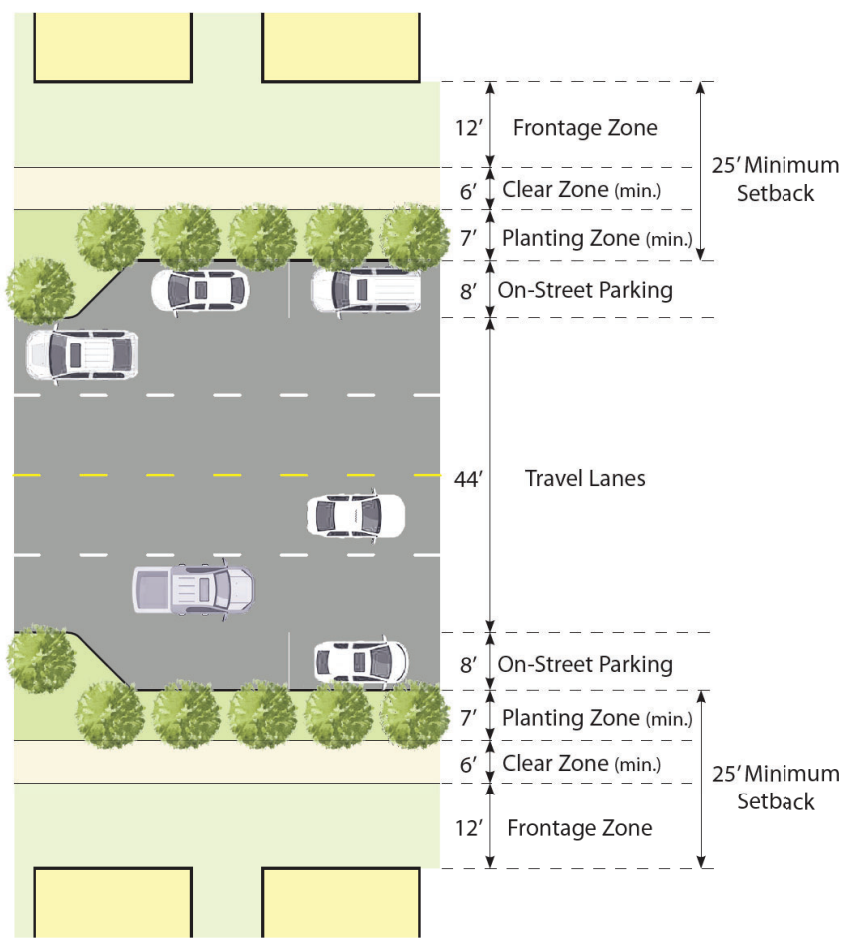
1984

4. Frontages on Major Streets – Frontages on existing public roads that are multi-lane constitute a special condition. Frontages along these corridors should be improved to create an enhanced public realm with defined build-to zones. A wider frontage and enhanced landscaping is needed to provide for separation between people walking from higher speed moving traffic.

1986 **FIGURE 8.2-6 FRONTAGES ON MAJOR STREET WITHOUT PARKING**



1988 **FIGURE 8.2-7 FRONTAGES ON MAJOR STREET WITH PARKING**



1990 c) Building Frontage

1992 All habitable structures must have a primary façade within the maximum setback on a Type A or Type B frontage.

1994 1. When a building is adjacent to a Type A and a Type B frontage zone, the Type A zone shall take precedence for placement of the primary facade.

1996 2. In limited circumstances a building may front on a Type C frontage if a waiver is granted as part of site plan approval.

1998 a) On existing streets without parallel parking, the entrance may be located on the secondary frontage of the building accessible via a walkway perpendicular to the public sidewalk.

2000 3. Building facades on Type A and Type B frontage zones must have high quality architectural design.

2002 4. Each primary façade must have at least one public building entrance except  
2004 that for facades facing a Major Street without on-street parking, the entrance  
may be located on mid-block passage perpendicular to and connected with  
the public sidewalk.

2006 d) Building Setbacks/Build-to Zones

2008 1. Setbacks from Property Lines

At all project boundaries not abutting streets the following setbacks shall  
apply.

	<b><u>Minimum Setback</u></b>
<u>Rear</u>	<u>25 feet</u>
<u>Side</u>	<u>10 feet</u>

2010 2. Required Setbacks from Streets

2012 To ensure consistent frontage conditions, setbacks are measured from the  
back of curb. Where the distance between the property line and the curb is  
2014 greater than the maximum setback, the maximum setback shall be two (2) feet  
from the property line. All setbacks are subject to the requirement that no  
2016 structure shall encroach onto the public right of way, nor shall any structure  
encroach into any utility easement without approval by the County.

2018 a) Build-to zones: Where maximum setbacks apply, the primary façade of the  
building must be located between the minimum setback and maximum  
setback. This is the "build-to" zone.

2020 b) Any existing Minor Street shall be designated as an "A" or "B" street for  
the purposes of setback requirements.

	<b><u>Setback from Back of Curb</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
<u>Major Streets</u>	<u>25 feet</u>	<u>50 feet</u>
<u>A Streets</u>	<u>17 feet</u>	<u>25 feet</u>
<u>B Streets</u>	<u>15 feet</u>	<u>20 feet</u>
<u>C Streets</u>	<u>10 feet</u>	<u>n/a</u>

2022

- 2024 c) Setbacks exceeding the maximum are permissible to accommodate  
landscaped courtyards or outdoor dining areas provided that the  
2026 additional setback does not extend more than fifty (50) feet in depth or in  
length.
- 2028 d) The following features may extend forward of the minimum setback  
provided they do not encroach into public right-of-way:
- 2030 i. Awnings, canopies, balconies, or other projections that do not  
obstruct pedestrian movement at street level or impact signalized  
intersections.
- 2032 e) The following features may extend forward of the minimum setback  
provided they do not encroach into public right-of-way and/or utility  
2034 easements:
- 2036 i. Galleries or colonnades subject to design approval by the  
Development Services Director. Colonnades with low ceiling heights,  
2038 narrow pedestrian ways, or columns that are too large or closely  
spaced limit light, discourage pedestrian movement, and create  
2040 issues related to Crime Prevention Through Environmental Design  
(CPTED) by limiting visibility.
- e) Street and Frontage Design
- 2042 1. All streets and internal driveways intended to satisfy block perimeter  
requirement must meet the standards described in Table 8.2-B.
- 2044 2. Where referenced, the Sidewalk Clear Zone describes the minimum width of  
the sidewalk which must be provided as an unobstructed path for pedestrians  
2046 from ground level to eight (8) feet in height. This area must be clear of  
stationary or movable objects such as trees, benches, or retail displays.
- 2048 3. Outdoor seating for food and beverage uses is permitted on sidewalks. Dining  
areas shall not encroach into the Sidewalk Clear Zone.
- 2050 4. Sidewalk furniture is required on "A" frontages and includes those features  
that are intended to enhance the street's physical character and use by  
2052 pedestrians, including benches, bus shelters, trash receptacles, planting  
containers, pedestrian lighting, and kiosks.



**TABLE 8.2-B REQUIRED ELEMENTS OF MINOR STREET DESIGN**

	Type A Frontage	Type B Frontage	Type C Frontage
<u>Number of Travel Lanes</u>	<u>2, two-way</u>	<u>2, two-way</u>	<u>2, two-way</u>
<u>Min. Pavement Width</u>	<u>20 feet minimum</u>	<u>20 feet minimum</u>	<u>20 feet minimum</u>
<u>Width of Travel Lanes</u>	<u>10 feet - 11 feet</u>	<u>10 feet - 11 feet</u>	<u>10 feet - 12 feet</u>
<u>Parking Lane</u>	<u>Parallel, Both sides</u>	<u>Parallel Encouraged</u>	<u>Parallel or Angled Permitted</u>
<u>Parking Lane Width</u>	<u>7 feet – 8 feet</u>	<u>7 feet – 8 feet</u>	<u>7 feet - 8 feet for parallel</u>
<b><i>Public Realm Requirements:</i></b>			
<u>Sidewalks<sup>3</sup></u>	<u>Both sides, every block</u>	<u>Both sides, every block</u>	<u>Both sides, every block</u>
<u>Sidewalk Clear Zone (min.)<sup>1</sup></u>	<u>6 feet minimum</u>	<u>5 feet minimum</u>	<u>5 feet minimum</u>
<u>Planting, Furnishing and Edge Zone<sup>2</sup></u>	<u>8 feet minimum</u>	<u>8 feet minimum</u>	<u>Minimum:</u> <u>5 feet for understory trees</u> <u>8 feet for canopy street trees</u>
<u>Landscaping</u>	<u>Canopy Street trees in wells or planters</u>	<u>Canopy Street trees in wells, planters, or in a planting strip</u>	<u>Street trees in wells, planters, or in a planting strip</u>

a) The Sidewalk Clear Zone is the minimum width of the sidewalk which must be provided as an unobstructed path for pedestrians from ground level to eight (8) feet in height. This area must be clear of stationary or movable objects such as trees, benches, or retail displays.

b) Sidewalk furniture is required on "A" frontages and includes those features that are intended to enhance the street's physical character and use by pedestrians, including benches, bus shelters, trash receptacles, planting containers, pedestrian lighting, and kiosks.

2064 c) Outdoor seating for food and beverage uses is permitted on sidewalks.  
2066 Dining areas shall not encroach into the pedestrian clear zone.

5. Frontages on Existing Streets

a) Existing Major Streets:

<b><i>Public Realm Requirements:</i></b>	
<u>Sidewalks</u>	<u>Required</u>
<u>Sidewalk Clear Zone (min.)</u>	<u>6 feet minimum</u>
<u>Planting, Furnishing and Edge Zone</u>	<u>7 feet minimum</u>
<u>Landscaping</u>	<u>Canopy Street trees in wells, planters, or in a planting strip</u>

b) Existing Minor Streets:

Frontages on Minor Streets should be designed to meet the Public Realm Requirements of an A or B frontage unless otherwise approved by the Development Services Director.

8.2.6 Site Design Requirements

a) Site Design Guidelines

The site should be organized to create an enhanced pedestrian realm and maximize pedestrian access. Buildings should be located close to sidewalks as stipulated by maximum setbacks and other design criteria. When substantial retail or restaurants are planned, they should be organized along type "A" frontages as a main street or facing a civic space such as a square.

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

b) Frontage Assignments

Frontages should be organized to form a rational hierarchy. Highest-quality "A" frontages are intended for areas anticipated to have the highest pedestrian traffic. To the extent feasible, pedestrians should be able to travel between destinations within the site and to existing public sidewalks using A and B frontages.

2090 Facing blocks should be assigned the same frontage type except along major  
roadways (four or more travel lanes) or facing edge conditions such as civic  
2092 spaces, natural areas, or water bodies.

2092 Frontages should be coordinated with adjacent development to create a  
continuous urban pattern.

2094 c) Buffering

2096 Perimeter buffers should be provided as described in <cross-reference> except  
that perimeter buffers are not required between MUCD-zoned properties. Staff  
2098 may waive buffer requirements that are inconsistent with the goal of providing for  
multimodal connectivity between complementary uses.

8.2.7 Circulation and Access

2100 a) Internal Circulation

2102 Internal circulation shall prioritize pedestrians, bicycles, and public transit in a safe  
and convenient manner. Pedestrian walkways and bicycle paths within the  
2104 development shall link to adjacent external sidewalks, trails, and public roads. All  
structures shall be directly accessible to foot traffic, with pedestrian walkways  
connecting public sidewalks and parking areas to building entrances.

2106 If a transit stop is located adjacent to the development, it shall be sheltered.  
2108 Transit shelters and walkway shelters shall be constructed consistent with transit  
agency standards for transparency and accessibility.

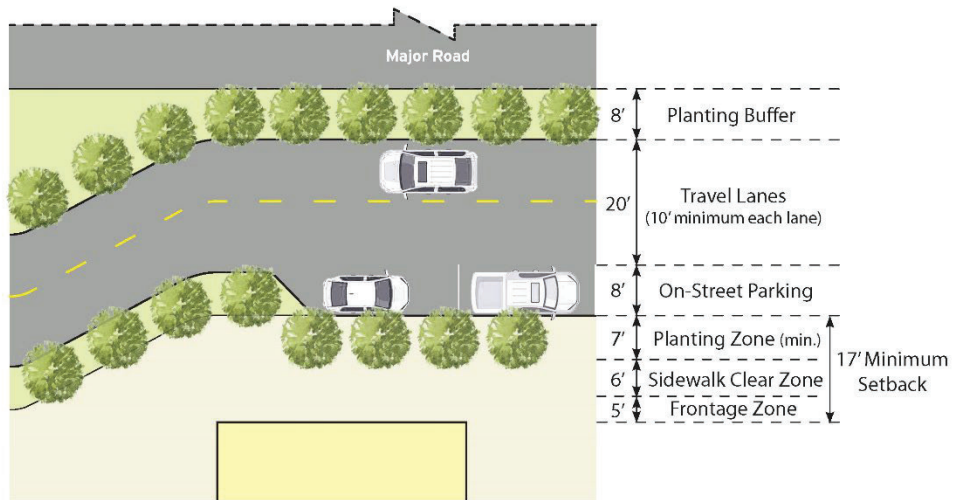
b) Cross Access Easements

2110 New construction should create connectivity with existing and potential  
development on adjacent parcels.

2112 A system of joint use driveways and cross access easements shall be established  
wherever feasible along external public roadways, and the building site shall  
2114 incorporate the following:

- 2116 1. Where provided, frontage lanes should extend along the entire property  
boundary and provide stub-outs to adjacent properties to provide for  
2118 driveway separation consistent with access management classification systems  
and standards.

**FIGURE 8.2-8 FRONTAGE LANE ILLUSTRATION**



2. Stub-outs should be constructed to meet the requirement that the abutting properties may be tied in to provide cross access via a service drive.
3. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

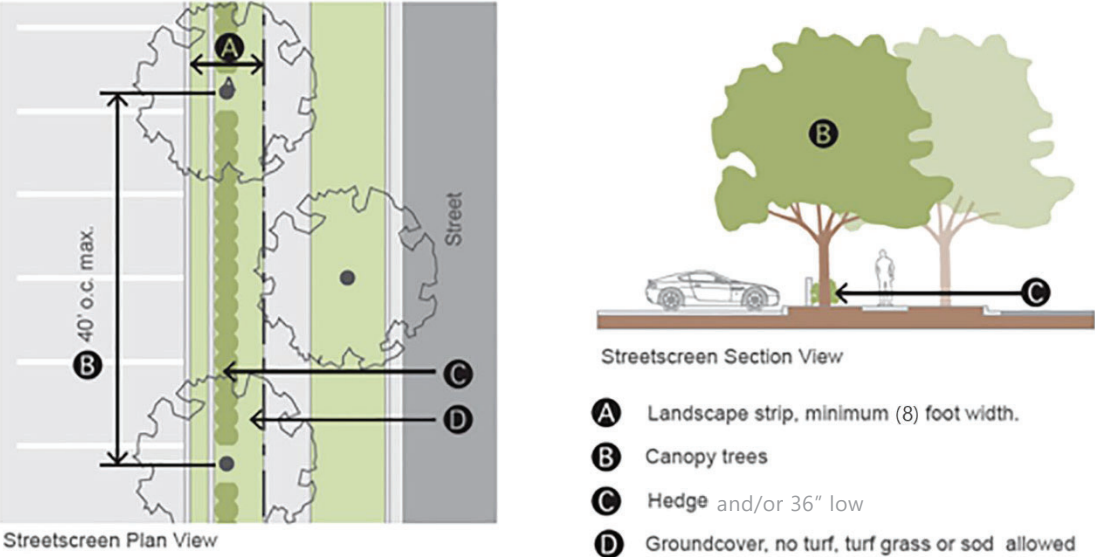
#### 8.2.8 Parking

- a) Shared parking between uses is permitted consistent with "Reductions for Shared Parking" under Section 11.4
- b) In all cases, bicycle and motorcycle parking shall be provided consistent with Sections 11.9.
- c) Variations from parking requirements may be approved by the Development Services Director as part of an Alternative Parking Plan.
- d) Parking may not be located within any required setback except that a frontage lane may be built parallel to a major street (Figure Reference).
- e) Parking Screening:

2136

1. Where surface parking abuts a sidewalk, a streetscreen must be provided.

**FIGURE 8.2-9: STREETSCREEN ILLUSTRATION**



Note: Groundcovers are low growing, spreading perennial plants.

2138

2. Streetscreens (as defined below) must include a landscape area between fencing and the property line, a minimum of five (5) feet wide, as illustrated in Figure 8.2-9.

2140

3. The landscape area must be composed of groundcover, trees, and hedges.

2142

4. Trees are required as follows:  
a) Canopy street trees are required between twenty-five (25) and forty (40) linear feet on-center, alternating with street trees; or

2144

b) When utilities prohibit canopy trees, understory trees are required every twenty (20) linear feet on-center.

2146

5. Streetscreens (as defined below) that are longer than eighty (80) feet require a hedge as follows:

2148

a) The hedge must be maintained between thirty (30) and forty-two (42) inches tall;

2150

b) The hedge must be located behind streetscreen trees relative to the property line or inline with trees;

2152

c) The hedge must be individual shrubs a minimum of seven (7)-gallon plants, not less than thirty (30) inches in height at the time of planting, and spaced no more than thirty (30) inches on-center;

2154

- 2156 6. A wall may be included in a streetscreen which should be between the parking  
and required landscaping and be between three (3) and four (4) feet high.
- 2158 7. Existing vegetation may be credited towards the required buffer, provided it is  
supplemented with similar plant material in order to achieve eighty (80)  
percent opacity within twelve (12) months of planting.

2160 f) Parking Garages

- 2162 1. Structured parking garages must comply with the Parking Garage Design  
Guidelines Part 11.
- 2164 2. Parking structures shall also comply with the following requirements:
- 2166 a) Parking structure facades are prohibited on "A" streets.
- 2168 b) Frontages of parking structures on "B" streets must incorporate  
architectural features compatible with the principal structure. Parking  
spaces on these frontages may not be located on angled ramps.
- 2170 c) Portions of parking structures on "B" streets that do not include habitable  
ground floor uses shall incorporate a streetscreen (cross-reference) except  
that canopy street trees shall be substituted by understory trees.
- 2172 d) Direct pedestrian access from parking garages to each adjacent street shall  
be provided.
- 2174 e) Vehicle entrances to parking structures shall be a maximum of forty-eight  
(48) feet in width and shall be separated from other vehicle access to and  
from the structure or other parking structures on the same side of the  
2176 block by a minimum distance of 400 feet.

g) Loading Zones

2178 Loading zones or spaces shall be provided for all nonresidential uses as provided  
in <cross-reference>. However, variations from these requirements may be  
2180 approved by the Development Services Director as part of an Alternative Parking  
Plan under <cross-reference>.

2182 8.2.9 Civic Space Requirements

a) Civic Space Quantity

2184 Civic spaces meeting the standards in "Civic Space Types and Standards" are  
required as described in Table 5.2. All civic spaces shall be included in Net  
2186 Buildable Acreage calculation.

<b><u>Site Size</u></b>	<b><u>Required Civic Space</u></b>
<u>Less than six acres</u>	<u>Not required</u>
<u>Six acres or more</u>	<u>5% of acreage exceeding 5 acres</u>

Example calculations:

<b><u>Site Size (in acres)</u></b>	<b><u>Acreage Above 5 Acres</u></b>	<b><u>Required Civic Space Percentage</u></b>	<b><u>Required Civic Space in Acres</u></b>
<u>5.5</u>	<u>0.5</u>	<u>n/a</u>	<u>0</u>
<u>6</u>	<u>1</u>	<u>5%</u>	<u>0.05 Acres</u> <u>(2,178 Sq. Ft.)</u>
<u>10</u>	<u>5</u>	<u>5%</u>	<u>0.25 Acres</u>
<u>20</u>	<u>15</u>	<u>5%</u>	<u>0.75 Acres</u>

2188


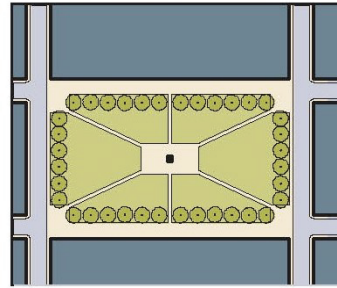
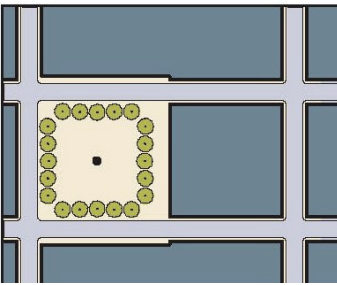
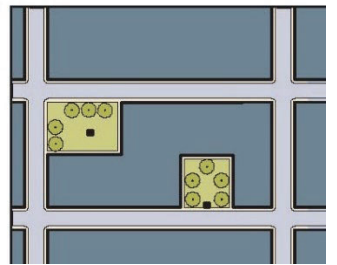
b) Civic Space Types and Standards

2190

To count toward the minimum Civic Space Requirements, a proposed Civic Space must meet be designated with a Civic Space Type and meet the standards for that type.

2192

**TABLE 8.2-C CIVIC SPACE TYPES**

<b><u>Type</u></b>	<b><u>Description</u></b>	<b><u>Illustration</u></b>
<b><u>Park/Green:</u></b>	<u>A Civic Space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed.</u>	
<b><u>Square:</u></b>	<u>A Civic Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares.</u>	
<b><u>Plaza:</u></b>	<u>A Civic Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape consists primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets.</u>	
<b><u>Small Park/ Plaza:</u></b>	<u>A Civic Space designed for passive recreation.</u>	

2194

2196

Civic Spaces require detailed landscape design and approval by the Planning Manager. All Civic Spaces must include ADA compliant walkways connected to all abutting sidewalks and building entrances.



Civic Spaces must meet the following standards:

1. Civic Spaces must comply with all standards in Table 5.2.
2. Civic Spaces must be bordered by a street or drive as required in Table 5.2.
3. Minimum landscaping is required in addition to any Public Realm Requirements related to adjacent streets/frontages as described in Table 5.2.
4. The amount of required Civic Space that may be met with a single Civic Space type is limited by "Maximum Usage Towards Requirements" described in Table 8.2-D.

**TABLE 8.2-D CIVIC SPACE REQUIREMENTS**

	<b><u>Minimum Thoroughfare Frontage</u></b>	<b><u>Size</u></b>	<b><u>Minimum Width</u></b>	<b><u>Minimum Landscaping</u></b>	<b><u>Impervious Surface</u></b>	<b><u>Maximum Usage Toward Requirements</u></b>
<u>Park/Green</u>	<u>2 sides</u>	<u>0.5 acre minimum</u>	<u>100 ft</u>	<u>1 canopy tree / 4,000 square feet</u>	<u>20% maximum</u>	<u>100%</u>
<u>Square</u>	<u>1 side</u>	<u>0.2 – 1 acres</u>	<u>80 ft</u>	<u>1 canopy tree / 4,000 square feet</u>	<u>50% maximum</u>	<u>100%</u>
<u>Plaza</u>	<u>1 side</u>	<u>0.2 – 0.5 acres</u>	<u>60 ft</u>	<u>1 canopy tree / 6,000 square feet</u>	<u>40 - 90%</u>	<u>Greater of 0.5 acres or 50%</u>
<u>Small Park/Plaza</u>	<u>1 side</u>	<u>2,000 sf – 0.25 acres</u>	<u>40 ft</u>	<u>1 canopy tree / 4000 square feet</u>	<u>90% maximum</u>	<u>Greater of 0.25 acres or 50%</u>

2208 8.2.10 Building Design Guidelines

a) Compatibility

2210 A mixed-use development shall present a consistent and attractive perimeter  
2212 appearance on all sides. Unfinished and/or unpainted walls shall not be visible  
from off-site, "A" frontages, or "B" frontages. Supporting facilities, other than  
2214 those for fire safety and stormwater management, shall also be hidden from view,  
including but not limited to:

- 2216 1. Vehicle loading zones
- 2218 2. Storage areas for equipment or merchandise
- 2220 3. Mechanical units
4. Solid waste receptacles
5. Electrical substations and similar facilities
6. Restaurant coolers and freezers

b) General Appearance

2222 The following components shall be incorporated into all buildings:

- 2224 1. Awnings, canopies, or arcades shall be required over all doors, windows and  
2226 other transparent elements on "A" streets and on retail uses. The height of  
the awnings, canopies, or arcades shall be between eight (8) and twelve (12)  
feet and shall be a minimum of four (4) feet in depth.
- 2228 2. A cornice shall be provided on the side of a building facing a residential use  
2230 and/or an external public roadway at a minimum of twelve (12) feet above the  
sidewalk or at a height similar to the cornice on an abutting property, but in  
no case shall the cornice exceed thirty-five (35) feet.
- 2232 3. Buildings shall incorporate lighting and changes in mass, surface or finish to  
emphasize their front entrances.
- 2234 4. Buildings shall provide a foundation or base, typically from ground to bottom  
2236 of the lower windowsills, with changes in volume or material. A clear visual  
division shall be maintained between the ground level floor and upper floors  
2238 with either a cornice line or awning from twelve (12) to sixteen (16) feet above  
ground level, whichever applies to the proposed development. No more than  
2240 twenty (20) feet of horizontal distance of wall shall be provided without  
architectural relief for building walls and frontage walls facing the street. All  
buildings shall use at least three of the following design features along all  
primary and secondary elevations of the building:

- 2242 a) Divisions or breaks in materials chosen from a common palette

- 2244 b) Window bays  
c) Separate entrances and entry treatments, porticoes  
d) Variation in roof lines  
2246 e) Awnings  
f) Functional dormers  
2248 g) Gables  
h) Recessed entries  
2250 i) Covered porch entries  
j) Cupolas

2252 c) Storefront Character

2254 Each building's storefront or frontispiece shall provide the following architectural features on the front or side building facade:

- 2256 1. Buildings on corner lots shall be located within the build-to zone for both streets unless a civic space is provided. Except that if the corner is the intersection of two Type C Frontages or a Type B and a Type C Frontage this requirement does not apply, Corner building entrances are encouraged, especially where two Type A Frontages intersect.  
2258  
2260 2. Building side walls exposed to a public street shall not exceed blank wall areas of thirty percent (30%) or more of the total vertical wall surface, nor exceed twenty (20) linear feet without being interrupted by a change in wall plane (minimum sixteen (16) inches offset), roof plane, or the additions of window(s), balconies, side entries, or other fenestration element.  
2262  
2264 3. Walls must achieve a glazing-to-wall ratio between fifteen percent (15%)-thirty-five percent (35%) of the whole wall, or each wall segment.  
2266

d) Windows and Transparency

2268 The following provisions must be met for windows in all non-residential buildings:

- 2270 1. The facades of all buildings with the ground floor facing a street, park, plaza, or residential building must have transparent windows with a glazing-to-wall ratio of fifty percent (50%) (minimum) to eighty (80%) (maximum) of the ground floor wall of each storefront's linear frontage. Mirrored glass, obscured glass and glass block are not permitted. Energy-saving window tinting with a minimum of forty percent (40%) light transmittance may be permitted.  
2272  
2274

- 2276 2. Windows must remain transparent so that the inside of the space is visible  
2278 from the public way. Full window signs, decals, shelving, blinds, etc. that may  
obscure views are not permitted. Exception: Product displays (like  
2280 mannequins displaying clothes for sale).
- 2282 3. Display windows shall be lit at night.
4. The sill of any ground floor window shall be no more than 2.5 feet above  
2282 finished floor level; the top of the windows must be no more than seven (7)  
feet above finished floor level.

2284 e) Exterior Lighting on Buildings

Exterior lighting shall be directed at the building itself without illuminating other  
2286 areas of the site.

f) Building Color

2288 Building colors shall be muted colors and earth tones unless otherwise approved  
by the Development Services Director as a part of the approval process.

2290 8.3 MM Missing Middle District and Alternative Standards

8.3.1 Intent and Purpose

2292 The purpose of the Missing Middle District and Alternative Standards is to encourage  
a wider range of housing choices in central locations accessible to services. This  
2294 includes permitting smaller units and more compact site plans to increase  
affordability without subsidies.

2296 8.3.2 Definitions

Missing Middle Housing is defined as residential units meeting any of the following  
2298 definitions which may be alone or in groupings of multiple typologies:

- a) Small Lot Single-Family: Single-family homes on small sized lots designed to  
2300 increase yield while remaining detached. These types often use unconventional  
lot dimensions and site plans responsive to the specific unit design and layout.
- b) Cottage Court: A group of small, detached structures arranged around a shared  
2302 court visible from the street. The shared court replaces the function of a rear yard.  
2304 Unit entrances should be from the shared court.
- c) Duplex – Side-by-Side: A detached structure that consists of two dwelling units  
2306 arranged side-by-side, each with an entry from the street. This type has the  
appearance of a small-to-medium single-unit house.

- 2308 d) Duplex – Stacked: A detached structure that consists of two dwelling units  
2310 arranged one above the other, each with an entry from the street. This type has  
the appearance of a small-to-medium single-unit house and fits on narrower lots  
than the side-by-side duplex.
- 2312 e) Townhouse – An attached structure that consists of four (4) to six (6) multi-story  
2314 dwelling units placed side-by-side. Entries are on the narrow side of the unit and  
typically face a street or courtyard.
- 2316 f) Triplex – Stacked: A detached structure that consists of three (3) dwelling units  
typically stacked on top of each other on consecutive floors, with one entry for  
the ground floor unit and a shared entry for the units above.
- 2318 g) Fourplex – Stacked: A detached structure with four (4) dwelling units, two (2) on  
2320 the ground floor and two (2) above, with shared or individual entries from the  
street. This type has the appearance of a medium-sized single-unit house.
- 2322 h) Six-plex: A detached structure that consists of six (6) dwelling units arranged side-  
by-side and/or stacked, typically with a shared entry from the street.
- 2324 i) Courtyard Building: A medium-sized (1 to 3.5-story) detached structure consisting  
2326 of multiple side-by-side and/or stacked dwelling units oriented around a  
courtyard or series of courtyards. Each unit is accessed from the courtyard or a  
public sidewalk and shared stairs each provide access to up to three (3) units.
- 2328 j) Live-Work: An attached or detached structure consisting of one dwelling unit above  
2330 or behind a fire-separated flexible ground floor space that can accommodate a  
range of non-residential uses. The flex space and residential unit typically have  
separate street entrances.

### 8.3.3 Review of Development Proposals

- 2332 a) Final Development Plan Required
- 2334 Prior to subdivision or site plan approval, the applicant must submit a final  
2336 development plan consistent with the development criteria and limitations in the  
Missing Middle Alternative standards and any conditions of approval. This plan  
must be reviewed and approved by the Development Services Director or  
designee.
- 2338 b) Building Elevations Required
- 2340 Prior to subdivision or site plan approval, the applicant must submit building  
elevations for all proposed Missing Middle Housing Typologies for review by the  
Development Services Director or designee.

2342 8.3.4 Applicability

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

2344 MM Zoning District: Where the MM District is applied, typologies within a  
2346 proposed development or development types are limited by the applicable Future  
Land Use District as described in Table 5.2.. A development within the MM Zone  
2348 may include single-family development consistent with R-1BB standards subject  
to compliance with Chapter 35.

1. PD Zoning District: Missing Middle Housing may be approved as part of a new  
2350 PD application or a substantial change to an existing PD. Allowable  
2352 typologies within a PD are limited by the applicable Future Land Use District  
as described in the Seminole County Comprehensive Plan..

2354 8.3.5 Specified Zoning Districts: Missing Middle Alternative Standards may be used in the  
zones and under the conditions specified in Table 5.2 with limitations on typology  
and development type as described.

2356 a) Missing Middle Development Types:

1. Missing Middle Development: A development in which only Missing Middle  
2358 Typologies are proposed.

2. Mixed Housing Development: A development in which both Missing Middle  
2360 Typologies and Typologies otherwise permitted in the underlying zone are  
proposed.

2362 8.3.6 Allowable Typologies and Densities

a) Typologies are permitted where described in this Section. The net density of a  
2364 proposed development must be consistent with the applicable Future Land Use  
District.

**TABLE 8.3-A: PERMITTING MISSING HOUSING MIDDLE TYPES**

	<b><u>Permitted Types:</u></b>								<b><u>Type of Development:</u></b>	
<b><u>Applicable Zoning:</u></b>	<u>Small Lot Single-Family</u>	<u>Cottage Court</u>	<u>Duplex</u>	<u>Triplex / Quadplex</u>	<u>Townhouse</u>	<u>Six-plex</u>	<u>Courtyard</u>	<u>Live/Work</u>	<u>Mixed Housing Development</u>	<u>Missing Middle Development</u>
<b><u>In Centers &amp; Corridors:</u></b>										
<u>R-1, R-1A</u>	●	●							●	●
<u>R-1B, R-1BB</u>	●	●	●	○*	○				●	●
<b><u>In USA (Urban Service Area):</u></b>										
<u>R-2</u>	●	●	●	○**					●	●
<u>R-3, R-3A, R-4</u>	●	●	●	●	●	●	●	●	●	●
<u>C-1, C-2,</u>				●	●	●	●	●	●	
<u>OP</u>								●	●	●
<u>MUCD</u>	●	●	●	●	●	●	●	●	●	●
<b><u>MM or PD Rezoning by FLU:</u></b>										
<u>LDR</u>	●	●	●	○	○				●	●
<u>MDR</u>	●	●	●	●	●	●	●		●	●
<u>HDR</u>	●	●	●	●	●	●	●		●	●
<u>MXD</u>	●	●	●	●	●	●	●	●	●	●
<u>Commercial</u>				●	●	●	●	●	●	●
<b><u>Notes:</u></b> ● 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										

2368 8.3.7 Site Regulations:

a) Missing Middle typologies may be clustered or distributed throughout the project.

2370 b) No single Missing Middle typology may exceed five (5) acres of developable land.

2372 c) Development includes a connected street grid which is accomplished by meeting the following conditions:

1. No portion of the project may be gated.

2374 2. Existing or new streets/drives, whether public or private, shall divide the site into blocks. Block perimeters must not exceed 2000 feet except where access management criteria for existing County roadways require greater lengths. The block perimeter is measured as the total length of a line enclosing the block along thoroughfare rights-of-way, internal streets, and civic spaces.

2378 3. Sidewalks are required on both sides of every street.

2380 4. Dead end streets, hammerheads, and cul-de-sacs are prohibited.

2382 5. The development must provide connections to all adjoining public streets and trails and existing "stub-outs" on adjacent properties.

2384 6. The development must provide "stub-outs" for future connectivity to adjacent vacant lots.

2386 7. Pedestrian or vehicular connections to existing commercial uses should be provided where feasible.

d) Restrictions near development boundaries:

2388 1. Buildings are limited to two stories within one hundred (100) feet of a district boundary with an existing single-family development or single-family residential zone.

2390 2. The lowest intensity typologies within the project shall abut boundaries with an existing single-family development or single-family residential zone.

2392 8.3.8 Open Space

2394 Where Open Space is required in the applicable zoning district, those standards shall be applied. If Open Space is not otherwise required, the standards below shall apply.

2396 a) A minimum eight (8) percent of developable land shall be set aside as Open Space that meets the standards described below.

2398 b) Open Space may be provided in multiple locations subject to the following requirements. Each qualifying Open Space must be:

2400 1. Bordered by streets, stormwater ponds, natural lakes, or commonly accessible pedestrian pathways.

2402 2. Not less than one quarter (0.25) contiguous acres.



2404 3. A minimum of forty (40) feet in width, except that open space areas adjacent  
2406 to a stormwater pond or natural lake must be a minimum of twenty (20) feet  
in width from the top of berm to the public right of way or lot line or a dog  
park or.

4. Open Space shall be proximate to Missing Middle units.

2408 c) Street trees are required in Missing Middle Developments and on all streets  
2410 abutting Missing Middle Typologies in Mixed-Use Developments. Street trees  
must meet the following standards:

2412 1. Be planted an average of forty (40) feet on center on both sides of internal  
streets and on existing rights of ways adjoining the site.

2414 2. Be located in a planting strip or tree well with a minimum width of eight (8)  
feet. Tree wells or planting strips less than ten (10) feet in width must  
incorporate a root barrier at the edge of pavement.

2416 3. Be selected from the list of approved Canopy Street Trees (14.15(j)).

2418 4. Meet the standards of Sec. 14.16. - General provisions for all landscaped  
areas.

d) Minimum Parking Requirements:

2420 1. Two parking spaces are required per unit except that parking for units less  
than 1000 sq. ft. may be reduced to 1.5 spaces per unit.

2422 2. On-street parking is required on streets adjacent to missing middle units.

2424 3. Required parking may be located in common areas or on-street provided that  
such parking is within 150 feet of the unit.

e) Building Frontage:

2426 1. Buildings not fronting on a street must front on a common open space, a  
pedestrian pathway or a multi-use trail.

2428 2. Buildings not fronting on a street must be part of a common emergency  
access plan or be adjacent to an alley built to emergency access standards.

2430 3. Up to six (6) lots may be accessed by a commonly held easement drive that is  
un-gated and designed to permit fire access (aka parking court).

2432 f) Residential Garages:

2434 1. Where applicable, a garage door facing an alley must be set back from the  
edge of pavement either between seven (7) and eight (8) feet or a minimum  
of twenty (20) feet.

- 2436            2. Lots with a front-loaded garage must be at least forty-five (45) feet in width  
2438            except for lots that are a part of a parking court typology. Garages associated  
                 with townhomes must be served by an alley regardless of unit size, unless  
                 otherwise approved by the Board of County Commissioners.
- 2440    8.3.9 Missing Middle Dimensional Standards:  
                 Designated Missing Middle Units must meet the alternative design and dimensional  
2442            standards described in this Section and in Table 8.3-B.
- a) Garages, carports, open or screened porches or breezeways may not be counted  
2444            toward the Minimum Living Area requirement in Table 8.3-B.
- b) Duplexes, Cottage Court, and High-Density Single-Family structures may be  
2446            located on a common lot. Where units are located on a common lot, minimum  
                 separation between structures must be ten (10) feet.
- 2448            c) Minimum lot size requirements are not applicable to Missing Middle units.

2450 **TABLE 8.3-B MISSING MIDDLE DIMENSIONAL STANDARDS**

	<b><u>Dimensional Standards</u></b>							
	<u>Small Lot Single-Family</u>	<u>Cottage Court</u>	<u>Duplex</u>	<u>Townhouse</u>	<u>Triplex /Four Plex</u>	<u>Six-plex</u>	<u>Courtyard</u>	<u>Live/Work</u>
<u>Minimum Yards in feet:</u>								
<u>Front</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>15</u>
<u>Side</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>10</u>	<u>7.5</u>
<u>Street Side</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>15</u>
<u>Rear</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Rear (Accessory Structure)</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Min. Living Area Per Unit (Sq. Ft.)</u>	<u>400</u>	<u>400</u>	<u>400</u>	<u>400</u>	<u>400</u>	<u>400</u>	<u>400</u>	<u>400</u>
<u>Max. Height (in feet)</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>

2452 8.4 R-AH Affordable Housing Dwelling District/~~Subdivision Standards/Administration~~

8.4.1 Description of District

2454 This District is composed of certain lands, water and structures permitting a variety of  
 2456 housing types and densities with modified subdivision standards to promote the  
 2458 development of affordable housing. R-AH developments are situated where they are  
 well serviced by public and commercial services and have convenient access to  
 thoroughfares or collector streets and to employment centers.

8.4.2 Uses Permitted

2460 a) Single-family detached, duplex, townhouse, triplex, fourplex, six-plex, cottagecourt,  
 or zero lot line dwelling structures including customary accessory uses.

2462 b) Childcare facilities, evening childcare facilities, and free-standing private  
kindergartens and/or voluntary prekindergarten education programs and  
2464 group homes.

c) Home offices.

2466 ~~e)~~ d) Live/Work units

#### 8.4.3 Minimum ~~district~~ Project Size

2468 Applications seeking The minimum size parcel to be assigned the R-AH zoning  
classification shall ~~not be for development projects of not less than two five (52)~~  
2470 net buildable acres. If the R-AH District is to include a combination of non-  
residential uses and residential uses, the residential portion of the parcel shall be  
2472 not less than five (5) net buildable acres ~~parcel shall contain a minimum of ten (10)~~  
~~acres~~ and the single-use non-residential portion shall not exceed the greater of 2  
2474 acres or twenty (20) five (5) percent of the net developable buildable acreage of  
the District.

#### 2476 8.4.4 Building Height

In the R-AH District no building or structure may exceed ~~thirty-five forty (4035)~~ feet  
2478 in height or three stories. Where the proposed buildings vary in height from existing  
buildings at a District boundary by more than one story, the proposed building  
2480 must stepback on the third story by ten (10) feet along the façade facing the  
property boundary.

#### 2482 8.4.5 Building Site Area Requirements

a) Each single-family detached or zero lot line dwelling structure in the R-AH  
2484 District shall be located on a lot or parcel of land having a buildable area of not  
less than three thousand ~~six hundred (3,600000)~~ square feet and a width of not  
2486 less than forty (40) feet, measured at the building line.

b) Each two (2) family dwelling structure shall be located on a lot or parcel having a  
2488 buildable area of not less than seven thousand two hundred (7,200) square feet  
and a width of not less than ~~eighty fifty (5080)~~ feet, measured at the building  
2490 line.

#### 8.4.6 Subdivision of duplex and ~~triplex~~ townhouse lots.

2492 Lots proposed for duplex, triplex and zero lot line structures may be platted to  
facilitate separate and distinct ownership provided that:

a) Each unit of an attached dwelling unit shall be constructed at the same time and each unit shall be located on a buildable parcel of land having a minimum land area of three thousand six hundred (3,600) square feet.

b) The common party wall adjoining units shall be constructed, at a minimum, in accordance with Chapter 40 of the Land Development.

#### 8.4.7 Yard regulations.

a) The following minimum yards shall be observed unless otherwise approved by the Board of County Commissioners:

Front		10 feet
Side	Single Family	<u>5 feet OR</u> <u>Side-yard home (1)</u>
	Other	5 feet
Side Street		15 feet
Rear		15 feet
Accessory Structures: Rear		5 feet
Note: A Side-yard home may have zero foot Side-yard on one side of the building provided that the remaining Side-yard is a minimum of ten (10) feet.		

~~b) (a) Front. Twenty (20) feet;~~

b) Special Conditions:

Street-facing garage doors shall be set back from the property line a minimum of twenty (20) feet.

~~c) (b) Side. Side yard setbacks for single-family units shall be five (5) feet on each side, or may be reduced to zero (0) feet on one side and ten (10) feet on the opposite side, and shall be no less than fifteen (15) feet on a street side, with no fence or any other structure encroaching into the side yard setback. Duplexes must maintain setbacks of ten (10) feet on each side. Triplexes must maintain setbacks of twenty-five (25) feet on each side (one (1) story structures) and thirty-five (35) feet on each side (two (2) story structures). Side setbacks for accessory structures shall be the same as for the primary structure.~~

~~d) (c) Rear. Fifteen (15) feet;~~

c) District boundary yard setbacks.

Rear ~~Y~~ard setbacks for lots located at the boundary of the R-AH District shall be no less than twenty (20) feet, ~~t for structures or buildings of one (1) story in height and no less than thirty-five (35) feet for structures or~~ buildings over one (1) story. For infill conditions where a new unit shares a side lot boundary with existing units or is facing existing units, side and front setbacks shall be the same as the existing unit.

8.4.8 Minimum dwelling size.

Each dwelling unit in the R-AH District shall have a minimum of 450 square feet of living area not including garages, carports, open or screened porches, or breezeways.

8.4.9 Affordability of dwelling units.

No less than ~~one hundred fifty (5100)~~ percent of the dwelling units provided in the R- AH District shall be made available to low and moderate income households. No less than ~~twenty forty (20 40)~~ percent of the dwelling units provided shall be made available for lease or purchase by low income households. Where both affordable and market- rate units are provided, the community should be designed as a single mixed-income neighborhood such that housing types are intermixed. There is no special separation of market rate and affordable units. Affordable units should accommodate a mix of household sizes. A proposed development which is more than seventy (70) percent affordable units shall not exceed fifteen (15) acres. The County shall develop procedures and controls to monitor and enforce this provision which may include declarations of covenants in development orders and development permits which run with the land.

8.4.10 Submittal requirements.

a) Prior to processing an application for R-AH zoning, the County must receive:

1. An executed affordability agreement, in a format acceptable to the County, guaranteeing that the specified percentage of dwelling units will be sold or rented at a price that is affordable to households of low and moderate income, a Restricted Use Covenant (RUC) (refer to *Section 40.9 (h)* of LDC); and
2. A statement of proposed development order conditions, including a description of the number, type, and cost (purchase price and/or rent) of all dwelling units; and
3. A description of any net buildable acres devoted to any proposed nonresidential structures on the development site; and
4. A description of proposed buffers along the project's perimeter; and

2552 5. A description of any other special design features in addition to those  
required in the R-AH District.

8.4.11 Development Time Limitations.

2554 If, within eighteen (18) months of being assigned the R-AH zoning classification, a  
final plat or site plan has not been approved, the assignment of the R-AH zoning  
2556 classification shall be reviewed by the Planning and Zoning Commission to determine  
the continuing appropriateness of the R-AH District zoning classification for the  
2558 subject property. The Board of County Commissioners shall consider the  
recommendations of the Planning and Zoning Commission and may rezone the  
2560 property to a more appropriate zoning classification or shall extend the deadline for  
final plat or site plan approval. These procedures shall also be followed when such  
2562 extended deadlines are not met.

8.4.12 Streets.

2564 The character, width, grade and location of all streets and bridges must conform to  
the standards of Section 35.62 of this Code and the detailed specifications found in  
2566 the Seminole County, Florida Public Works Engineering Manual described in Section  
5.20(a) of this Code, with the following exceptions permitted for the R-AH single-  
2568 family dwelling district if consistent with sound engineering practices:

a) Subgrade: A compacted subgrade of existing material is permitted on local  
2570 designated streets. The subgrade must conform to the same standards and  
inspection requirements as required for stabilized subgrade specified in the  
2572 Seminole County, Florida Public Works Engineering Manual described in Section  
5.20(a) of this Code or a minimum Limerock Bearing Ratio (LBR) rating of 40 must  
2574 be achieved.

b) Wearing surface: The wearing surface for all local and residential streets must have  
2576 a compacted minimal thickness one and one-fourth (1¼) of an inch. All other  
wearing surface standards including those for arterials and collectors must meet  
2578 the requirements of the Seminole County Public Works Engineering Manual  
described in Section 5.20(a) of this Code.

2580 c) Minimum right-of-way (ROW) and pavement widths:

2582 1. The following minimum right-of-way and pavement widths may be permitted,  
provided that the street will not carry more than five hundred (500) daily trips:

Curb and Street Type	Row in Feet	Pavement in Feet (inside of curb to inside of curb)

	Urban Section	Rural Section	Urban Section	Rural Section
Local	36	50	20	20
Residential	36	50	20	20

- 2584 2. Pavement width must be measured from inside of curb to inside of curb,  
2586 exclusive of curbs. On-street parking is not permitted on streets with reduced  
2588 right-of-way and pavement widths of twenty (20) feet. The developer shall  
furnish easements for sidewalks where required and shall erect signs  
prohibiting on-street parking as required by the County Traffic Engineer.



Curb and Street Type	Row in Feet		Pavement in Feet (inside of curb to inside of curb)	
	Urban Section	Rural Section	Urban Section	Rural Section
Local	60	80	24	24
Residential	50	70	24	24
Cul-de-sac (radius)	44	50	42	42
Low Traffic	46	46	20	20
Service Drive	50	70	24	24

2590 d) Dead-end streets: Permanent dead-end streets less than three hundred (300) feet  
2592 in length are permitted to have T-turnarounds. T-turnarounds must have a  
pavement width of no less than twenty-eight (28) feet.

e) Sidewalks: Sidewalks are required as follows:

- 2594 1. A minimum of five (5) feet in width is required for concrete sidewalks on both  
sides of all streets.
- 2596 2. The County does not require a concrete sidewalk on cul-de-sacs, T-  
2598 turnarounds and dead-end streets less than three hundred (300) feet in  
length.
- 2600 3. Easements must be provided for all necessary sidewalks, as determined  
appropriate by the County, and properly documented on the plat as required  
by Section 35.65 of this Code.

2602 8.4.13 Sewer. Sanitary sewers, water design standards and multiple meter boxes must all  
2604 comply with the standards set forth in the Seminole County Environmental Services  
Utilities Engineering Manual described in Section 5.20(b) of this Code.

2606 8.4.14 ~~Drainage~~ Stormwater systems. ~~Drainage~~ Stormwater systems must conform to the  
standards of Section 35.97 of this Code and the detailed specifications found in the  
2608 Seminole County, Florida Public Works Engineering Manual described in Section  
5.20(a) of this Code ~~except that, if authorized by State law, the use of a positive  
bleed-down orifice or "V-notch" weir is permitted in lieu of underdrains, provided  
2610 that the retention or detention facility is a wet bottom (lake-type) design in  
accordance with the Seminole County, Florida Public Works Engineering Manual  
described in Section 5.20(a) of this Code.~~

2612 8.4.15 Innovative subdivision design. Innovative engineering designs such as Low Impact  
2614 Development that provide for improved stormwater management, improved  
structure siting, increased emergency vehicle access or decreased cost of  
2616 development at the same level of service and quality achievement may be approved  
on a case-by-case basis. Innovative material composition or size may be approved if  
2618 it can be shown that adequate quality is maintained.

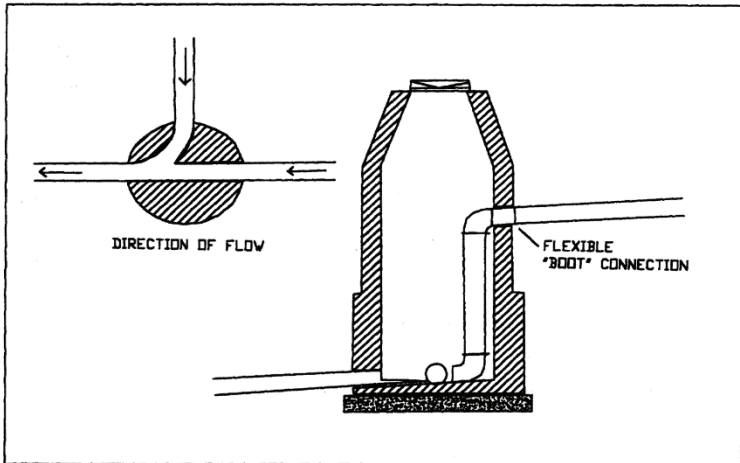
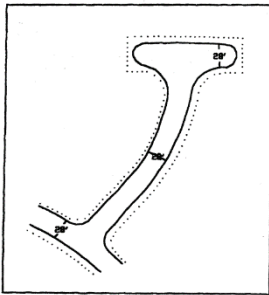
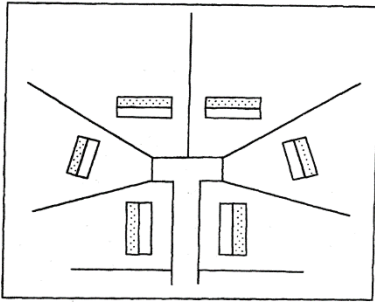
2620 8.4.16 Owners' associations and community associations. One or more condominium  
associations, cooperative associations, or homeowners' associations as described  
2622 respectively in Chapters 718, 719 and 720, Florida Statutes (2013), as these statutes  
may be amended from time to time, must be established in connection with any  
2624 subdivision approved under this part. The purposes of any such association include  
enabling the residents of the subdivision to achieve the maximum benefit from the  
2626 subdivision, to facilitate the management of the subdivision in the mutual interests of  
the residents, and to maximize the continuing overall quality of the subdivision.

2628 8.4.17 Administration.

The following administrative procedures and standards will apply to the R-AH  
District:

2630 a) Effectiveness review: Standards for the R-AH District will be reviewed annually by  
the program review committee or its successor entity to determine effectiveness  
2632 in providing affordable housing, and recommend changes, if any, regarding  
effectiveness relative to housing cost.

2634 b) Permit and inspection fees: All development permits and inspection fees may be  
waived by the Board of County Commissioners for applications meeting the  
2636 minimum requirements of the R-AH District.



2638

**T-TURNAROUND**

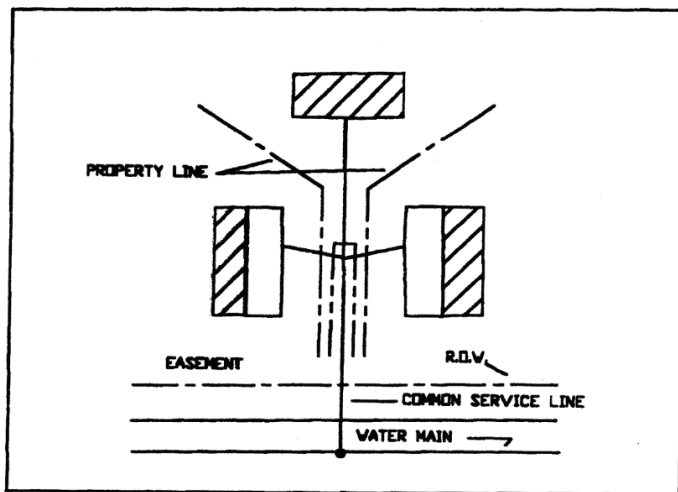
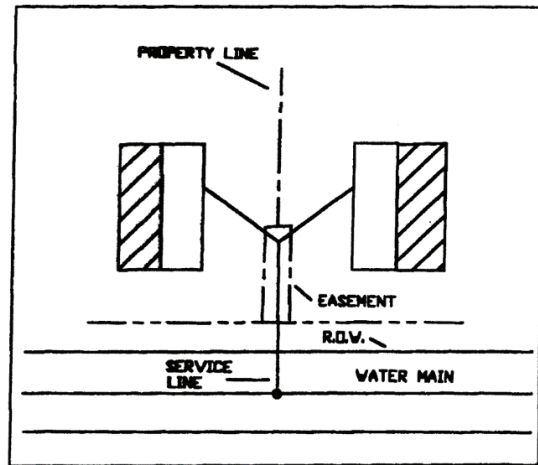
**INSIDE DROP MANHOLE CONNECTION**

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## MULTIPLE WATER SERVICE CONNECTION



2642 MULTIPLE WATER SERVICE CONNECTION

2644 8.5 PD Planned Development

8.5.1 Intent and purpose.

2646 The Planned Development (PD) District is intended to promote flexibility and  
2648 innovation to meet the needs of County residents and businesses by facilitating  
intended to facilitate innovative design solutions and development plans types, and  
2650 combinations thereof, that may be difficult to achieve under conventional zoning  
2652 regulations. Planned developments shall promote flexibility and creativity in  
addressing changing social, economic and market conditions, especially where they  
are used to implement adopted policies of the Comprehensive Plan.

2654 Examples of development concepts that may be appropriate for PD zoning include,  
but are not limited to, enhanced protection of natural resource areas, mixed use or  
transit-oriented development, and infill development or redevelopment. An increase  
2656 in density or intensity alone shall not be a sufficient justification for seeking an  
alternative to conventional zoning districts.

2658 Development standards to be applied ~~implemented~~ within a planned development  
shall be established by the Board of County Commissioners (BCC) at the time of  
2660 rezoning. Such rezoning shall be conditioned upon a master development plan and a  
written development order. Specific criteria for the development may address, but  
2662 are not limited to, compatibility with surrounding land uses, road access, availability  
and efficient use of utility capacity, coordination with transit, etc. Architectural and  
2664 other appearance-related design elements should ~~may~~ be included as approval  
conditions where the ~~Board~~ BCC finds they will support goals ~~are necessary to~~  
2666 ~~achieve crucial aspects of the development concept~~, such as economic development  
feasibility, neighborhood compatibility, or aesthetic or environmental enhancement  
2668 of an area.

2670 General standards of this Code that are not specific to any zoning district, such as  
parking, stormwater management, lighting, and landscaping, shall apply within a  
2672 planned development unless variations are approved through a PD master  
development plan and/or development order.

8.5.2 Permitted uses—(PD).

2674 Except as stated herein, no use shall be specifically permitted or prohibited within a  
planned development by requirement of this part. Uses which are permitted,  
2676 permitted subject to conditions, or prohibited within an individual planned  
development shall be noted as such through the master development plan and/or  
2678 development order. In all cases, allowable uses, including density and intensity limits,

shall be consistent with the Comprehensive Plan. Any use requiring licensing or other approval by the State of Florida or the Federal government shall obtain such approval as a condition for inclusion within any planned development.

a) Accessory dwelling units within any single-family residential lots in a PD may be administratively approved by the Planning Manager subject to the requirements of Section 30.1345(g).

#### 8.5.3 Review criteria.

a) Comprehensive Plan Consistency

In approving a planned development, the Board of County Commissioners shall affirm that the proposed development is consistent with the Comprehensive Plan, and effectively implements any performance criteria that the Plan may provide.

~~a)~~ b) Greater Benefit and Innovation Criteria

In addition, PD zoning may be approved only when the Board determines that the proposed development cannot be reasonably implemented through existing provisions of this Code, and that a PD would result in greater benefits to the County than development under conventional zoning district regulations. Such greater benefits ~~may~~ must include two or more of the following:

1. Natural resource preservation.
2. ~~urban design~~, Crime Prevention (CPTED).
3. Neighborhood/community amenities.
4. Provision of affordable or workforce housing.
5. Reduction in vehicle miles traveled per household
6. Transit-oriented development.
7. Provision of new multimodal connectivity.
8. Innovation in water or energy conservation.
9. Innovative development types not currently provided within the County but consistent with the goals of the Comprehensive Plan. ~~a general level of development quality.~~

~~b)~~ c) In addition, any proposed development under the PD ordinance must address the following goals:

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

2712 2. Minimize transportation impacts through design elements, which may include  
2714 but are not limited to: multimodal connectivity, electric vehicle charging,  
infrastructure of pedestrian or bicycle infrastructure exceeding the minimum  
2716 standards, shared transportation parking or devices, pedestrian-oriented  
architectural design, accommodation or neighborhood electric vehicles,  
transportation demand management, or permitting complementary uses.

2718 ~~e)~~ d) The PD application shall include a narrative addressing the following:

- 2720 1. How the proposed development addresses the goals of the Comprehensive  
Plan.
- 2722 2. Why the proposed development cannot be achieved under an existing  
conventional or special zoning district.
- 2724 3. How the proposed development provides an innovative approach to land  
development.
- 2726 4. A description of benefits to the County that cannot be achieved under the  
existing provisions of this Code.

e) Residential PD Design Standards:

- 2728 1. If lot width is than forty-five (45) feet, homes must be rear loaded, unless  
otherwise approved by the Board of County Commissioners.
- 2730 2. Front-facing garage doors must be set back a minimum of twenty (20) feet.
- 2732 3. Minimum front and rear setbacks at project boundaries shall be twenty-five  
(25) feet, or twenty (20) feet for accessory structures not exceeding one story.
- 2734 4. Required setbacks adjacent to existing residential development will increase  
based on elevation/grade changes between developments and proposed  
building heights, as determined by the Board of County Commissioners.

2736

f) Required Residential Neighborhood Improvements:

- 2738 1. Street trees are required in generous planting strips to provide for the health of  
the trees. The street trees may count towards required open space. Street  
2740 trees shall:
- 2742 (a) Be planted an average of forty (40) feet on center on both sides of  
internal streets and on existing rights of ways adjoining the site.
- 2744 (b) Be in a planting strip or tree well with a minimum width of eight (8)  
feet. Planting strips less than ten (10) feet in width must include a  
root barrier.
- 2746 (c) Be selected from the "Approved Plant Species List: Canopy Trees,"  
except that Laurel Oaks may not be used as street trees.

- 2748 (d) Meet the standards of Sec. 14.16. - General provisions for all  
landscaped areas.
- 2750 2. Fifty (50) percent of pond frontage must be open to streets or community  
parks.
- 2752 (a) Where pond frontage is along a park, a walkway (minimum five (5)  
feet in width) is required unless adjacent to a street with a sidewalk
- 2754 (b) Landscaped areas must comply with the provisions of Sec. 14.16  
(General provisions for all landscaped areas) and (Water-efficient
- 2756 landscaping design requirements).

g) Common Useable Open Space:

- 2758 1. Commonly accessible open space is required subject to the following  
standards:
- 2760 a) Minimum 8% of developable land utilized for open space
- 2762 b) Open Space may be provided in multiple locations however each  
location must be:
- 2764 i. Bordered by streets, stormwater ponds, natural lakes, or commonly  
accessible pedestrian pathways.
- 2766 ii. Not less than 0.25 contiguous acres. Dog parks and tot lots that are a  
minimum of seventy-five (75) square feet per dwelling unit are also  
exempt from this requirement and may count towards open space.  
2768 Dog parks must contain waste disposal receptables and appropriate  
signage.
- 2770 iii. A minimum of 40 feet in width. Except that open space areas adjacent  
to a stormwater pond or natural lake may be a minimum of 20 feet in  
2772 width from the top of berm to the public right of way or lot line.

h) PD Design standards for Self-Storage Facilities:

- 2774 1. If a self-storage facility is the principal use of the development, the facility  
may include a business office and/or limited retail area selling items related to  
2776 moving and storage activities. This supporting office/commercial use shall be  
limited to 400 square feet or 10 percent of total floor area, whichever is less.  
2778 Other activities shall not be permitted within any structure.
- 2780 a) No individual bay or unit in a self-storage facility shall be used as a place  
of business apart from that of the self-storage owner/operator.
- 2782 2. Bay doors shall not be visible from outside the subject property.
3. No storage bay shall contain plumbing or more than one (1) electrical outlet.



- 2784 4. Perimeter buffering shall be as required in Part 14 with the following  
additional provisions:
- 2786 a) The facility shall be considered "heavy commercial" for the purpose of  
determining land use intensity under Part 14
- 2788 b) Adjacent to any property having residential development, zoning, and/or  
future land use designation, a 6-foot masonry wall shall be provided as  
part of the buffer, with all required landscaping planted outside the wall.
- 2790 c) Regardless of adjacent uses, a minimum buffer of 0.1 opacity, as provided  
in Part 14 shall be installed along all side and rear lot lines.
- 2792 5. Parking for the office/commercial area shall consist of no less than two (2) and  
no more than four (4) spaces.
- 2794 6. Color renderings shall be provided detailing the appearance of the structure.
- 2796 7. Exterior walls shall be finished with natural materials such as wood, stone,  
and/or manufactured products such as brick, stucco, and architecturally  
2798 decorative concrete block. Metal siding shall be prohibited in general;  
however, textured metal accent walls shall be permitted as aesthetic features.
- 2800 8. The exterior shall be painted in muted colors such as gray with blue or red  
trims, doors and accents. No vibrant colors shall be permitted on the exterior  
of the building, other than those permitted accent colors noted herein.
- 2802 9. Requirements for Limited Access Self-Storage Facilities:
- 2804 a) Each building shall be fully enclosed with roof and exterior walls. No  
storage bay shall be visible or accessible from outside the building.
- 2806 b) Parking in addition to the required office parking shall be to one (1) space  
per 10,000 square feet.
- 2808 c) Outdoor storage shall be prohibited.
- 2810 d) Buildings shall provide a foundation or base, typically from ground to  
bottom of the lower windowsills, with changes in volume or material. A  
clear visual division shall be maintained between the ground level floor  
2812 and upper floors with either a cornice line or awning from twelve (12) feet  
to sixteen (16) feet at grade, whichever applies to the proposed  
development. No more than twenty (20) feet of horizontal distance of wall  
2814 shall be provided without architectural relief for building walls and  
frontage walls facing the street. All buildings shall utilize at least three (3)  
2816 of the following design features along all elevations of the building:

- 2818 i. Divisions or breaks in materials;
- 2820 ii. Window bays;
- 2822 iii. Separate entrances and entry treatments, porticoes;
- 2824 iv. Variation in roof line;
- 2826 v. Awnings;
- 2828 vi. Recessed entries; or
- 2830 vii. Covered porch entries.
- 2832 10. Requirements for Multiple Access Self Storage Facilities
- 2834 a) The self-storage facility shall be surrounded by a fence or wall at least six
- 2836 (6) feet in height, limiting access to the facility through designated
- 2838 entrance and exit points.
- 2840 b) No vehicle or boat shall be located closer than twenty-five (25) feet from
- 2842 any property in residential use, zoning, and/or future land use. All such
- 2844 vehicles or boats shall be stored inside the perimeter fence or wall.
- 2846 c) Parking in addition to the required office parking shall be one (1) space
- per 10,000 square feet. Parking for stored vehicles as referenced in
- paragraph (2) above shall not be subject to this limitation, but only where
- a storage area for such vehicles is designated on the approved site plan
- for the facility.
- 8.5.4 Planned development approval procedure.
- Approval for a planned development is obtained through a two-step process. The
- first step is an approval of the master development plan and rezoning of the land by
- the Board of County Commissioners. The second step consists of final development
- plan approval by the ~~Economic and Community~~ Economic and Community Development Services Director along
- with the recording of the developer's commitment agreement.
- Prior to formally submitting a request for planned development zoning, the
- developer is encouraged to meet with appropriate County staff for comments
- regarding the advisability of undertaking a planned development in the proposed
- location.
- 8.5.5 Master development plan submittal and review.
- a) Development Plan Submittal Requirements.

- 2848 1. A master development plan shall be submitted concurrently with a PD rezoning  
application. The submittal requirements listed in this Section may be modified by  
2850 the ~~Economic and Community~~ Development Services Director as appropriate for a  
specific application.
- 2852 2. The development requirements for each individual tract or phase within a planned  
development shall be included as a part of the master development plan.
- 2854 3. The master development plan shall clearly indicate an outer site boundary as well  
as internal boundaries between proposed tracts, stages, phases, outparcels, etc.  
2856 The plan shall also indicate common properties within the PD and provide for  
necessary property owners or management associations to ensure maintenance of  
2858 such properties.
- 2860 4. The master development plan shall include the items shown on the following  
table:

Required Information	Master Plan	Final Plan
Vicinity map showing the location of the proposed development, relationship to surrounding streets and thoroughfares, existing zoning on the site and surrounding areas, existing land use on the site and surrounding areas within 500 feet	x	x
Boundary survey and valid legal description	x	x
Graphic plan showing topography, which clearly identifies proposed land uses, open space, and the proposed location of major streets and thoroughfares, recreation areas, and other major facilities	x	x
Preliminary wetlands and floodplain delineation lines	x	
List and description of all uses, including proposed housing type(s), number of units, density	x	x
Table showing acreage for each category of land use including roads, wetlands, open space, and recreation	x	x
Calculation of required and proposed open space	x	x

General buffer and landscaping concepts	x	x
Structural concepts, including setbacks and building heights	x	x
Utility service suppliers	x	x
Analysis of the impact of the proposed planned development on roads, schools, utilities, and other public facilities	x	x
Location, use, and size of all common property tracts	x	x
Topographic survey including floodplain and wetland delineations		x
Detailed landscaping plan, including plantings, fences, berms and buffer area dimensions		x
Utility service concept plan, including sanitary sewers, stormwater management, potable water supply, <u>floodplain compensation</u> , and water supplies for fire protection.		x
Proposed phasing or staging		x
Statement indicating that legal instruments will be created providing for the management of common areas and facilities		x
Statement with general information regarding provisions for fire protection		x
Facilities commitments		x
Earthmoving concept plan indicating proposed terrain alterations <u>including grading, fill and elevation changes</u>		x
Soils map and detailed soils report based on the findings of a recognized professional soils expert (depth of all muck and peat areas shall be identified)		x

Summary of approved PD Commitments, Classification, and District Description information as executed by the Chairman of the Board of County Commissioners and the Developer		x
Covenants, grants, easements, dedications, or other restrictions to be imposed on the use of the land, buildings, and structures, including proposed easements for public and private utilities		x

- 2862 b) *Review Procedure*. A planned development application shall be reviewed as follows:
- 2864 1. Prior to initiating a planned development application, a preapplication conference with Planning and Development staff may be required at the discretion of the Development Services Director and/or at the request of the applicant.
- 2866 2. The Development Review Committee shall evaluate the master development plan and PD zoning request regarding its compliance with applicable standards of this Code and the Comprehensive Plan. Following this evaluation, the Planning and Zoning Commission shall hold a public hearing with due public notice, to consider the master development plan and PD rezoning request. The Planning and Zoning Commission shall recommend to the Board of County Commissioners approval, approval with conditions, or denial of the application.
- 2868
- 2870
- 2872
- 2874 3. The Board of County Commissioners shall hold a public hearing with due public notice, and shall approve, approve with conditions, or deny approval of the master development plan and the proposed PD rezoning.
- 2876 4. All conditions of approval imposed by the Board of County Commissioners shall be reflected in the master development plan and/or development order for the planned development.
- 2878
- 8.5.6 Final development plan.
- 2880 a) Within five (5) years of approval of the master development plan, which time period may be extended by the Planning and Zoning Commission, the applicant shall submit a final development plan meeting the requirements of Section 8.5.5a)4 and that reflects the requirements of the approved PD development order.
- 2882
- 2884

- 2886 b) The Development Review Committee shall evaluate the final development plan  
regarding its compliance with, the applicable provisions of this Code, the  
2888 applicable provisions of the Comprehensive Plan; and the approved master  
development plan and PD development order.
- 2890 c) Following evaluation by the Development Review Committee, the Development  
Services Director may, upon a finding of consistency with: the applicable  
2892 provisions of this Code, the County's Comprehensive Plan; and the master  
development plan and PD development order, approve the final development  
2894 plan and execute the associated developers commitment agreement. The  
developer's commitment agreement shall be prepared in a form acceptable to the  
County Attorney.
- 2896 8.5.7 Plat or site plan approval for each section.
- 2898 a) After approval of the final development plan the applicant shall submit either a  
preliminary and final plat, according to the procedure outlined in the Subdivision  
2900 Regulations, or shall submit a site plan, according to Chapter 40, whichever may  
be applicable, for each phase of the PD development. At the applicant's option, a  
2902 site plan complying with the technical requirements of Chapter 40 may serve as  
the final development plan if it contains sufficient information to verify  
2904 compliance with the master development plan and the PD development order  
approved by the Board of County Commissioners under Section 8.5.4. After  
2906 review and final approval by the designated officials of either the final subdivision  
plat or site plan, the developer may request building permits for the approved  
section.
- 2908 b) If an applicant so elects and pays the fees for both final development plan review  
and preliminary subdivision plan review, and provides all information necessary  
2910 for both reviews at the time of application, the final development plan review and  
the preliminary subdivision plan review may be accomplished simultaneously.

2912 8.5.8 PD revisions.

2914 a) Any proposed substantial change to an approved PD, including, but not limited to,  
2916 revisions: affecting the intent and character of the development; affecting land  
2918 use patterns; affecting phasing that will impact off-site infrastructure; changing  
2920 the location or dimensions of major streets or access points; adding property to  
2922 the PD representing a substantial increase in density or intensity; or which involve  
similar substantial changes, shall be considered major amendments and shall  
require approval by the Board of County Commissioners A major amendment  
shall be treated as rezoning from PD to PD, revising the development criteria for  
the PD zoning, and the associated development order shall be revised or re-  
issued accordingly.

2924 b) Non-substantial changes to an approved planned development shall be  
2926 considered minor amendments and may be approved by the Development  
2928 Services Director. Multiple revisions may be proposed which cumulatively cause  
the Director to deem them a major amendment. Minor amendments shall be  
accomplished through addendum to the development order and/or a developer's  
commitment agreement. Minor amendments may include, but are not limited to,  
the following:

- 2930 1. Additions to structures that do not exceed ten (10) percent of the overall  
2932 density or intensity approved within the PD. Additions of ten (10) percent or  
greater may be granted as provided in Section 5.19(b)(1).
- 2934 2. The addition of accessory structures if the location of such structures does not  
interfere with approved site layout (e.g. circulation, parking, loading, storm  
water management facilities, open space, landscaping or buffering).
- 2936 3. Additions to parking areas that do not encroach into required buffer areas or  
otherwise interfere with the approved site layout.
- 2938 4. Additional clearing that does not exceed 5,000 square feet in area or ten (10)  
2940 percent of the site. Greater amounts may be approved consistent with Section  
5.19(b)(1).
- 2942 5. Adjustment of internal property lines or tract boundaries, setback lines,  
realignment of internal roads and driveways consistent with the approved site  
layout and development concepts.
- 2944 6. The removal of property from the PD, provided such removal does not have a  
2946 substantial impact on the density or intensity of the PD or on elements of the  
PD such as buffering and open space. Property removed from a PD must be  
rezoned immediately upon such removal.

2948 7. Other amendments that would not be deemed substantial as described in  
subsection 8.5.8a).

2950 c) Property owners within a planned development may not make incremental  
2952 revisions to an approved development plan that adversely affect existing owners  
or to avoid classification as a major amendment. Where amendments are allowed  
2954 under this Section, such amendments must remain compatible with the balance of  
the project and consistent with the overall concept(s) and greater benefits  
2956 referenced in Section 8.5.3, under which the development was initially approved.  
Amendment to the PD zoning shall not be pursued to reduce the benefits that  
2958 justified the original assignment of PD zoning without replacement of an  
equivalent benefit.

8.5.9 Planned development time limitations.

2960 If substantial development, as determined by the ~~Economic and Community~~  
Development Services Director, has not begun within eight (8) years after approval of  
2962 the master development plan, the approval of the planned development will be  
reviewed by the Planning and Zoning Commission to determine the appropriateness  
2964 of the planned unit development zoning classification for the subject property. The  
Board of County Commissioners shall consider the recommendations of the Planning  
2966 and Zoning Commission and may move to rezone the property to a more appropriate  
zoning classification or shall extend the deadline for the start of construction. If an  
2968 extended deadline granted by the Board is not met, the foregoing procedures shall  
reapply.

2970 8.5.10 Binding nature of approved development plan.

An approved master or final development plan along with any associated conditions  
2972 of approval shall be binding upon the applicant or any successors in interest in the  
planned development. Deviations from an approved development plan not in  
2974 accordance with Section 8.5.8 above shall constitute a violation of this part.

8.5.11 Development standards for planned developments.

2976 The development standards for planned unit development are as follows:



2978 a) *Relation to Zoning Districts.* An approved PD shall be considered to be a separate  
2980 zoning district in which the master development plan and PD development order,  
2982 as approved by the Board of County Commissioners, or the Development Services  
2984 Director as permitted in this part, establishes the restrictions, regulations, and  
district description according to which the development shall occur. Upon  
approval, the official zoning map will be changed to indicate the area as PD and  
the master development plan and PD development order shall be filed with the  
Clerk to the Board of County Commissioners and a copy retained within the  
Planning and Development Division.

2986 *Density and Intensity.* The density based on net residential acreage permitted in  
2988 each PD shall be established by the Board of County Commissioners, upon  
recommendation of the Planning and Zoning Commission. The criteria for  
2990 establishing the appropriate density includes surrounding density of existing and  
approved development, adequacy of existing and proposed public facilities and  
2992 services, conformance with the Comprehensive Plan, and site characteristics.  
Dwelling units approved in the master development plan for a given tract may be  
2994 shifted within the PD subject to the approval of the Development Services  
Director.

Intensity of commercial or industrial uses within a Planned Development shall be  
2996 measured in terms of Floor Area Ratio (FAR) and shall be consistent with the  
maximum FAR for the development site established in the Comprehensive Plan.  
2998 The Board of County Commissioners may approve such development with a lesser  
intensity in order to achieve compatibility with adjoining uses.

3000 b) Phasing.

- 3002 1. Where a planned development is to be built in phases, the PD application  
3004 shall include a proposed phasing plan for the site, including a schedule for  
completion of all improvements shown on the approved master development  
plan. Once a phasing plan has been approved, no land may be used and no  
building may be occupied except in accordance with such plan.

- 3006 2. The purpose of a phasing plan is to ensure that crucial features serving the  
3008 development are provided as needed and not delayed to the detriment of  
property owners and other users of the site. Such features may include, but  
3010 are not limited to, buffers, stormwater retention, road access points and  
transit shelters. Phase configurations shall be logical and consistent with the  
3012 purposes of the approved PD master plan. The Board of County  
Commissioners may stipulate that any or all portions of required landscaping  
and/or buffering, or other improvements and amenities be provided during  
3014 the first phase of development, even though some buffer areas,  
improvements, or amenities or portions thereof lie outside the phase.
- 3016 3. Each phase, at a minimum, must include adequate parking, stormwater  
management facilities, landscaping, and all other features needed to serve  
3018 that portion of the development. In order to ensure the efficient  
implementation of the approved PD master development plan concepts, the  
3020 Board may require that selected site improvements be constructed at a faster  
rate than the overall development. These improvements may be related to  
3022 engineering design, general requirements of this Code, or other provisions of  
the approved master development plan and may include, but are not limited  
3024 to parking, stormwater management facilities, erosion control measures,  
buffering, and supporting retail or other employment uses. Where the  
3026 applicant agrees to provide off-site improvements, such as traffic signals, turn  
lanes, and sewer lines, the Board of County Commissioners may require such  
3028 improvements to be in place upon completion of any phase of the  
development.
- 3030 4. Where a planned development must achieve a minimum density or intensity  
due to requirements of the Comprehensive Plan or other considerations, each  
3032 phase shall individually achieve such density or intensity unless the master  
development plan or PD development order provide otherwise. Where a PD  
3034 has been approved as a specific type of development in support of  
Comprehensive Plan policies (e.g., including but not limited to transit oriented  
3036 development, mixed use in the MXD future land use), each phase shall  
substantially advance the approved concepts for the overall development.
- 3038 c) Dimensional, bulk and height restrictions. The location of all proposed building  
sites shall be as shown on the master development plan subject to the minimum  
3040 lot sizes, setback lines, lot coverage, maximum/minimum building height, or floor  
area, specified in the master development plan and/or PD development order, as  
3042 approved by the Board of County Commissioners.

d) Commonly Accessible Open space. Open space area requirements for planned developments shall be provided as indicated below, and unless otherwise stated within the master development plan or PD development order, shall meet the criteria of Section 14.2

1. Minimum eight (8) percent of net buildable acres shall be designed as commonly accessible open space, which shall be included as a part of total open space requirements.

2. Open Space may be provided in multiple locations however each location must be:

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

b) Not less than 0.25 contiguous acres.

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

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

4. Stormwater ponds must be amenitized as follows:

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

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

c) Landscaped areas must comply with the provisions of Sec 14.16 (General provisions for all landscaped areas) and (Water-efficient landscaping design requirements).

e) Access and parking.

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

- 3078 2. Off-street parking shall be provided in accordance with Section 11.2 and/or  
3080 Section 5.19, unless the applicant can demonstrate the appropriateness of  
3082 alternate standards. Such standards must be enumerated in the development  
3084 order and approved by the Board of County Commissioners in order to be  
3086 used within a planned development.  
3088 3. Pedestrian, bicycle and vehicular traffic circulation systems shall be designed  
3090 to integrate the proposed development into the surrounding community and  
to provide safe and convenient access to public use, common use and other  
community services, facilities and activities located both within the proposed  
development and beyond the boundaries of the proposed development. Local  
residential streets shall be designed to discourage travel speeds in excess of  
the posted speed and to discourage or restrict their use by through traffic.  
4. Hammerhead turnarounds shall be prohibited.

f) Perimeter requirements.

- 3092 1. Planned developments shall utilize the buffering standards of Part 14 to  
3094 maintain compatibility with adjoining properties and uses. However, the Board  
of County Commissioners may vary these standards as appropriate to meet  
the unique needs of the proposed PD.  
3096 2. Increased setbacks from the PD perimeter may also be imposed to maintain  
compatibility with adjacent existing uses.

3098 8.5.12 Control of area following completion.

- 3100 a) After completion of a planned development, the use, modification or alteration of  
any buildings, structures, or land areas within the development shall be in  
3102 accordance with the approved master development plan and the PD development  
order. Notwithstanding subsequent platting or other forms of dividing ownership  
3104 of the planned development, the entire site shall be subject to the approved  
master development plan and PD development order.

- 3106 b) Amendments to the approved master development plan and/or PD development  
order shall be in accordance with Section 8.5.8.

8.6 PLI Public Lands and Institutions District

3108 8.6.1 Zone Description

3110 The PLI Public Lands and Institutions ~~d~~-District is intended to include major public  
lands and major public and quasi-public institutional uses. This classification may  
only be applied to lands that are owned or controlled by the public.

3112 ~~8.7 UC University Community District~~

## PART 9 SUPPLEMENTAL REGULATIONS

3114 9.1 Public School Locational Criteria and Site Design Standards – PART 71

9.2 Mobile Homes/Manufactured Housing Siting Standards – PART 72, SEC 30.1401

3116 a) Landscaping and buffers for mobile homes/manufactured housing in RM-1, and  
RM-2 ~~or RM-3~~ Districts:

3118 1. All common open space, ~~parking lot islands~~ and all land not otherwise  
developed shall be landscaped in a manner that enhances the appearance of  
3120 the development, as determined by the Planning Manager Development  
Services Director based upon standards generally set forth in this Code  
3122 relating to developments with similar impacts.

3124 2. ~~The p~~Perimeter landscape buffers and parking lot islands shall be as specified  
in the ~~applicable Part (17, 18 or 19)~~ Part 14, Chapter 30 of this Code. ~~In~~  
3126 ~~addition, a high wooden or masonry visual screen six (6) feet in height and at~~  
~~least seventy-five (75) percent opaque shall be provided when a mobile or~~  
3128 ~~manufactured home abuts properties that are not assigned the RM-1, RM-2 or~~  
~~RM-3 zoning classification. The Planning Manager may waive any masonry~~  
3130 ~~wall required by this subsection where extensive perimeter buffer areas are~~  
~~found to exist or a binding commitment exists to install same.~~

9.3 Subdivision of duplex lots – SEC 30.230

3132 9.4 Truck parking in residential zone districts –

No trucks having a ~~rated load limit~~ gross vehicle weight of more than 14,000  
3134 pounds ~~two (2) tons or having more than two (2) axles~~ may be parked or stored in  
any residentially zoned area other than to load or unload merchandise; nor may  
3136 any truck of any size, which has operating motorized cooling units, be permitted  
to be parked in any residentially zoned area. Only the Federal Highway  
3138 Administration (FHA) vehicle weight class categories of Class one (1) through  
Class three (3) trucks meeting the above weight limitation may be parked in  
3140 residentially zoned areas. The weight and classification limitations contained  
herein do not apply to personal pickup trucks or personal recreational vehicles  
3142 (RVs) as defined by Florida Statutes 320.01(b).

3144 9.5 Boat Dock Requirements

9.5.1 General Regulations SEC. 30.1372

3146 a) Where boat docks or boathouses are a permitted use the following requirements  
must be met prior to issuance of any applicable permit:

- 3148 1. The lot upon which the structure will be developed must have a minimum  
thirty (30) feet of frontage on the subject water body.
- 3150 2. The lot upon which the structure will be developed must be a legal lot of  
record and must meet minimum lot size requirements.
- 3152 3. The lot upon which the structure is located must have adequate off-street  
parking for at least two (2) vehicles.
- 3154 4. The applicant must demonstrate compliance with all local, state and federal  
regulations and permit requirements.
- 3156 b) No boat dock or boathouse may be rented or leased.
- 3158 c) A boathouse may not be higher than fifteen (15) feet above the ~~elevation of the~~  
~~mean high waterline~~ normal high water elevation, as measured in accordance with  
3160 the definition of "building, height of" in Chapter 2, Section 2.3 of the ~~Seminole~~  
~~County Land Development~~ this Code. The Board of County Commissioners may  
3162 permit a taller boathouse upon a determination that the view of the water body  
from neighboring properties will not be adversely affected.

#### 9.5.2 Waterfront residential lots

3164 Each residential lot is permitted one (1) boat dock and one (1) associated  
boathouse when accessory and incidental to the principal dwelling.

3166 ~~Boathouses with roofs exceeding ten (10) feet above the mean-highwater line~~  
~~require a special exception in R-1AAAA, R-1AAA, R-1AA and R1-A zones.~~

3168 9.5.3 Boat dock and floating boat dock setback requirements; permit required – PART 50

9.6 Dogs in public food establishments – SEC 30.1380.4

3170 9.7 Alternative Density Option for Affordable Housing – PART 73

9.8 Gun Clubs

3172 9.8.1 The Board of County Commissioners shall not place any restriction or condition on a  
gun club that in any way regulates or affects the purchase, sale, transfer, taxation,  
3174 manufacture, ownership, possession, storage, or transportation of firearms or  
ammunition nor shall the Board of County Commissioners take any action that is  
3176 prohibited by Section 790.33, Florida Statutes (2020), as this statute may be amended  
from time to time.

3178 PART 10 OVERLAY DISTRICTS

~~W-1 Wetlands Overlay Zoning Classification – PART 52~~

3180 10.1 Aquifer Recharge Overlay Zoning Classification – PART 54

10.1.1 Creation of aquifer recharge overlay zoning classification.

3182 10.1.2 Purpose

10.1.3 Scope and authority.

3184 10.1.4 Affected area

10.1.5 Recharge area designation.

3186 10.1.6 Off-street parking and landscaping regulations

a) In addition to all other provisions in this Code, the following provisions shall apply:

- 3188 1. With the exception of ADA accessible parking spaces, ~~a minimum of ten (10)~~  
3190 ~~percent but no more than twenty-five (25) percent of the total number of~~  
~~required off-street parking spaces shall not be paved~~ all required parking  
3192 pursuant to Section 11.2 may remain unpaved at the option of the developer.  
In addition, all parking spaces exceeding the minimum number prescribed by  
3194 Section 11.2 shall not be paved be unpaved. ~~These spaces shall be clearly~~  
~~delineated on the site plan and located at the periphery of the building site or~~  
3196 ~~otherwise located where they are unlikely to be used on a continuing basis. All~~  
~~accessways and aisles serving these spaces shall be paved. Whether paved or~~  
3198 ~~unpaved, all parking spaces shall be designated as to location, size, and~~  
dimensions on an approved site plan meeting the requirements of Chapter 40.  
Grass, mulch, gravel, turf block or any durable dust free surface shall be used  
3200 in the unpaved spaces if permitted by state law, but all drive aisles shall be  
compacted and paved, unless other approved by the Public Works Director or  
3202 designee.
- 3204 2. With the exception of ADA accessible parking spaces ~~that are required by law~~  
~~to be of certain dimensions or of a certain area,~~ a maximum reduction of up to  
3206 two (2) feet from the required depth of a parking stall and one (1) foot from  
the required width of a parking stall shall be permitted for ~~paved~~ designated  
parking spaces.

3208 3. ~~The Planning Manager may permit shared parking facilities for those projects~~  
3210 ~~located within the higher intensity planned development land use designation.~~  
3212 Reasonable efforts shall be made in the design and construction of all site  
3214 improvements and alterations to save existing trees and native vegetation.  
Existing native vegetation that is specified to remain shall be preserved in its  
entirety with all trees, understory and ground cover left intact. Every effort  
shall be made to minimize alteration of the existing topography to preserve  
existing vegetation and maintain natural flow regimes.

3216 10.1.7 Post-development recharge standards.

10.1.8 Site plan review requirements.

3218 10.2 Scenic Corridor Overlay Zoning District

10.2.1 Title.

3220 This part shall be known and may be cited as the "East Seminole County Scenic Corridor  
Overlay District Ordinance".

3222 10.2.2 Legislative findings.

3224 The following findings are hereby adopted as legislative findings by the Board of County  
Commissioners:

3226 a) The Comprehensive Plan of Seminole County provides for the protection and  
maintenance of the rural landscape and community character of East Seminole  
County.

3228 b) The visual character of the landscape along the major and minor roads defines the  
rural landscape and community character of East Seminole County.

3230 c) The rural landscape and community character of East Seminole County is an  
important resource that contributes to the high quality of life of Seminole County.

3232 d) Agricultural activities in East Seminole County are an important historical, cultural  
and economic resource that contributes to the quality of life of Seminole County.

3234 e) The character, location and distribution of uses and structures along the major and  
minor roads in East Seminole County defines the visual character of East Seminole  
3236 County.

10.2.3 Purpose.

3238 The purposes of the Scenic Corridor Overlay District are to:



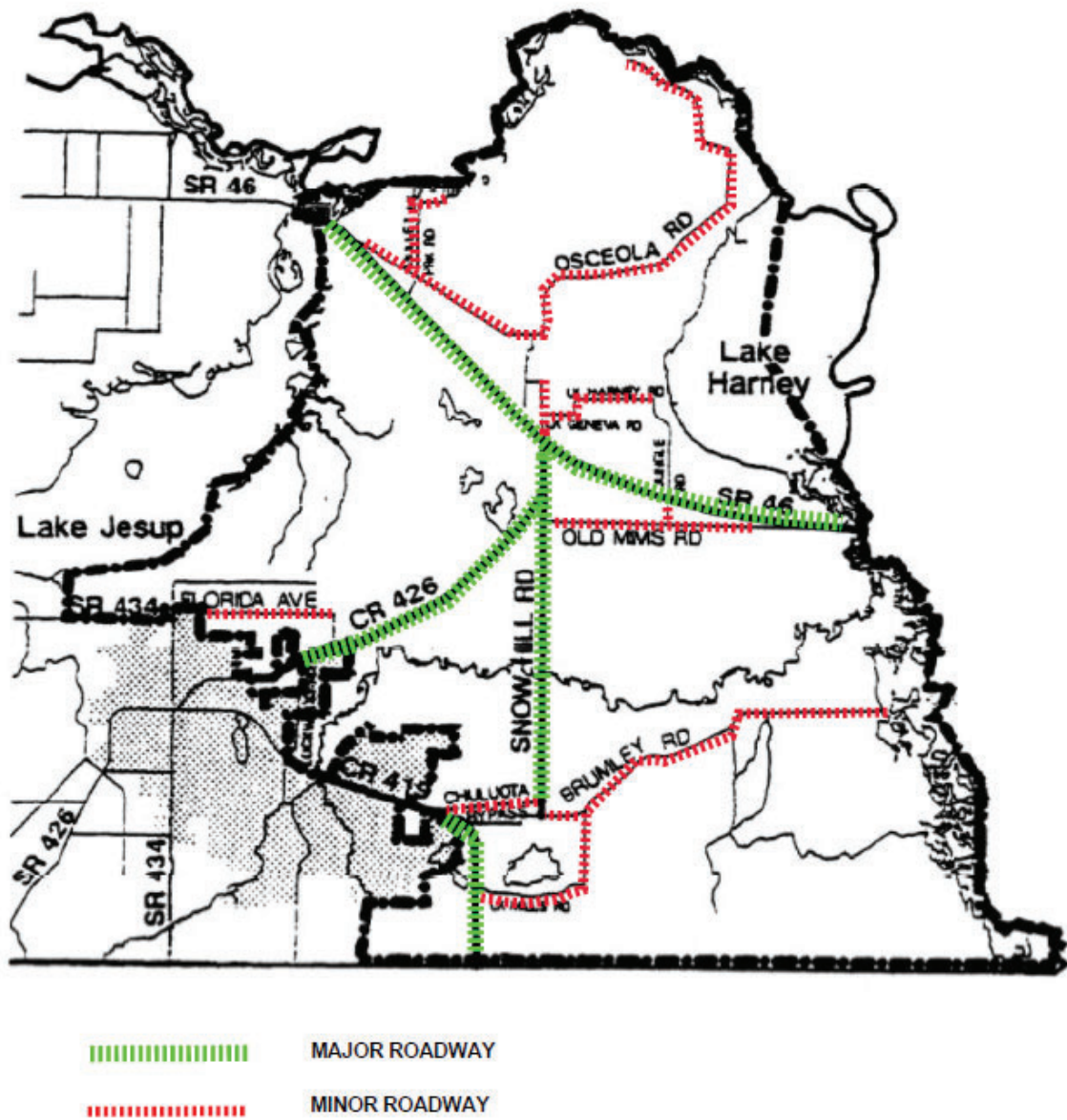
- 3240 a) Preserve and enhance the rural character and scenic qualities along major and  
minor roads in the rural parts of Seminole County; and
- 3242 b) Prevent the visual encroachment of buildings and structures which restrict scenic  
views or are architecturally incompatible with the scenic character along major  
and minor roads in the rural parts of Seminole County; and
- 3244 c) Maintain existing vegetation along the major and minor roadway system in rural  
Seminole County; and
- 3246 d) Provide for safe and efficient traffic flow by minimizing individual property curb  
cuts; and
- 3248 e) Implement, and be consistent with, the Comprehensive Plan.

#### 10.2.4 Applicability.

3250 All development within a designated scenic corridor including, but not limited to (to the extent  
permitted by law) development undertaken by agencies of local, regional, state, or federal  
3252 government, shall be carried out in accordance with each and every requirement of this part,  
in addition to each and every requirement of any underlying land development regulations.

#### 3254 10.2.5 Establishment of scenic corridors.

- 3256 a) Scenic corridors, in addition to those designated in subsection (b) of this section,  
shall be established by the Board of County Commissioners pursuant to the  
3258 procedures for designating land uses on the future land use map of the  
Comprehensive Plan and as an amendment to this Code.
- b) The following scenic corridors are hereby designated within the East Area Study  
3260 Boundary of Seminole County as depicted in the map below:
- 3262 1. *Major roads (as the term is used in this part):* County Road 419 from Lockwood Road  
to the Seminole County line, State Road 46 from Lake Jesup to the Seminole  
County line, County Road 426 from State Road 434 east to the Seminole County  
3264 line, and the entire length of Snowhill Road.
- 3266 2. *Minor roads (as the term is used in this part):* The entire length of Florida Avenue,  
Lockwood Road, Lake Mills Road/Brumley Road that "loops" Lake Mills, the  
Chuluota By-Pass, Lake Geneva Road, 1st Street, Lake Harney Road, Old Mims  
3268 Road/Jungle Road south of State Road 46, Osceola Road, and Mullet Lake Park  
Road.



3270

# Scenic Corridor

3272

## 10.2.6 Development standards.

- a) Scenic corridor setbacks.

3274 Except for those structures expressly authorized in this section and except for  
land designated as ~~ee~~Commercial, Suburban Estates, or Low Density Residential  
3276 on the future land use map, no structure, parking or outdoor storage shall be  
located:

3278 1. Within two hundred (200) feet from the centerline of the right-of-way in  
scenic corridors along a major road; or

3280 2. Within fifty (50) feet from the centerline of the right-of-way in scenic corridors  
along a minor road.

3282 3. Notwithstanding any other provision of this Code, ~~E~~ except within the  
Commercial, Suburban Estates, and Low Density Residential future land use  
3284 designations, the following structures and uses shall be the only structures  
and uses permitted within the designated scenic corridor setbacks:

3286 a) Agricultural buildings in accordance with the standards of this part.

b) Signs in accordance with the sign standards of this part.

3288 c) Landscaping features required by this part and other permitted landscape  
materials.

3290 d) Fences, gates, mailboxes, and entranceways in accordance with the  
architectural design standards of this part.

3292 e) Access ways or access points in accordance with the access standards of  
this part.

3294 f) Bus stops, bus shelters, signage, and other such improvements related  
thereto.

3296 g) Signs, markings, traffic control devices, and such other improvements  
related to the safe and efficient movement of traffic.

3298 b) Signage.

1. All signs shall reflect the rural character of Central Florida and incorporate a  
3300 traditional typeface and format. Examples of appropriate signage are set out  
in an attachment to this part. These signs are to be constructed in accordance  
3302 with the other provisions of this Code unless otherwise specified in this part.

2. The faces of all signs shall be made of natural materials or substances derived  
3304 from natural materials including, but not limited to, wood, stucco, stone, brick  
and clay tile.

- 3306 3. No sign shall be internally lighted. Externally illuminated sign lights shall be  
3308 focused, directed, and so arranged as to prevent glare or direct illumination or  
traffic hazard from said lights onto residential districts or onto the abutting  
roadways. No flashing or pulsating lights shall be permitted on any sign.
- 3310 4. Each primary residence with access on a major or minor road shall be  
3312 permitted one (1) sign of not more than one and one-half (1.5) square feet per  
dwelling unit.
- 3314 5. Each non-residential use shall be permitted one (1) sign of not more than  
~~twenty-four (24) square feet per use~~ thirty-six (36) square feet in area and six  
(6) feet in height.
- 3316 6. One street name or identification sign of not more than one and one-half (1.5)  
3318 square feet shall be allowed at each permitted access way or access point  
along major and minor roads.
- 3320 7. Notwithstanding any other provision of this part, no more than one (1) sign  
per parcel of land or five (5) acres, whichever is greater in land area, shall be  
3322 located within the scenic corridor setback along major roads; provided,  
however, that all signs located within the scenic corridor setback along major  
roads shall be:
- 3324 8. Ground signs and shall not exceed six (6) feet in height; and
- 3326 9. Landscaped with native species in a manner consistent with the landscape  
treatment portrayed in an attachment to this part.

c) Fences, gates, mailboxes, and entranceway features.

- 3328 1. All fences, gates, mailboxes, and entranceways developed in conjunction with  
3330 a non-agricultural use within the scenic corridor setback shall be made of  
natural materials or substances derived from natural materials including, but  
not limited to, wood, stucco, stone, brick and clay tile.
- 3332 2. No entranceway feature shall be internally lighted.
- 3334 3. No fence, gate, mailbox, or entranceway feature within the scenic corridor  
setback shall be greater than four and one-half (4.5) feet in height.
- 3336 4. No more than forty (40) percent of the surface area of any fence within the  
scenic corridor setback shall be opaque.

3338 d) Landscaping *and bufferyards.*

- 3340 1. All landscaping required in conjunction with the Land Development Code  
requirements for the scenic corridor setback shall be native plant species ~~as~~  
3342 ~~set forth in~~ in accordance with the landscape list in the Florida Friendly  
Landscaping Guide to Plant Selection & Landscape Design ~~an attachment to~~  
~~this part.~~
- 3344 2. All non-residential uses shall be separated from residential uses on adjacent  
properties by one of the following bufferyards:
- 3346 a) A bufferyard of two hundred (200) feet between residential and non-  
residential buildings; or
- 3348 b) A bufferyard of one hundred (100) feet between residential and non-  
residential buildings landscaped with:
- 3350 i. One (1) canopy tree per fifty (50) lineal feet; and
- 3352 ii. Two (2) understory trees per fifty (50) lineal feet of common property  
line; and
- 3354 iii. Eight (8) shrubs per fifty (50) lineal feet of common property line; or
- 3356 c) A bufferyard of fifty (50) feet between residential and non-residential  
buildings landscaped with:
- 3358 i. One (1) canopy tree per twenty-five (25) lineal feet of common  
property line; and
- 3360 ii. Two (2) understory trees per twenty-five (25) lineal feet of common  
property line; and
- 3362 iii. Eight (8) shrubs per twenty-five (25) lineal feet of common property.
- 3364 3. No existing canopy trees shall be removed in the scenic corridor setback  
unless the clearing is necessary to provide access, the tree is diseased, or to  
address public safety emergencies.
- 3366 4. No clearing within the scenic corridor setback shall be permitted except in  
conjunction with a permit issued for development authorized under the  
provisions of this part or for public safety requirements.
- e) Access standards.
- 3368 1. Notwithstanding any other provision of this part, no access way or access point  
for rural subdivisions or waivers to plats shall be located within four hundred  
3370 forty (440) feet of any other driveway or other way of access on the same side  
of a major road in any scenic corridor unless such denial of access would be  
3372 contrary to law.

3374 2. No access way or access point driveway along a major road in a scenic corridor  
shall be developed on a parcel of land which has frontage on a public road  
other than the major road.

3376 3. To the maximum extent feasible, driveways along a major or minor road shall  
curve or wind so as to restrict views of the structure located on the parcel from  
3378 the public roadway.

f) *Permitted uses.*

3380 1. Notwithstanding any other provision of this Code, no development shall be  
carried out on land within a designated scenic corridor except for land  
3382 designated as Commercial on the future land use map and except for  
agricultural uses and structures.

3384 2. Open space which is created by clustering shall be subjected to an open space  
easement limiting the use of the property to open space and/or agricultural  
3386 purposes in perpetuity. The developer shall provide for the ownership and  
maintenance of the open space from which development is clustered, unless  
3388 dedicated to and accepted by a public agency.

g) Nonresidential Building Design Standards

3390 1. The development criteria enumerated in this Paragraph shall apply generally  
to commercial and other nonresidential structures throughout the Scenic  
3392 Corridor Overlay District. However, the following structures and uses shall be  
exempt from these provisions:

3394 a) Residential structures and accessory structures thereto.

b) Houses of Worship.

3396 c) Public schools.

d) Public Utility structures.

3398 e) Barns and other structures accessory to a bona fide agricultural use.

2. Setbacks

3400 a) Structures on lots having a Commercial, Suburban Estates, or Low Density  
Residential future land use designation and fronting on a major or minor  
3402 road as designated in Sec. 10.2.5 shall have a minimum street yard setback  
of twenty-five (25) feet.

3404 b) Structures on lots having a Rural-3, Rural-5, Rural-10, or Preservation  
Managed Lands (PML) future land use designation and fronting on a major  
3406 or minor road as designated in Sec. 10.2.5 shall have a minimum street yard  
setback as required under Sec. 30.10.2.6.

- 3408 c) All properties shall meet required side and rear setbacks as set forth in the  
3410 applicable zoning district.
- 3412 3. Site Furnishings  
Benches and bollards shall be made of wood or wood-like materials.
- 3414 4. Exterior Building Materials  
Brick, stucco, or wood-type construction will be the standard exterior facade  
3416 material required for all applicable development and redevelopment. Metal  
3418 buildings will only be permitted when a primary exterior façade with the  
appearance of brick, stucco or wood-type construction visible from Major or  
Minor street is provided.
- 3420 5. Color Scheme  
(a) No building or structure shall exhibit more than three colors.  
(b) Fluorescent or neon colors are prohibited.
- 3422 6. Roof Design  
All mechanical equipment and appurtenances placed on the roof will be  
screened so that they are not visible from any public right-of-way.
- 3424 7. Doors  
Main entrance doors shall be thirty (30) to eighty (80) percent glass. Glass  
3426 shall not be required in service doors and emergency exits.
- 3428 8. Awnings  
Awning color shall be solid and neutral, and with no more than one color on  
3430 any given awning. Both awning and flat canopy treatments are permitted  
3432 provided one or the other is uniformly applied to the entire building.  
Internally illuminated awnings, stretch awnings on curved aluminum frames,  
and backlighted awnings with plastic fabric shall be prohibited.
- 3434 9. Signs  
(a) Wall Signs  
3436 Wall signs shall be designed as an integral architectural feature of the  
3438 structure. The maximum area (expressed in square feet) of wall signs for  
single-occupant buildings or buildings within a cluster shall be calculated  
3440 by multiplying the building front footage by one and one-half (1.5) feet.  
Placement of signs on a building shall not obscure or conflict with  
3442 awnings, canopies, windows, cornices or other similar architectural details.
- (b) Window Signs

3444                    Window signs shall not occupy more than twenty-five (25) percent of  
                         available glass area, and shall not visually obstruct the display or inside of  
                         the building. Neon signs are not permitted.

3446                    (c) Ground Signs

3448                    Ground signs shall be designed to be compatible in appearance with the  
                         principal building.

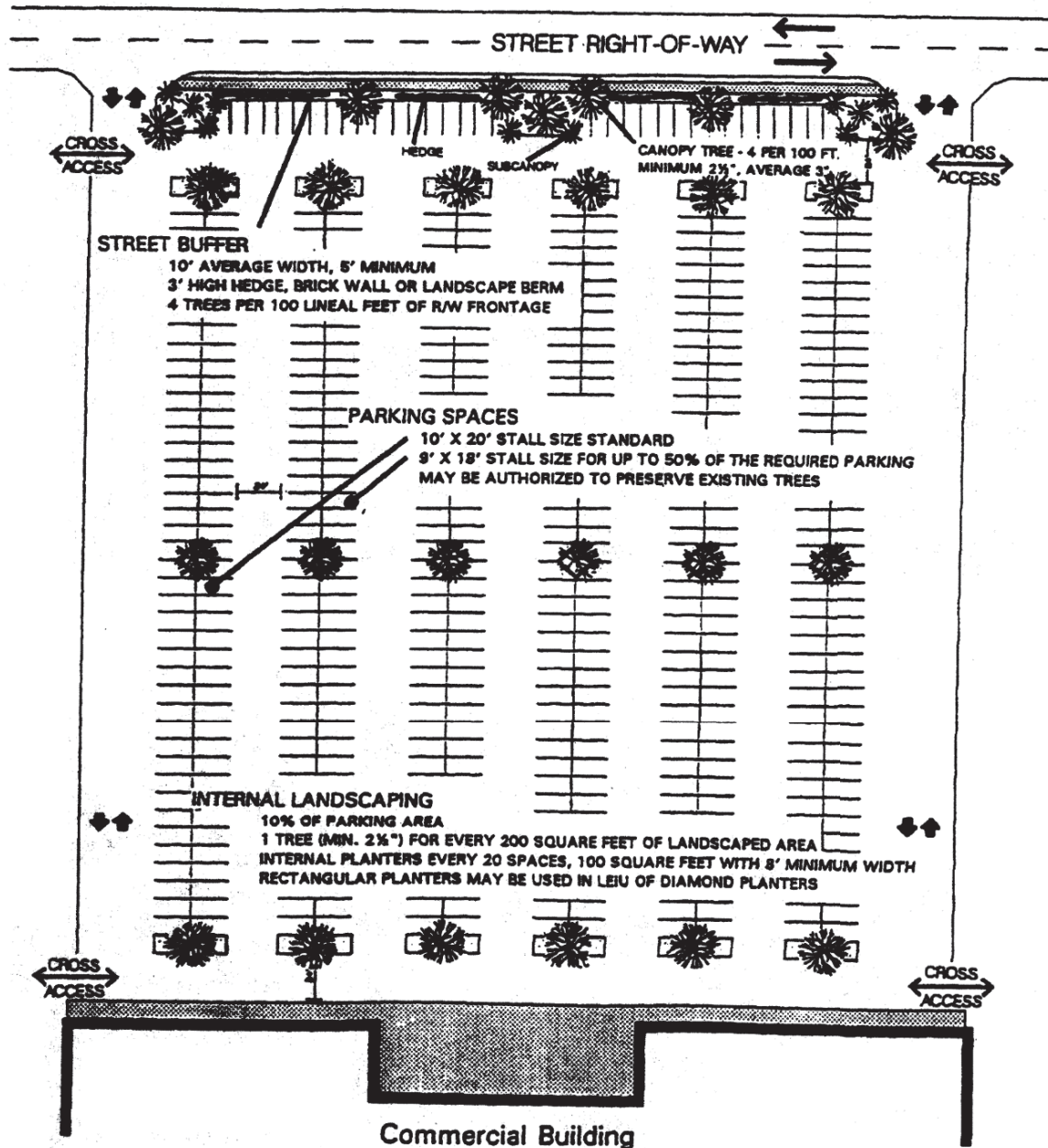
(d) Prohibited Signs

3450                    In addition to the signs prohibited in Sec. 10.2.5, the following sign types  
                         shall be prohibited:

- 3452                    1. Blinking lights, changeable message boards and electronic message  
                         signs.
- 3454                    2. Reverse illuminated (receive light from an internal source) plastic signs.
- 3456                    3. Reader boards and information displays.
- 3458                    4. Neon signs and changeable copy signs.
5. Ground signs constructed at an angle with the façade of the associated  
                         building.
6. Pole signs.
- 3460                    7. Billboards.



# **LANDSCAPING ADJACENT TO STREET RIGHT-OF-WAY AND PARKING LOT LANDSCAPING**

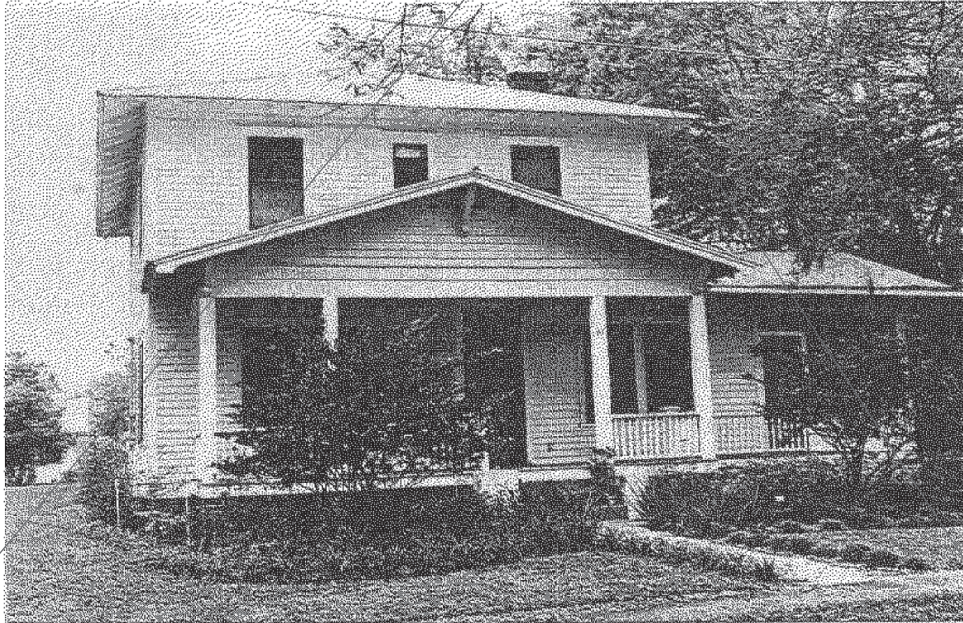
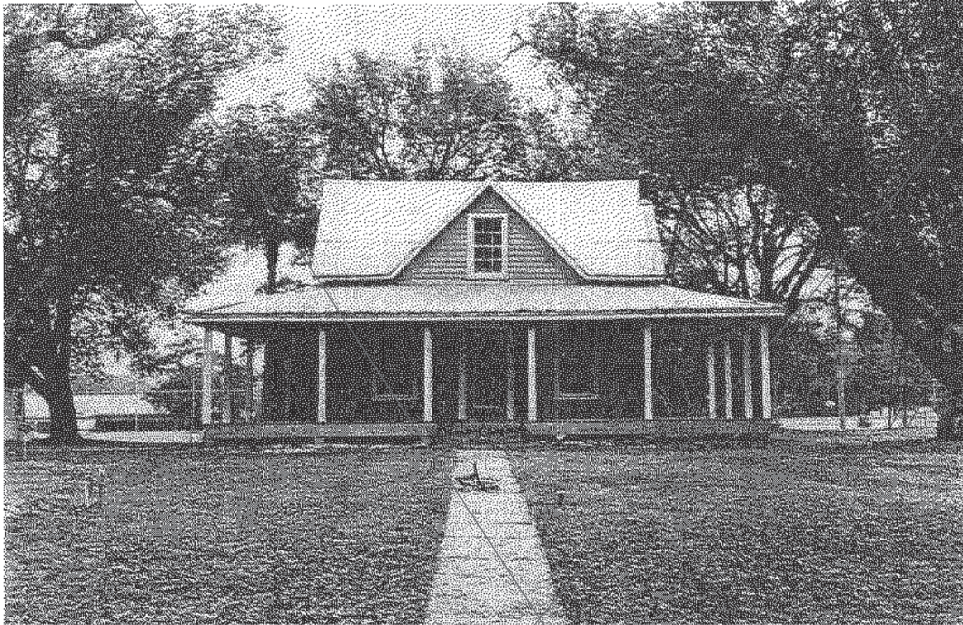


**NOTE:** Variations in the width of the street buffer are encouraged to provide adequate space for meandering berms and trees. Canopy trees should be located at the farthest point from overhead utility lines.



# Structures

Graphics to be  
deleted



3464

Structures Pictures

3466



# Structures

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# Structures

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3470

Structures Pictures

3472



## Signs





# Signs

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updated



3476

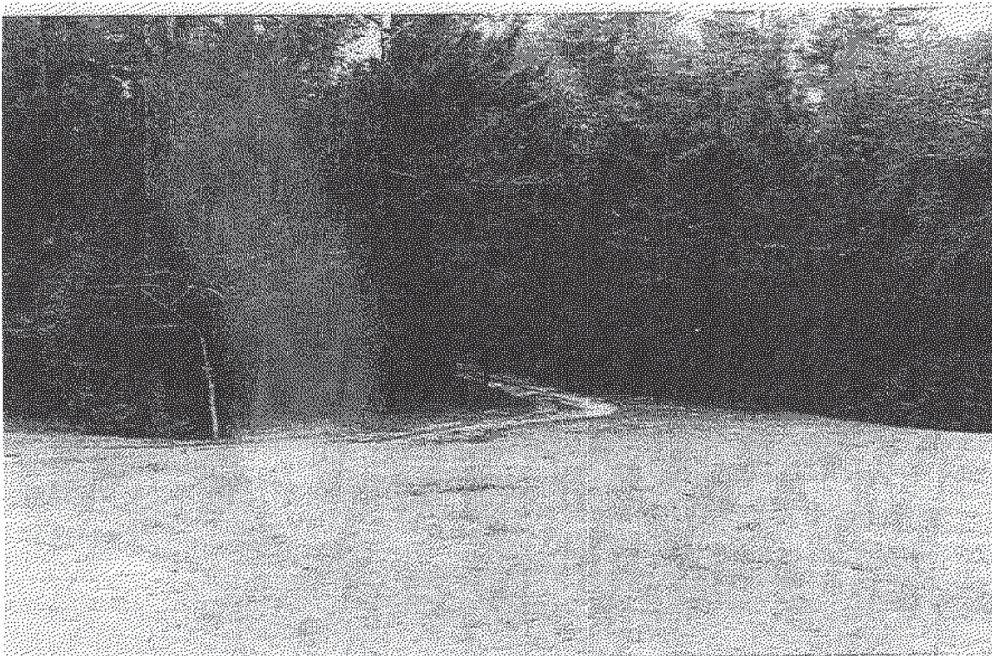
Sign Pictures

3478



# Driveways

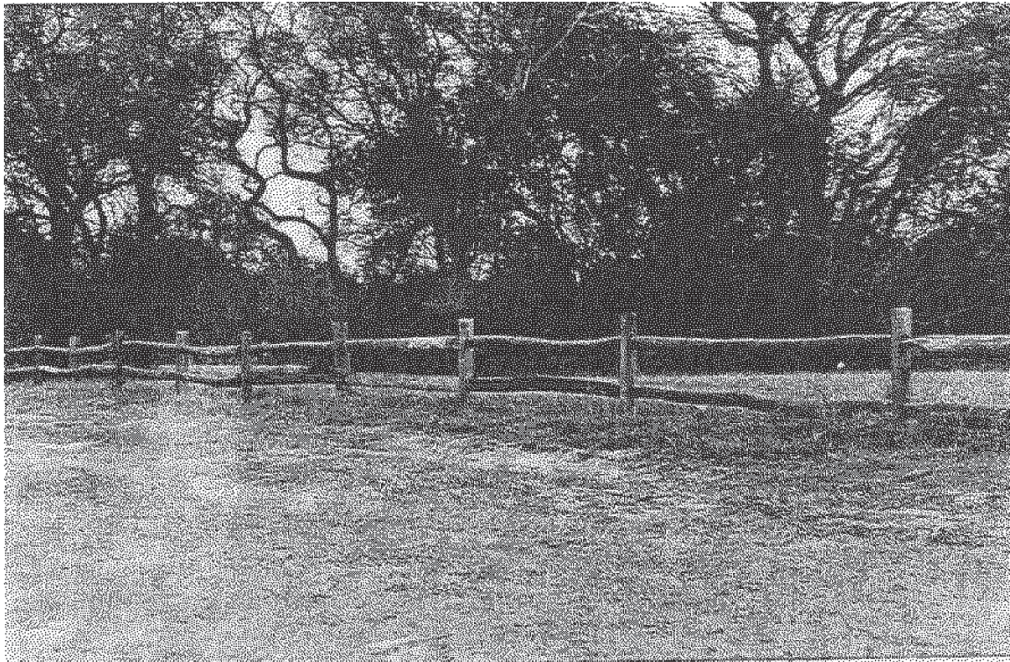
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# Fences



3482

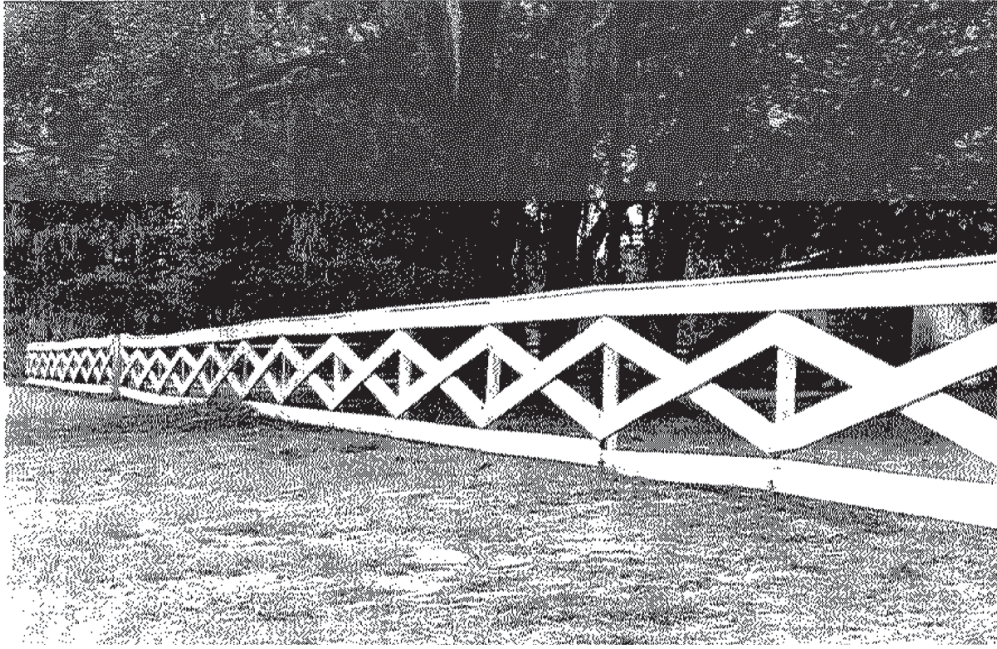
Fence Pictures

3484



# Fences

Graphics to be  
updated



3486 Fence Pictures

3488 EXHIBIT

FLORIDA NATIVE PLANT SOCIETY

3490 935 Orange Ave., Winter Park, Florida 32789

SELECTED NATIVE PLANTS

3492 recommended for landscaping in Central Florida

Scientific Name	Common Name
Trees	
acer rubrum	red maple
agarista populifolia syn. leucothoe	fl. leucothoe
celtis levaegata	hackberry
cercis canadensis	redbud
chionanthus virginicus	fringe tree
cornus florida	flowering dogwood
crataegus spp.	hawthorn
gordonia lasianthus	loblolly bay
ilex cassine	dahoon
ilex opaca	american holly
ilex vomitoria	yaupon
juniperus silicicola	southern red cedar
liquidambar styracifua	sweet gum
liriodendron tulipifera	tulip tree
lyonia ferruginea	rusty lyonia

Scientific Name	Common Name
magnolia grandiflora	southern magnolia
magnolia virginiana	sweet bay
morus rubra	red mulberry
myrica cerifera	wax myrtle
osmanthus americanus	wild olive/devilwood
persea humilis	silk bay
persea borbonia	red bay
pinus clausa	sand pine
pinus elliottii	slash pine
pinus palustris	long leaf pine
platanus occidentalis	sycamore
prunus angustifolia	chickasaw plumb
prunus caroliniana	cherry laurel
quercus geminata	sand live oak
quercus laurifolia	laurel oak
quercus myrtifolia	myrtle oak
quercus nigra	water oak
quercus virginiana	live oak
sabal palmetto	cabbage palm

Scientific Name	Common Name
<del>taxodium ascendens</del>	<del>pond cypress</del>
<del>taxodium distichum</del>	<del>bald cypress</del>
<del>vaccinium arboreum</del>	<del>sparkleberry</del>
<del>viburnum obovatum</del>	<del>waters viburnum</del>
Shrubs	
<del>aronia arbutifolia</del>	<del>red chokeberry</del>
<del>besleria racemosa</del>	<del>tar flower</del>
<del>callicarpa americana</del>	<del>beauty berry</del>
<del>erythrina herbacea</del>	<del>coral bean</del>
<del>euonymus americanus</del>	<del>strawberry bush</del>
<del>garberia fruticosa</del>	<del>garberia</del>
<del>ilex ambigua</del>	<del>carolina holly</del>
<del>ilex glabra</del>	<del>gallberry</del>
<del>illicium parviflorum</del>	<del>star anise</del>
<del>lyonia lucida</del>	<del>shiny lyonia</del>
<del>rhapidophyllum hystrix</del>	<del>needle palm</del>
<del>rhododendron viscosum</del>	<del>swamp azalea</del>
<del>rhus copallina</del>	<del>winged sumac</del>
<del>serenoa repens</del>	<del>saw palmetto</del>

Scientific Name	Common Name
<del>vaccinium myrsinites fl.</del>	<del>evergreen blueberry</del>
Vines	
<del>campsis radicans</del>	<del>trumpet vine</del>
<del>gelsemium sempervirens</del>	<del>yellow jessamine</del>
<del>lonicera japonica</del>	<del>japanese honeysuckle</del>
<del>lonicera sempervirens</del>	<del>coral honeysuckle</del>
<del>parthenocissus quinquefolia</del>	<del>virginia creeper</del>
<del>vitis rotundifolia</del>	<del>muscadine grape</del>
Flowers, Herbs, Groundcovers	
<del>aletris lutea</del>	<del>colic root</del>
<del>arisaema triphyllum</del>	<del>jack-in-the-pulpit</del>
<del>calapogon tuberosus</del>	<del>grass pink</del>
<del>gaillardia sp.</del>	<del>blanket flower</del>
<del>helianthus spp.</del>	<del>black-eyed susan</del>
<del>hymenocallis crassifolia</del>	<del>spider lily</del>
<del>lilium catesbaei</del>	<del>pine lily</del>
<del>lupinus diffusus</del>	<del>lupine</del>
<del>nephrolepis exaltata</del>	<del>sword fern</del>
<del>osunda regalis</del>	<del>royal fern</del>

Scientific Name	Common Name
passiflora incarnata	passion flower
polypodium aureum	gold foot fern
pteris vittata	ladder brake fern
ruellia caroliniensis	wild petunia
satureja rigida	pennyroyal
spiranthes lanceolata	red ladies tresses
thelypteris torresiana	mariana maiden fern
tradescantia ohiensis	spiderwort
viola lanceolata	bob white violet
woodwardia areolata	netted chain fern
yucca filamenmtosa	bear grass
zamia sp.	coontie

	10.3	Lake Mary Boulevard Gateway Corridor Overlay Standards Classification – PART 56
3494	10.4	Econlockhatchee River Protection Overlay Standards Classification – PART 57
	10.5	Wekiva River Protection—Seminole Estates Overlay Zoning –
3496	10.5.1	WEKIVA RIVER PROTECTION AREA ENVIRONMENTAL DESIGN STANDARDS Wekiva
3498		River Protection Area Environmental Design Standards. Clustering and the Planned
		Development (PD). On property having the Suburban Estates land use designation,
3500		the use of Planned Development ("PD") zoning may only be permitted if the
		<del>Economic and Community Development Services Director</del> or designee determines
3502		that a greater protection of wetlands, rare upland habitat, greenways, or wildlife
3504		corridors can be achieved by clustering. Natural features that may be protected using
		PD zoning include, but are not limited to, floodprone areas, karst features, most
3506		effective recharge areas, or other environmentally sensitive natural habitat. <u>A cluster</u>
		<u>subdivision must provide a minimum of forty (40) percent open space, including</u>
3508		<u>intervening common useable open space, passive or active parks, or conservation</u>
		<u>land between modules or clusters of homes so that a minimum of sixty (60) percent</u>
		<u>of the residential lots abut or are located across the street from land held for the</u>
		<u>common enjoyment of the future residents of the development.</u>
3510	10.6	Markham Road, Longwood—Markham Road and Lake Markham Road Scenic
		Roadway Corridor Overlays – PART 59
3512	10.7	Chuluota Nonresidential Design Standards Zoning Overlay – PART 60
		Buffers
3514		a) All other buffers shall be per <del>Part 64, LDC</del> Part 14
	10.8	Airports – PART 61
3516	10.9	SR 46 Scenic Corridor Overlay District – PART 62
	10.10	State Road 46 Scenic Corridor Lighting Standards – PART 66
3518		Development Standards
		f) Parking areas and equipment storage areas.
3520	1.	Parking areas. All <del>paved</del> parking areas shall meet the following standards:



3522 (D) Each landscaped island shall be irrigated. Reclaim water, if available,  
3524 must be used for irrigation . The Planning Manager may permit the use  
of a temporary above-ground irrigation system in areas where drought  
3526 tolerant/low water use zone plant material is proposed to be planted  
for the entire landscaped area. An irrigation plan shall not be required  
3528 in such circumstances. Also, each island shall contain one (1) canopy  
tree or two (2) understory trees, each with a minimum caliper of one  
and one-half (1½) inches and minimum height of six (6) feet at  
planting.

3530 10.11 SR 46 Gateway Corridor Overlay Standards Zoning Classification – PART 63

10.12 Oxford Place Overlay District – PART 75

3532 10.13 Urban Conservation Village Design – PART 27

10.13.1 Applicability

3534 10.13.2 Purpose

10.13.3 Development restrictions, incentive, and flexibility

3536 a) Residential structures, excluding privacy fences, must be set at least one hundred  
~~forth~~ forty (140) feet back from the center line of Myrtle Street.

3538 b) The ~~allowable net~~ density for a Conservation Village shall be calculated, ~~pursuant to~~  
~~Section 30.1359 of this Code, as amended,~~ on the basis of net buildable area as  
3540 defined in Sec. 2.3, exclusive of but further excluding Primary Conservation Areas,  
~~and roads.~~

3542 c) ~~Notwithstanding the foregoing, a density~~ A maximum of two (2) units per net  
buildable acre ~~shall be permitted~~ if all of the following conditions are met:

3544 1. The development is connected to central water and sewer.

3546 2. The development incorporates stormwater volume reduction by retaining on-  
site the difference between pre-development and post-development runoff  
volume for a twenty-five (25)-year/ twenty-four (24)-hour storm event with  
3548 recovery of seventy-five (75) percent of volume within seventy-two (72) hours of  
the storm event.

3550 3. The development integrates stormwater quality treatment through an offline  
stormwater management system which incorporates sediment for bays equal to  
3552 one-half (½) of the water quality volume, as required by St. John's River Water  
Management District, upstream of water quality treatment areas.

3554 4. The development implements a Greenway Ownership and Management Plan  
regarding its primary conservation and greenbelt areas.

3556 (g) In order to implement the purposes of this Part, the following technical standards  
are required:

- 3558 10.13.4 Required Greenway
- 10.13.5 Ownership and maintenance of greenway land and common facilities
- 3560 10.13.6 Application Process
- 10.14 ~~US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards~~

## PART 11 PARKING AND LOADING REGULATIONS

### 11.1 Applicability

11.1.1 ~~Minimum off-street parking spaces~~ with adequate provisions for ingress and egress shall be provided at the time of the erection of any main building or structure or at the time any main building is enlarged or increased in capacity by adding dwelling units, guest rooms or floor areas, in accordance with the ~~following~~ requirements of this Section.

11.1.2 In addition to the above instance, bicycle parking shall be brought into compliance with this Part at the time of any change of use or substantial rehabilitation of a building requiring a building permit.

### 11.2 ~~General provisions for off-street parking and loading.~~

11.2.1 *Permanent reservation.* Areas reserved for off-street parking or loading in accordance with this Section shall not change to any other use unless the permitted use which it serves is discontinued or modified, or unless equivalent parking or loading space is otherwise provided. Site Plan approval is required for any modifications to an existing parking area.

### 11.2.2 *Additional requirements.*

a) If the site is located within an Aquifer Recharge Overlay Zoning Classification see Part 10, Chapter 30.

b) ADA parking spaces shall be as required and in accordance with the Americans With Disabilities Act and the operative Standard Building Code.

c) All unpaved parking spaces shall be clearly delineated on the site plan and shall be organized using tire stops or other physical markers indicating their designated use. Unpaved areas to be used for parking and/or traffic circulation shall have a gravel, mulch, grass, turf block or other durable dust-free surface acceptable to the Public Works Director, and shall be graded for drainage and maintenance. These areas shall not be counted as part of required buffers or open space, and the applicable on-site retention standard for stormwater drainage shall apply.

### 11.3 Quantities of Parking Required

a) The minimum amount of parking required shall be consistent with "Table 11.3-A: Minimum Parking Required."

b) Developments containing more than one use shall provide parking and loading spaces in an amount equal to the total of the requirements for all uses.

- 3596 c) Parking required may be reduced based on alternatives provided in "11.4 Parking  
3598 Reductions and Exceptions".
- 3598 d) Where referenced, "employees" refers to the total number of employees on the  
largest shift.
- 3600 e) Proposed parking may not exceed 200 percent of the minimum parking required  
3602 unless approved by the Development Services Director.
- 3602 f) *Determining required off-street parking and loading and unloading space.* When  
3604 units or measurements determining the number of required off-street parking  
and off-street loading spaces result in a measurement of a fractional space, any  
3606 fraction up to and including one-half ( $\frac{1}{2}$ ) shall be disregarded and fractions over  
one-half ( $\frac{1}{2}$ ) shall require one (1) off-street parking or off-street loading space;  
3608 provided, however, that the waiver of fractional units of measurements shall not  
apply to the first off-street loading and unloading space. As required under the  
3610 "off-street loading and unloading regulations," the space provided for loading  
and unloading purposes shall not be construed as providing required off-street  
parking spaces.

**TABLE 11.3-A: MINIMUM PARKING REQUIRED**

<b>Residential</b>	
Residential Unit	
1000 SF or greater	2 spaces / dwelling unit
<u>Less than 1000 SF</u>	<u>1.5 spaces / dwelling unit</u>
<u>Studio Apartment / Efficiency</u>	<u>1 space / dwelling unit</u>
Dormitories, Boardinghouses	0.5 spaces / Bedroom
Hotels, motels, and other lodging	1 space / dwelling unit plus 2 additional
<b>Non-Residential</b>	
General Business / Retail / Office (including Shopping Centers)	First 10,000 sq. ft 4 spaces / 1000 sq.ft. Above 10,000 sq ft 3 spaces/ 1000 sq. ft. <del>5 / 1000 sqft under 10,000 sqft</del>
Libraries and museums (exhibit/public areas)	3 spaces / 1000 sq.ft. <del>5 / 1000 sqft</del>
Restaurant (free-standing)	<del>1 space / 4 seats</del> 5 spaces/ 1000 sq. ft.
Medical Office, Veterinarians, and Kennels	
First 3,000 SF	<del>4</del> 5spaces / 1000 sq.ft.
Above 3,000 SF	3 spaces / 1000 sq.ft.
Furniture and appliance store	
First 10,000 SF	5 spaces / 1000 sq. ft.
Above 10,000 SF	<u>1.5 spaces / 1000 sq.ft.</u> <del>1.667/ 1000 sqft</del>
Manufacturing Concerns and Warehouses	<del>1 / 1000 sqft</del> 1 space/ 2 employees Plus 1 space / company vehicle
Commercial - Non-Retail	1 space/ 2 employees Plus 1 space / company vehicle
Hospitals, <del>Residential facility, Assisted living</del>	<del>2</del> 1 spaces/bed
<u>Residential facility, Assisted living</u>	<u>0.5 spaces/bed</u>
Education	
Daycare, Preschool, and Kindergarten	1 space/employee
<u>Elementary and Middle</u>	<u>1.75 spaces/classroom</u>
<u>High School and Above</u>	<u>5 spaces/classroom</u>
<u>Recreation and Entertainment</u>	<u>1 space/7 rated patron capacity</u>
<u>Assembly Spaces</u>	<u>1 space/ 4 seats</u>

3614 11.4 Parking Reductions and Exceptions

3616 11.4.1 *Administrative variances.* Consistent with sound engineering practices or federal or  
state law, the Development Services Director ~~Planning Division Manager~~ may approve  
3618 a variance to the following off-street parking standards under the following  
conditions:

3620 a) When granting such variance would protect and encourage the preservation of  
large canopy, specimen or historic trees, or significant areas of existing native  
vegetation or preserve existing historic buildings:

- 3622 1. *Reduction of the number of required off-street parking spaces.* A maximum  
reduction of one (1) parking space or five (5) percent of the total number of  
3624 parking spaces required, whichever is greater, may be permitted.
- 3626 2. *Reduction of the size of required off-street parking spaces.* Up to fifty (50)  
percent of the total required number of ninety-degree parking spaces may be  
3628 reduced to a stall size of nine (9) feet by eighteen (18) feet to encourage the  
preservation of significant trees and native vegetation.
- 3630 3. *Reduction of the amount of paved area.* Paving requirements may be reduced  
up to twenty-five (25) percent of the total number of required parking spaces.  
3632 All unpaved parking spaces shall be clearly delineated on the site plan and  
should be located at the periphery of the building site or otherwise located  
3634 where such spaces are unlikely to be used on a continuing basis. The unpaved  
portion shall have a gravel, mulch, grass, turf block or any durable dust-free  
3636 surface placed atop Geoweb or another structural component to ensure  
vehicles are supported as approved by the Public Works Director or County  
Engineer. The area waived from paving requirements shall not be credited as  
3638 part of the required landscaped area or open space and stormwater  
management standards shall apply and the twenty-four (24) hour/twenty-five  
3640 (25) year onsite retention standard for stormwater drainage shall apply.

3642 b) For existing developed properties on small sites when granting such a variance  
would preserve existing infrastructure:

- 3644 1. For existing developed properties of less than three (3) acres: if complying  
with the requirements of this Part would render the property unusable for the  
continuation of uses similar to the historic use of the property or require  
3646 demolition of existing buildings to achieve an economically viable use, the  
Development Services Director may grant a reduction in parking or parking lot  
3648 landscaping requirements sufficient to continue economic viability of the  
property without the need to demolish buildings on the property or adjacent  
3650 sites.

#### 11.4.2 Parking Reductions:

- a) Notwithstanding paragraph b) below, any combination of parking reductions which would result in an overall decrease in required parking of thirty (30) percent or more must be approved by the Development Services Director and may require a parking study.
- b) An applicant may seek a reduction in the required number of parking spaces based on the following criteria:
1. Parking Study: Applicants may choose to submit a parking study, at their own cost, demonstrating a lower demand for parking than required by the standards of this Section. Development Services Director may approve the methodology and the study based on current editions of professionally-accepted data sources.
  2. Car Share Program: One car share space may be provided in lieu of up to five (5) regular parking spaces. Reduction is limited to two car share (2) spaces. Approval requires an executed contract with a car share provider. Car share reduction is limited to residential or office uses in lots requiring at least twenty (20) parking spaces.
  3. Transit-Oriented Development:
    - a) Applicability:
      - i. Units or businesses within 2000 feet of a commuter rail or bus rapid transit station.
      - ii. Units within 800 feet of bus transit with headways of not less than fifteen (15) minutes from 7:00 am to 7:00 pm.
      - iii. The project must follow form and design standards for the MUCD zoning district.
    - b) Reduction:
      - i. Up to ten (10) percent of parking spaces.
      - ii. Up to twenty-five (25) percent of parking spaces for residential or office uses if parking spaces are "unbundled" (sold, leased, or rented with separate pricing and a separate lease / deed of ownership).

#### 11.4.3 Shared parking

- a) Required parking may be reduced with the use of a Shared Parking Agreement. Shared Parking may be combined with other reductions subject to approval by the Development Services Director provided that other reductions are applied before completing the shared parking calculation.



b) Shared parking reductions are available for multiple uses on:

1. Single or multiple adjacent sites under single ownership; or
2. Multiple adjacent sites with a Shared Use Parking Agreement sharing parking facilities; or
3. County-managed facilities.

c) The number of minimum required parking spaces may be reduced according to "Table 11.4-A Shared Parking Table", calculated as follows:

1. In the column titled "Minimum Required Parking" apply the minimum required parking spaces for each use as specified in this Section;
2. For each following columns (time of day and day of week), multiply the amount in the "Minimum Required Parking" column by the percentage listed in that column. Enter the sum of each column in the bottom row;
3. The revised minimum required parking is the highest value in the bottom row of "Table 11.4-A Shared Parking Table".

**TABLE 11.4-A SHARED PARKING TABLE**

Use Utilizing Shared Parking	Minimum Required Parking	Weekday Usage			Weekend Usage		
		Mon - Fri 8am - 6pm	Mon - Fri 6pm - 12am	Mon - Fri 12am - 8am	Sat - Sun 8am - 6pm	Sat - Sun 6pm - 12am	Sat - Sun 12am - 8am
<b>Residential</b>	See 3-6.1	60% # sp	100% # sp	100% # sp	80% # sp	100% # sp	100% # sp
<b>Lodging</b>	See 3-6.1	70% # sp	100% # sp	100% # sp	70% # sp	100% # sp	100% # sp
<b>Commercial</b>	(see below)						
Food & Beverage	See 3-6.1	70% # sp	100% # sp	10% # sp	70% # sp	100% # sp	20% # sp
Office, Industrial	See 3-6.1	100% # sp	20% # sp	5% # sp	5% # sp	5% # sp	5% # sp
All Others	See 3-6.1	90% # sp	80% # sp	5% # sp	100% # sp	70% # sp	5% # sp
<b>Industrial</b>	See 3-6.1	100% # sp	20% # sp	5% # sp	5% # sp	5% # sp	5% # sp
<b>Place Of Assembly</b>	See 3-6.1	40% # sp	100% # sp	10% # sp	80% # sp	100% # sp	50% # sp
<b>Total Required Spaces</b>	<b># sp</b>	<b># sp</b>	<b># sp</b>	<b># sp</b>	<b># sp</b>	<b># sp</b>	<b># sp</b>

## 11.5 Electric Vehicle (EV) Readiness.

### 11.5.1 Purpose.

The requirements of this Part are intended to provide electric vehicle charging abilities distributed throughout the County to serve public mobility needs, prepare for emerging electric vehicle technologies, improve air quality, and achieve County sustainability goals.

3706 11.5.2 Applicability.

3708 The requirements of this Part shall apply to new development or substantial  
enlargement of structures. Only the new parking spaces added as part of a  
substantial enlargement are subject to the requirements of this Section.

3710 11.5.3 General Requirements.

a) EV Readiness requirements are categorized in two levels as follows:

3712 1. EV Capable: These parking spaces prepare for future Electric Vehicle Supply  
3714 Equipment (EVSE) installation by providing dedicated electrical capacity in the  
service panel (40 amp breaker for every two (2) EV Capable spaces) and conduit  
3716 to the EV Capable space. These spaces do not require wiring to the space or a  
receptacle.

3718 2. EVSE Installed: These parking spaces are reserved for EVs and provide drivers  
the opportunity to charge electric vehicles using EV charging stations rated at a  
3720 minimum of 32 amp 7.2 kW. These spaces should be installed per the  
requirements of the National Electrical Code (NFPA 70) as adopted and  
amended by the State of Florida.

3722 11.5.4 Number of Spaces Required.

a) The EV parking requirements are based on a percentage of the minimum required  
3724 parking spaces of this Part.

<u>TYPE</u>	<u>EV Capable**</u>	<u>EVSE Installed (threshold)**</u>
<u>Certified Affordable Multi-Family Housing</u>	<u>20%</u>	<u>N/A</u>
<u>Structured Parking (except Certified Affordable Multi-Family Housing)</u>	<u>20%</u>	<u>2%</u> <u>(requirement begins at 50 spaces)</u>
<b><u>Surface Parking:</u></b>		
<u>Multi-Family and Hotel</u>	<u>20%</u>	<u>2%</u> <u>(requirement begins at 50 spaces)</u>
<u>Commercial*</u> <u>(office, retail, and public, recreational &amp; institutional uses)</u>	<u>10%</u>	<u>2%</u> <u>(requirement begins at 250 spaces)</u>
<u>Industrial</u> <u>(employee parking only)</u>	<u>10%</u>	<u>2%</u> <u>(requirement begins at 250 spaces)</u>
<u>*Commercial projects for fuel retailers in which <i>automotive services</i> is the primary use are excluded from requirements contained in this Section.</u>		
<u>**All partial space requirements are rounded down. Percent of required parking spaces</u>		

3726

#### 11.5.5 Location.

3728

- a) For Planned Developments and major PD amendments, the number of EV Capable and EVSE Installed required spaces must be indicated on the MDP and placement must be identified during the final engineering/site plan approval. For all other projects the placement of the EV Capable and EVSE Installed required spaces must be identified during the final engineering/site plan approval process.

3730

3732

#### 11.5.6 Design.

3734

- a) Charging equipment must be mounted on the wall or on a structure at the end of the electric vehicle parking space provided.

3736

- b) No charging devices may be placed within the dimensions of a space, on the sides, or entrance to a space.

3738

- c) When cords and connectors are not in use, they shall be retracted or stored sufficiently high above the pedestrian surface and the parking lot as to prevent conflicts with pedestrians and vehicles.

3740

- d) Cords, cables, and connector equipment shall not extend across the path of travel in any sidewalk or walkway.

3742

e) Equipment mounted on structures such as pedestals, lighting posts, bollards, or other devices shall be located in a manner that does not impede pedestrian, bicycle, or transit travel.

f) Alternative designs may be approved by the Planning Manager.

g) Additional landscape screening may be required for mechanical equipment such as transformers associated with charging equipment, consistent with mechanical equipment screening requirements.

#### 11.5.7 Accessibility.

a) A minimum of one (1) EVSE Installed space must be located adjacent to an ADA designated space to provide access to the charging station.

b) The accessible space must be designated as an EV reserved space.

c) The EVSE Installed accessible spaces should have all relevant parts located within accessible reach, and in a barrier-free access aisle for the user to move freely between the EVSE and the electric vehicle.

#### 11.5.8 Signage.

All EVSE Installed parking spaces shall be designated with signage consistent with MUTCD standards.

### 11.6 Design of off-street parking spaces.

#### 11.6.1 Landscaping of off-street parking areas

Off-street parking areas must meet the landscape requirements of Part 14

#### 11.6.2 Dimensional requirements of off-street parking spaces.

a) Except where otherwise specified in this Code or Federal or State law, an off-street parking space shall consist of a minimum net area of two hundred (200) square feet with a minimum width of ten (10) feet and a minimum length of twenty (20) feet, exclusive of access drives or aisles thereto

b) Up to eighty percent (80%) of spaces provided may have a minimum net area of one hundred and sixty-two (162) square feet, a minimum width of nine feet (9), and a minimum length of eighteen feet (18). Parallel parking spaces may be reduced to nine feet (9) in stall width.

#### c) Curbs, Wheel Stops, and Encroachments.

1. The maximum height of curbs shall be six (6) inches where the overhang of bumpers is anticipated. The maximum height of wheel stops shall be five (5) inches.

3776 2. Where the curb abutting the pedestrian walkway is used as a wheel stop, the  
3778 walkway must be a minimum of seven (7) feet wide to accommodate up to  
two (2) feet of vehicle overhang.

3780 3. Where a curb or wheel stop is provided, the overhang of a motor vehicle past  
3782 the curb or wheel stop may be counted as part of the required parking  
module. The adjacent parking stalls may be reduced by two (2) feet as  
measured from the face of the curb or wheel stop.

3784 d) Parking spaces for properties assigned the R-AH zoning classification and ~~having a~~  
~~triplex use~~ buildings with three (3) or more units shall have parking spaces with a  
3786 minimum net area of one hundred and 162 square feet, a minimum width of nine  
(9) feet, and a minimum length of eighteen (18) feet.

e) Off-street space requirements at various parking angles.

3788 Except as otherwise provided in this Part, off-street parking areas shall be designed as to  
meet the minimum dimensions as shown in the following table:

Parking Angle (Degrees)	Stall Width (Feet)	Stall to Curb (Feet)	Access Aisle One-Way (Feet)	Curb Length (Feet)
0	10.0	10.0	12.0	22.0
30	10.0	18.7	12.0	20.0
40	10.0	20.5	13.0	15.6
45	10.0	21.2	13.0	14.1
50	10.0	21.8	13.0	13.1
60	10.0	22.3	18.0	11.6
70	10.0	22.2	18.0	10.6
80	10.0	21.4	24.0	10.2
90	10.0	20.0	24.0	10.0

3790 f) Required parking spaces may be reconfigured or redesigned to accommodate  
3792 additional parking spaces for smaller vehicles including two-wheeled vehicles and  
neighborhood electric vehicles provided that:

3794 1. The reconfiguration does not exceed the greater of one (1)space or five (5)  
percent of the minimum required parking spaces except that the Development  
3796 Services Director may approve the conversion of a larger number of spaces based

3798 on evidence provided by the applicant that site users will favor alternative  
vehicles.

3800 2. The conversion must be reversible to provide parking spaces meeting the  
requirements of this part with restriping alone.

3802 11.6.3 Circulation in Parking Areas:

3804 a) Minimum accessway shall be twelve (12) feet for one-way traffic, or twenty-four  
(24) feet for two-way traffic.

3806 b) Schools and Day Care Centers must provide adequate off-street space for loading  
and unloading of children.

c) Off-street loading and unloading area requirements.

3808 On the same premises with every building, structure, or part thereof, erected and  
occupied for manufacturing, storage warehouse, food processing or wholesale  
3810 distribution plant, goods display, department store, wholesale store, market,  
hotel, office, hospital, mortuary, laundry, dry cleaning, or other uses similarly  
3812 involving the receipt or distribution by vehicles of materials or merchandise, there  
shall be provided and maintained on the lot adequate space for the maneuvering,  
3814 standing, loading, and unloading services in order to avoid undue interference  
with public use of the streets or alleys.

3816 d) *Off-street loading and unloading space defined.* An open, hard-surfaced area, other  
than a street or public way, the principal use of which is for standing, loading and  
3818 unloading of motor trucks, tractors, and trailers. Such space shall not be less than  
twelve (12) feet in width, fifty-five (55) feet in length and fourteen (14) feet in  
3820 height, exclusive of access aisles and maneuvering space.

3822 e) *Criteria specified.* For every building or structure or part thereof having an area  
5,000 square feet or more of building floor area and used for the purposes  
mentioned above, off-street loading and unloading spaces shall be provided in  
3824 accordance with the following guidelines:

Category	(Square Feet)	Gross Floor Area Spaces Required
Manufacturing	5,000—20,000	1 Space Plus 1 Space Per Each Additional 50,000 Square Feet
Warehouse	5,000—20,000	1 Space Plus 1 Space Per Each Additional 50,000 Square Feet
Retail Sales	5,000—10,000	1 Space Plus 1 Space Per Each Additional 25,000 Square Feet
Service Establishments	5,000—20,000	1 Space Plus 1 Space Per Each Additional 50,000 Square Feet
Commercial Recreation	5,000—50,000	1 Space Plus 1 Space Per Each Additional 50,000 Square Feet
Restaurants	5,000—10,000	1 Space Plus 1 Space Per Each Additional 25,000 Square Feet
Office	10,000—150,000	1 Space Plus 1 Space Per Each Additional 150,000 Square Ft
Institutions	10,000—50,000	1 Space Plus 1 Space Per Each Additional 50,000 Square Feet
Public Buildings	5,000—50,000	1 Space Plus 1 Space Per Each Additional 50,000 Square Feet

3826 11.7 Miscellaneous design standards – SEC 30.1233

3828 a) *Hours of operation.* Non-residential uses with after-hour deliveries or service for  
3830 late-night customers can generate noise and light during evening hours which  
3832 may adversely impact adjoining residences. When these activities occur on the  
3834 side of a building site adjoining residences, the hours of operation may be limited  
3836 during the development approval process to any combination of hours between  
3838 7:00 a.m. and 11:00 p.m. as determined on a case-by-case basis by the Planning  
Manager prior to issuance of any building permit for new construction, a building  
addition, or a change in use; provided that in no event shall the ~~Planning~~  
~~Manager~~ Development Services Director limit the hours of operation to less than  
twelve (12) consecutive hours. In the case of a rezoning to Planned Development  
(PD), the Board of County Commissioners shall make the appropriate findings for  
such limitations.

3840 b) *Cross-access easements.* All development except single-family residential and  
3842 duplex uses, with parking lots or other direct access to a public road shall, as part  
3844 of the development approval process, establish cross-access easements which  
provide for the internal connection of the parcel to adjacent parcels unless the  
Public Works Director makes a finding that such joint-access is not feasible or  
practicable based upon circumstances unique to the properties.

11.7.1 Bicycle Parking Requirements

3846 11.7.2 Applicability

3848 Bicycle parking shall be provided in accordance with the standards of this Part  
and shall be made available prior to the issuance of any Certificate of  
Occupancy/Completion for the use being served.

3850 11.7.3 General Bicycle Parking Requirements.

3852 a) Bicycle parking shall consist of short-term bicycle parking and long-term bicycle  
parking as required.

3854 1. Short-term bicycle parking is generally intended to be used for less than two  
hours. Typical uses include visitors and customers of retail, restaurants, or  
medical offices. Short-term bicycle parking may include outdoor bicycle  
3856 parking spaces and bicycle racks not protected from the weather. Short-term  
bicycle parking should be easily located and accessible to first-time visitors.



3858 2. Long-term bicycle parking is generally intended for use for four (4) or more  
3860 hours. Typical users include residents and employees. Long-term bicycle  
3862 parking must be in a format intended to provide security for longer term  
3864 usage such as bicycle lockers, restricted access fenced areas or rooms, or  
3866 continuously monitored indoor spaces. Where feasible, long-term parking  
spaces should be covered. Areas provided inside of multi-story office  
buildings for employees and visitors counted as long-term bicycle parking  
must be accompanied by an approved bicycle plan showing the access route  
and describing operational hours and security measures.

b) Covered bicycle parking is encouraged wherever the design of the building or use  
3868 being served accommodates such facilities.

#### 11.7.4 Quantity of Bicycle Parking Required

3870 a) The minimum number of bicycle parking spaces required is described in "Table  
3872 11.7-A Minimum Number of Bicycle Parking Spaces Required"

**Table 11.7-A Minimum Number of Bicycle Parking Spaces Required**

<b>Land Use</b>	<b>Long-Term <sup>(1)</sup></b>	<b>Short-Term <sup>(1)</sup></b>
<b><u>Residential</u></b>		
<u>Residential, Multi-Family</u>	<u>1:5 units (minimum 2)</u>	<u>1:10 units</u>
<u>Hotels, Motels and other Lodging</u>	<u>1:30 Rooms</u>	<u>4 spaces plus 1:25,000 sf of ballroom/function area</u>
<b><u>Non-Residential</u></b>		
<u>General Business / Retail</u>	<u>1:25,000 sf</u>	<u>1:7,500 sf (minimum 4)</u>
<u>Office</u>	<u>1:15,000 sf</u>	<u>1:25,000 sf (minimum 4)</u>
<u>Libraries and Museums (exhibit/public areas)</u>	<u>1:25,000 sf</u>	<u>1:10,000 sf (minimum 4)</u>
<u>Restaurant (free-standing)</u>	<u>1:25,000 sf</u>	<u>1:7,500 sf (minimum 4)</u>
<u>Medical Office, Veterinarians, and Kennels</u>	<u>1 per 5 employees</u>	<u>1:25,000 sf (minimum 4)</u>
<u>Furniture and appliance store</u>	<u>1 per 5 employees</u>	<u>4 spaces plus 1:50,000 sf</u>
<u>Manufacturing Concerns and Warehouses</u>	<u>1:30,000 sf</u>	<u>4 spaces plus 1:50,000 sf</u>
<u>Commercial - Non-Retail</u>	<u>1 per 5 employees</u>	<u>4 spaces plus 1:50,000 sf</u>
<u>Hospitals</u>	<u>1:50,000 sf</u>	<u>8 spaces plus 1:50,000 sf</u>
<u>Residential facility, Assisted Living</u>	<u>1 per 5 employees</u>	<u>1 per 5 employees</u>
<b><u>Education:</u></b>		
<u>Day Care, Preschool, and Kindergarten</u>	<u>1:5 classrooms</u>	<u>8 spaces plus 1:10,000 sf Assembly Space</u>
<u>Elementary, Middle, and High</u>	<u>3:1 classroom</u>	<u>8 spaces plus 1:10,000 sf Assembly Space</u>
<u>College, University, Adult</u>	<u>3:1 classroom</u>	<u>8 spaces plus 1:10,000 sf Assembly Space</u>
<u>Recreation and Entertainment</u>	<u>1:25,000 sf</u>	<u>1 / 40 rated patron capacity (minimum 8) <sup>(2)</sup></u>
<u>Assembly Use</u>	<u>1:25,000 sf</u>	<u>1 / 20 rated patron capacity (minimum 8) <sup>(2)</sup></u>
sf = square feet		

3876 Table Notes:

"sf" indicates square feet

3878 Visitor spaces for assembly and entertainment uses typically host visitors for two (2) to four  
3880 these uses design variations may be approved by the Development Services Director which  
increase security, improve weather protection, and provide reasonable wayfinding  
3882 Maximum spaces. For uses requiring more than twenty (25) spaces for a single building, the  
3884 Development Services Director may waive the excess provided that at least two (2) spaces  
are located near each public or employee entrance.

3886 11.7.5 Location.

- a) Short-term spaces shall be located within fifty (50) feet of the main entrance to the  
3888 building as measured along the most direct pedestrian access route. For a  
building with more than one entrance, the bicycle parking must be distributed  
3890 along all facades with a main entrance, and located within fifty (50) feet of at least  
one main entrance, as measured along the most direct pedestrian access route.  
3892 When more than six (6) spaces are required per entrance, additional parking may  
be provided at a secondary location, such as a parking garage, not more than 200  
3894 feet from the principal entrance with directional signage indicating its location.
- b) Long-term bicycle parking must be located on the same building site as the use  
3896 being served. All long-term bicycle parking spaces must be located within 200  
feet of a main, operational entrance to the building.
- c) Bicycle parking facilities may be located in the rear fifty (50) percent of any  
3898 required front yard setback, but shall not be located in any vehicle parking space  
3900 required under this Part, except where a vehicle parking space is specifically  
converted to bicycle parking spaces by approval of the Development Services  
3902 Director.
- d) Bicycle parking located within a parking garage must be located within fifty (50)  
3904 feet of a pedestrian access point which includes an elevator or first floor sidewalk  
connection. If the bicycle parking is located within an enclosed room within the  
3906 parking structure, the distance requirement to an elevator or pedestrian entrance  
is no more than 200 feet.

3908 11.8 Parking Garage Design Guidelines

11.8.1 Intent and Purpose:

3910 The intent of this Section is to provide for architectural appeal and compatibility of  
3912 the size, scale, intensity/mass and image of the parking garage structures with  
adjacent buildings and with the context of the surrounding area/neighborhood.

3914 Parking garages have significant visual impact with their large mass structures on the  
overall development and image of the community. Parking structures also consume  
3916 land, interrupt the street wall, and can have a negative impact on the pedestrian  
realm if not integrated with other land uses, such as street level retail, residential and  
3918 commercial activities. Parking structures can be visually overpowering if not well  
designed and sensitively sited.

11.8.2 Applicability:

- 3920 a) This Section is supplemental to the other regulations within the Land Development  
and Building/Fire/Life Safety Codes of the County.
- 3922 b) All future parking garages shall comply in their design to the maximum extent with  
these guidelines.
- 3924 c) These guidelines shall apply to parking garages (multiple levels) and parking decks  
(single level) but shall not apply to underground parking structures (at least half  
3926 the floor height below grade) and shall not apply to parking garages within the  
interior of projects that are not visible on the exterior street.

3928 11.8.3 General Requirements:

- 3930 a) Elevations shall be provided for all facades of a parking garage that are not  
screened with other buildings.
- b) A landscape plan shall be provided.
- 3932 c) A circulation plan shall be provided showing both vehicular and pedestrian  
circulation.

3934 11.8.4 Design Principles:

- 3936 a) Parking structures shall complement the nearby buildings: Parking structures shall  
blend into style and scale of the context and not be designed as purely utilitarian  
structures.
- 3938 b) Respect pedestrian environment: Design shall respect the human scale  
incorporating building materials and details that add to or preserve the  
3940 pedestrian experience.

3942 c) Minimal pedestrian/vehicular conflict: vehicular access, entry, and circulation shall  
be designed to prioritize pedestrian movement and patterns.

3944 d) Architectural Integrity: Parking structures shall have features and building  
materials that complement the primary or adjacent structures.

3946 e) Integrate Landscaping: Substantial landscaping shall buffer views of parking  
structures, obstruct glare, and provide a transition in scale between the structure  
and the public realm around it.

3948 11.8.5 Design Guidelines:

a) Siting:

- 3950 1. Parking structures should be located away from public streets and high  
pedestrian use areas screened by other buildings with habitable uses.
- 3952 2. Landscape setbacks with a minimum dimension of ten (10) feet shall be  
provided on all sides of the parking structure except where habitable building  
3954 frontages are provided at the ground level. In zoning districts with larger  
street front setbacks, those larger setbacks shall apply.
- 3956 3. Parking Garages adjacent to plazas or squares are discouraged; if they must  
occur, they shall be lined with habitable building frontages.
- 3958 4. Locating parking structures adjacent to properties containing or designated  
for single-family residential uses, schools, or community parks is strongly  
3960 discouraged. If other locations are not viable, consideration will be given to  
parking structures that are setback a minimum of twenty (20) feet from these  
3962 areas, are limited to a maximum height of thirty (30) feet or three (3) stories,  
and contain buffer landscaping and/or architectural features to screen or  
3964 minimize views of vehicular uses.
- 3966 5. Avoid garage vehicular exit locations where the glare of headlights on  
departing cars would illuminate uses across the street.
- 3968 6. Appurtenances (i.e., transformers, ventilation shafts, etc.) shall be located  
outside of any required setback and shall be screened from public view.

b) Structure Design:

- 3970 1. Exterior elevations should incorporate design components and materials  
utilized and compatible with the primary building(s).
- 3972 2. Garage corners that are visible to the public realm should be treated with  
architectural features.
- 3974 3. Parapet walls. On all levels where parking is provided adjacent to an exterior  
wall, all façades shall have exterior opaque walls a minimum height of forty-  
3976 two (42) inches above any finished grade and any finished floor.

- 3978 4. The sloping nature of the interior structure shall not be exposed, repeated, or  
3980 revealed on the exterior façade. Ramping in parking structures shall be  
internalized or screened to avoid an angular geometry to the perimeter of the  
structure.

c) Screening

- 3982 1. Public façades of Structured Parking: When a parking structure façade is  
3984 adjacent to or facing any public park or plaza, public right-of-way, public  
sidewalk, or private street, façades shall comply with the following:

3986 (a) Screening elements shall be designed in a structurally sound manner and  
have a gap of no more than eighteen (18) inches from the frame of the  
3988 screening element to the wall opening. Alternative decorative elements  
which provide an equivalent level of screening may be allowed in an  
3990 accessory parking structure where such elements are employed to match  
the architectural character of the main building. Mesh or decorative  
3992 panels, louvers, green walls, tinted or sandblasted opaque spandrel glass,  
or similar screening elements shall be used. Where mesh or other  
3994 materials containing openings are used in conjunction with the screening  
frame, no individual opening shall exceed four (4) square inches. Chain link  
3996 fencing and similar screening elements shall be prohibited as an allowable  
mesh or similar screening element.

3998 (b) A total of at least fifty (50) percent of such exterior building wall, or  
portion thereof, with adjacent parking spaces shall consist of opaque  
4000 materials which may include permitted signs, graphic or sculptural art,  
decorative screening or latticework.

4002 (c) Perforated metal does not effectively prevent glare in all cases, and  
therefore shall not be used as the primary screening material. It can be  
4004 used in combination with other screening techniques so that the light spill  
measured at the parcel line is not more than 0.5 footcandles.

d) Lighting

- 4006 1. Parking garages should utilize full spectrum lighting to increase safety and  
4008 comfort. The placement of fixtures should be designed to minimize light  
pollution from the garage.
- 4010 2. Lighting shall be designed to reduce light spillage outside the parking  
structure according to the following:

a) Internal illumination shall be screened so that internal light sources shall not be visible from the adjacent public right-of-way or adjacent parcels. Light fixtures directly visible from the exterior of a parking structure shall be directed internally upward or shall contain shielded fixtures to prevent such visibility.

b) Rooftop lighting shall be located at an elevation height less than the top of the nearest exterior perimeter rooftop wall; or shall be setback a minimum of fifteen (15) feet from the exterior perimeter of the rooftop wall at a maximum mounted height of twelve (12) feet above finished floor with cutoff light fixtures that have a maximum 90-degree illumination.

c) Lighting levels measured at the property line of parcels adjacent to the structured parking deck shall not be greater than 0.5 footcandles.

3. Interior walls and ceilings should be painted a light color to improve illumination and safety.

4. All exposed mechanical equipment and piping should be painted to match the interior of the structure.

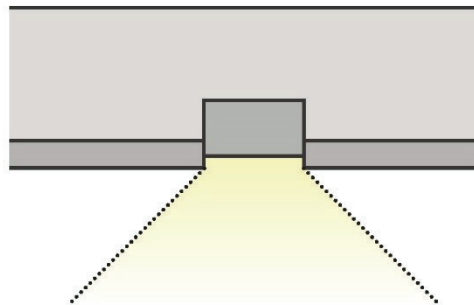
5. Shielding:

a) Utilize shielded fixtures to minimize light pollution and glare from both within and outside the garage.

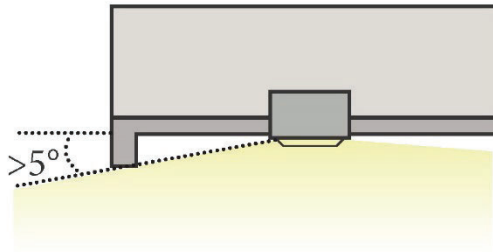
b) Structural shielding, Lighting fixture shielding, or Indirect lighting as depicted below can be used to prevent glare.

c) Acceptable lighting designs include the following:

i. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy.



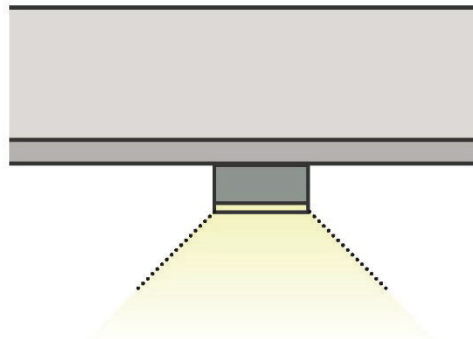
ii. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy.



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- iii. Light fixture incorporating shields or is shielded by the edge of the canopy itself, so that light is restrained to five (5) degrees or more below the horizontal plane.

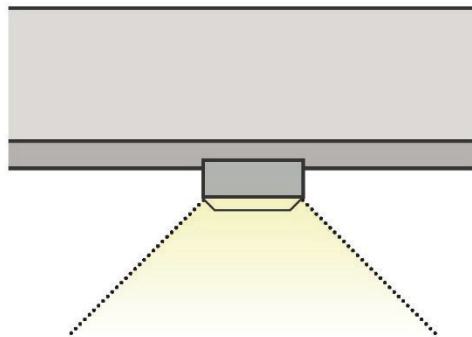
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- iv. Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution.

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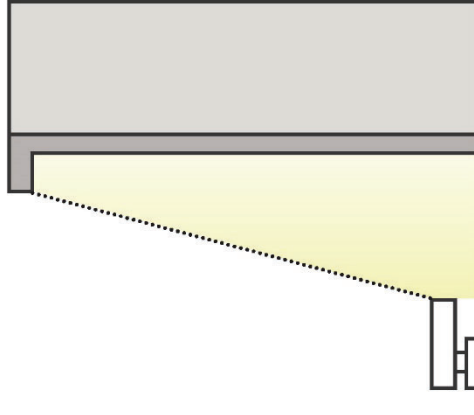


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- v. Surface mounted fixture measuring no more than two (2) feet by two (2) feet, with a lens cover that contains at least two percent (2%) white fill diffusion material.

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- vi. Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.

e) Pedestrian Safety:

1. Pedestrian circulation should be delineated and separated from automobile circulation. Interior pedestrian paths should be visible to drivers and delineated to differentiate them from vehicle travel aisles.
2. Landscaping, walkways, and decorative hardscape should be used to emphasize pedestrian areas.
3. Elevator and stair shafts, mechanical rooms, and similar visual disruptions should be located to minimize the obstruction of views between drivers and pedestrians.
4. Pedestrian access should be designed to safely avoid pedestrian entry and exit of the garage via vehicular ramps, and provide a minimum five (5)-foot wide pedestrian sidewalk associated with each vehicular access driveway.

f) Bicycle Parking:

1. Bicycle parking should be located on the level with the most convenient access, and adjacent to a vehicular entry or have a separate protected and signed entrance.
2. Bicycle parking in a parking garage must be located within fifty (50) feet of a pedestrian access point which includes an elevator or first floor sidewalk connection. If the bicycle parking is located within an enclosed room, the distance requirement to an elevator or pedestrian entrance is no more than 200 feet.

g) Lighting:

1. Parking garages should utilize full spectrum lighting to increase safety and comfort. The placement of fixtures should be designed to minimize light pollution from the garage.
2. Utilize shielded fixtures to minimize light pollution and glare both inside and outside the garage.
3. Interior walls and ceilings should be painted a light color to improve illumination and safety.

h) Noise:

1. Locate all stationary noise-generating equipment, such as ventilation fans, air compressors, and portable power generators, as far away as possible from businesses, residences, or other noise-sensitive land uses.
2. Paving surfaces within parking structures shall be used to reduce tire squeal.

i) Special contextual guidelines:

1. Office Parks and Multi-family Communities
  - a) Direct, dedicated pedestrian connections shall be provided between parking structures and all buildings served. If these connections are adjacent to surface parking or other vehicular use areas, landscaping shall be provided.
2. Mixed-Use Projects
  - a) See additional standards for the MUCD Zoning District.

4096 PART 12 Floodplain Management – PART 51 (UPDATED PER ORDINANCE 2022-  
23

4098 12.1 Division 1

12.2 Division 2

4100 12.3 Division 3

## PART 13 SIGN REGULATIONS – PART 65

- 4102 13.1 Purpose, intent, and definitions
- 13.2 Substitution of noncommercial speech for commercial speech
- 4104 13.3 Sign standards
- 13.4 General provisions
- 4106 13.5 Prohibited signs
- 13.6 Nonconforming signs
- 4108 13.7 Building permit required
- 13.8 Outdoor advertising signs/adult entertainment establishments and sexually oriented  
4110 businesses
- 13.9 Limitations on outdoor advertising signs
- 4112 13.10 Limitation on number, size, and orientation of outdoor advertising sign faces
- 13.11 Reconstruction of damaged or destroyed existing structures
- 4114 13.12 Use of cut-outs on outdoor advertising signs
- 13.13 Outdoor advertising sign agreements
- 4116 13.14 Removal or trimming of trees and vegetation
- 13.15 Agricultural signs in A-3, A-5, and A-10
- 4118 13.16 RP & OP Signage Regulations (moved from Part 34, Part 36)
- 13.17 Signage in Industrial Districts
- 4120 13.17.1 Signs, identification, directional, or which advertise products manufactured,  
processed, stored, or sold on the premises are permitted.

## PART 14 LANDSCAPING, SCREENING, BUFFERING, AND OPEN SPACE

### 14.1 Purpose, intent, and definitions

- a) The purpose of this Part in general is to provide for quality community character, to shade impervious surfaces, to protect against potential land use conflicts, and to define logical areas for pedestrian and vehicular circulation.
- b) The purpose of the water-efficient landscaping criteria included herein is to establish minimum standards for the development, installation and maintenance of all landscaped areas required by this Code without inhibiting creative landscape design. Specific water conservation measures are required such as the preservation of existing natural vegetation when appropriate. The establishment of these minimum requirements and the encouragement of resourceful planning are intended to protect and preserve the appearance, environmental quality, character and value of surrounding neighborhoods and thereby promote the public health, safety and general welfare of the citizens of Seminole County.
1. Creative site development concepts shall be used in order to promote water conservation. Water-conserving site development concepts may include, but are not limited to:
  2. The preservation of existing plant communities;
  3. The use of native plant species;
  4. The re-establishment of native plant communities;
  5. The use of drought tolerant plant species;
  6. The use of site specific plant materials;
  7. The design, installation and maintenance of irrigation systems which eliminate the waste of water due to over application or loss from damage;
  8. The use of shade trees to reduce transpiration rates of lower story plant materials;
  9. Placement of vegetation in such a way that promotes energy conservation through shading;
  10. The use of pervious paving materials.
  11. The use of water efficiency in landscaping;
  12. Other environmentally sensitive site development concepts.
  13. Vegetation protection and preservation objectives are intended to:

- 4154 14. Reduce the use of irrigation water in open space areas by promoting the  
4156 preservation of existing plant communities;
- 4158 15. Prevent the removal of existing vegetation in advance of the approval of land  
4160 development plans;
- 4162 16. Prevent the removal of existing vegetation when no replacement vegetation  
4164 plan has been prepared for the site.
- 4166 17. To achieve the objectives of these land development regulations, this Code  
4168 incorporates six (6) basic principles of water-efficient landscaping. These  
4170 principles are set forth below for the purpose of giving guidance and direction  
4172 for administration and enforcement:
- 4174 18. Planning and design;
- 4176 19. Appropriate plant selection;
- 4178 20. Practical turf areas;
- 4180 21. Efficient irrigation;
- 4182 22. Use of mulches;
- 4184 23. Appropriate maintenance.

- 4186 c) The provisions of this Part shall apply to all real property situated within the  
4188 unincorporated areas of Seminole County that are required to be landscaped by  
4190 this Code.

## 14.2 Open Space

### 14.2.1 Purpose and Applicability.

- 4192 a) The purpose of this Part is to provide clear standards for the establishment,  
4194 function, and maintenance of open space areas within all developments.
- 4196 b) Single family residential development in any zoning district is exempt from this  
4198 Section except in the Planned Development (PD) District, or where specifically  
4200 required by another Section of this Code. Non-residential uses, where permitted  
4202 in a single-family district (i.e., by Special Exception) shall be required to provide  
4204 open space.
- 4206 c) The character of required open space shall be determined by development type.  
4208 Open space within non-residential developments shall meet the requirements of  
4210 Section 14.2.2 while open space within residential developments shall meet the  
4212 requirements of Sec. 14.2.3. Open space in redevelopment, infill development, or  
4214 mixed-use developments shall meet the requirements of Sec. 14.2.4.

d) The amount of open space required for a development shall be determined by the zoning district, development order, or other provisions of this Code applicable to the subject property. If not otherwise specified, minimum open space shall be twenty-five (25) percent of gross site area.

#### 14.2.2 Non-Residential Open Space.

a) The purpose of open space in non-residential developments is to set aside areas for landscaping, buffering, stormwater retention (subject to paragraph (d) below), recreation, aquifer recharge, and/or preservation of natural resources.

b) Open space shall be located entirely within the boundaries of the project and may include required landscaped areas and buffers; recreational lands and facilities accessible to employees and visitors to a site; and areas providing natural resource protection for floodplains, wetlands, aquifer recharge areas, wildlife habitat and other natural features.

c) Within a single-ownership development, open space shall be maintained to preserve its required function(s) by the property owner. Within a subdivision or other form of multiple-ownership configuration, open space shall be in common area tracts and maintained by a property owners association.

d) Stormwater retention ponds may be counted toward the minimum required open space area subject to the following criteria:

1. The pond shall be sodded or dressed with equivalent ground cover; and
2. The pond shall be accessible to all employees and visitors and shall be landscaped and configured in a manner that results in a visual amenity for the site and shall include aesthetic features or amenities such as benches and/or picnic tables.
3. For wet ponds, if reclaimed water is unavailable, then the pond shall be designed to be utilized for landscape irrigation.
4. For wet ponds, littoral zones of ponds shall be vegetated with emergent native vegetation to the maximum extent possible provided that maintenance of the pond is not impeded. Plans shall be reviewed and approved by the Natural Resource Officer or designee.

e) Natural lakes may be counted toward the minimum required open space area subject to the limitation in paragraph (g) below and the following criteria:

1. Only that portion of a lake which lies within the legal description of the project may count toward required open space area; and

2. The lake shall be accessible to all employees or visitors, and shall include other amenities including, but not limited to, trail facilities, boardwalks, fountains, benches, and picnic tables.

f) Conservation areas, defined for the purposes of this Part as 100-year floodplain and wetlands as delineated by the St. Johns River Water Management District, may be counted toward the minimum required open space area subject to limitations specified in paragraph (g) below.

g) 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.

h) Site features noted in Sec. 30.1325 may also be counted as open space.

#### 14.2.3 Residential Open Space.

a) Required open space in residential developments is intended to provide green space serving as a site amenity; areas for supplemental landscaping; stormwater retention facilities; uses for aquifer recharge; and/or the preservation of natural resources. Residential open space shall include only those lands available for the use and enjoyment of all residents of a development and shall have either an aesthetic or recreational function which shall not conflict with other site features required by this Code.

b) Open space shall be located entirely within the boundaries of the project. In no case shall be required open space occupy any portion of a privately owned residential lot.

c) Types and locations of open space, including recreational lands, recreational facilities, and natural resource protection areas, shall be clearly shown on a development plan prior to project approval.

d) No dwelling unit shall be located more than seven hundred fifty (750) feet from designated open space. The Development Services Director may waive this distance requirement where the developer proposes a major recreational facility which will occupy at least fifty (50) percent of the required open space for the development. No more than thirty-five (35) percent of the dwelling units in the development may be occupied before this facility is completed and available for use.



e) Where intervening properties separate a dwelling unit from an open space area, the Development Services Director may require an easement or other means of access for bicycle and pedestrian traffic, to minimize the need to cross or travel on roads carrying motorized vehicles.

f) Except as provided in this paragraph, no parcel of property or portion thereof, less than forty (40) feet wide and seven thousand five hundred (7,500) square feet in size, shall be counted toward the designated open space requirement. Open space areas less than forty (40) feet in width containing paved or stabilized paths for pedestrians and/or bicycles shall be exempt from this requirement if such paths are part of a comprehensive circulation system serving the entire development. Dog parks and tot lots that are a minimum of seventy-five (75) square feet per dwelling unit are also exempt from this requirement and may count towards open space. Dog parks must contain waste disposal receptacles and appropriate signage.

g) Required open space within a subdivision shall be platted as common area and shall be owned and maintained by a homeowners' association.

h) Stormwater retention ponds may be counted toward the minimum area requirement subject to the following criteria:

~~The pond shall be sodded or dressed with equivalent ground cover; and~~

~~The pond shall be landscaped and configured in a manner that results in a visual amenity for the site, and shall include other amenities such as a trail adjacent to the pond, boardwalks, picnic tables, fountains, pavilions, or gazebos. Other features in addition to or substituting for the aforementioned may be approved by the Development Services Director consistent with the intent of this Part.~~

1. The pond shall be sodded or dressed with equivalent ground cover.
2. The pond shall have no greater than a 4:1 slope with no fencing.
3. The pond shall have a curvilinear shape simulating a natural water body.
4. Canopy trees shall be provided at the rate of one (1) per fifty (50) feet of pond perimeter; however, the required number of trees may be clustered for an improved aesthetic effect.
5. For wet ponds, if reclaimed water is unavailable, then the pond shall be designed to be utilized for landscape irrigation.
6. For wet ponds, littoral zones of ponds shall be vegetated with emergent native vegetation to the maximum extent possible provided that maintenance of the pond is not impeded. Plans shall be reviewed and approved by the Natural Resource Officer or designee.

- 4290 7. The pond shall be landscaped and configured in a manner that results in a  
4292 visual amenity for the site and shall include other amenities such as a trail  
4294 adjacent to the pond, boardwalks, picnic tables, fountains, pavilions, or  
4296 gazebos. For wet ponds, a littoral zone with plantings is required. Other  
features in addition to or substituting for the aforementioned may be  
approved by the Development Services Director consistent with the intent of  
this Part. The pond and/or adjacent area shall include a minimum of two of  
the following features:
- 4298 i. Fountain
  - 4300 ii. Stabilized walking path
  - 4302 iii. Exercise equipment
  - 4304 iv. Benches for seating
  - 4306 v. Tot lot or mini-park
- 4308 i) Natural lakes may be counted toward the minimum area requirement subject to the  
4310 limitations in paragraph (k) below and the following criteria:
- 4312 1. The lakeshore shall be accessible to all residents, and shall include one or more  
4314 visual or recreational amenities including, but not limited to, trail facilities,  
4316 boardwalks, fountains, and picnic tables.
  - 4318 2. Only that portion of a lake which lies within the legal description of the project  
may count toward required open space.
- 4310 j) Conservation areas, defined for the purposes of this Part as the 100-year floodplain  
4312 or wetlands as delineated by the St. Johns River Water Management District, may  
be counted toward the minimum area requirement subject to limitations specified  
in paragraph (k) below.
- 4314 k) Natural lakes and/or conservation areas within a development site shall not be  
credited to a combined maximum area of more than fifty (50) percent of the  
required open space area.
- 4316 l) Required landscaped areas and buffers may not be credited toward the required  
open space area.
- 4318 m) Site features noted in Sec. 14.2.5 may also be counted as open space.

#### 14.2.4 Infill, Redevelopment, and Mixed-Use Open Space.

- 4320 a) The purpose of open space in infill development, redevelopment, and mixed use  
developments is to provide areas for supplemental landscaping; buffering;  
4322 recreational or aesthetic amenities; stormwater retention; aquifer recharge; and/or  
preservation of natural resources.
- 4324 b) Open space shall be located entirely within the boundaries of the project. Open  
space may include: landscaping and buffers; recreational facilities and amenities  
4326 accessible to all users of the site; recreational facilities and amenities accessible  
only to residents; stormwater facilities; and areas providing for natural resource  
4328 protection.
- 4330 c) Types and locations of open space shall be clearly shown on a development plan  
prior to approval by Seminole County.
- 4332 d) No dwelling unit shall be located more than seven hundred fifty (750) feet from  
designated open space. The Development Services Director may waive this  
requirement where the developer proposes a major recreational facility that will  
4334 provide at least fifty (50) percent of the required open space for development.
- 4336 e) Open space areas shall not be fenced, unless necessary for safety reasons, and shall  
not contain mechanical units and equipment, storage areas, or other service-  
related functions.
- 4338 f) Stormwater retention ponds may be counted toward the minimum area requirement  
subject to the following criteria:
- 4340 1. The pond shall be sodded or dressed with equivalent ground cover; and
- 4342 2. The pond shall be landscaped and configured in a manner that results in a visual  
amenity for the site, and shall include other amenities such as a trail adjacent to  
the pond, boardwalks, picnic tables, fountains, pavilions, or gazebos. Other  
4344 features in addition to or substituting for the aforementioned may be approved  
by the Development Services Director consistent with the intent of this Part.
- 4346 g) Required open space within infill development, redevelopment, or mixed use  
development which serves primarily the residential portion of a development shall  
4348 be platted as common area and shall be owned and maintained by a homeowner  
association or other entity which is capable of maintaining the function of the  
open space, as determined by the Development Services Director. Required open  
4350 space within infill development, redevelopment, or mixed use development which  
serves primarily the nonresidential portion of the development shall be owned and  
4352 maintained by a property owners' association.

- 4354 h) Natural lakes and/or conservation areas within a development site shall not be  
4356 credited to a combined maximum of more than fifty (50) percent of the required  
open space area.
- 4358 i) Open space shall be continuous wherever possible, shall be accessible to all uses  
within a development when practical and safe, shall contain pedestrian amenities  
4360 (including lighted, accessible walkways with shade trees) and shall include lighted  
public plazas serving structures that contain retail and/or office uses. Public plazas  
shall contain benches with shade trees or permanent coverings.
- 4362 j) Selected facilities located indoors or on rooftops may be permitted where they serve  
as amenities when available for use and enjoyment by all residents or users of a  
4364 development. Excluded from eligibility as credited open space are theaters,  
restaurants, religious facilities, and retail commercial uses.
- 4366 k) Site features noted in Section 14.2.5 may be counted as open space.

14.2.5 Sec. 30.1325 Permitted Open Space Features.

Feature	Non-Residential 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

Feature	Non-Residential Open Space	Residential Open Space	Mixed Use Infill, Redevelopment
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	<del>N</del> <u>Y****</u>	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

Feature	Non-Residential Open Space	Residential Open Space	Mixed Use Infill, Redevelopment
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*

4368 Y = Permitted to be counted toward area requirements.

N = Not permitted to be counted toward area requirements.

4370 \* Floodplains, wetlands, and lakes, together or separately, shall be limited to fifty (50) percent of total open space requirement for any development.

4372 \*\* Borrow pits may count as open space only if sodded, landscaped, and/or configured as a water feature in compliance with Sec. 65.8(l).

4374 \*\*\* Permitted in residential developments of five (5) or more units per net buildable acre, where such facilities are located on common property and accessible to all residents.

4376

\*\*\*\*If allowed by utility company

4378 14.3 Plant groups

4380 Landscaping materials and configurations will vary depending on the purpose and  
 4382 intent of the landscape treatment. A plant ~~unit~~ group is a grouping selection of  
 4384 plants that is intended to provide a standard volume of landscaping from ground  
 4386 level to the top of the canopy. When closely planted, a dense barrier is created. The  
 following table shows the various plant ~~units~~ groups that may be used to meet the  
 landscaping requirements of this Part, including minimum size at time of planting.  
 Each plant ~~unit~~ grouping has the same screening potential in terms of total plant  
 mass; however, some have limits on where they may be used.

Plant <del>Unit</del> <u>Group</u> Options	Number	Size	Plant Type
Plant <del>Unit</del> <u>Group</u> A (Basic)	1	3" caliper	Canopy
	1	1½" caliper/6' tall	Understory
	1	8' tall	Evergreen
	11	2' tall	Shrubs
Plant <del>Unit</del> <u>Group</u> B (Basic)	1	3" caliper	Canopy
	2	1½" caliper/6' tall	Understory
	17	2' tall	Shrubs
Plant <del>Unit</del> <u>Group</u> C (Height Restricted)	5	1½" caliper/6' tall	Understory
	16	2' tall	Shrubs
Plant <del>Unit</del> <u>Group</u> D (Basic)	3	8' tall	Evergreen
	1	1½" caliper/6' tall	Understory
	13	2' tall	Shrubs
Plant <del>Unit</del> <u>Group</u> E (Low Level Visibility)	2	3" caliper	Canopy
	4	2' tall	Shrubs

NOTE: See . 30.1295(b) and (d) for minimum size at planting.

14.4 Buffering requirements in general

4388 c) Required buffers shall not contain parking, including vehicle overhang areas in  
 4390 adjacent parking spaces. Driveways and other vehicular maneuvering areas shall  
 4392 not be permitted in a buffer, except that access points to adjacent roads may cross  
 a buffer with the minimum possible interference with the buffering function, as  
 determined by the Economic and Community Development Services Director.

d) Buffers are required for the following situations:

4394 Landscape buffers for parking lots shall be provided in accordance with Section ~~30.1283(e)~~  
14.8

4396 f) Buffer criteria varying from the requirements of this Part may be authorized by the  
4398 Board of County Commissioners through approval of a Master Development Plan  
within the Planned Development (PD) zoning District in accordance with Sec. 8.5 or  
4400 through approval of a special exception under Sec 3.1.5. Variations from the  
provisions of this Part may reduce or increase required opacities, or specify  
4402 alternative buffer concepts, as appropriate to the site under consideration. In all  
cases, the relevant Board shall find that approved variations ensure compatibility  
between adjoining land uses and are consistent with the Comprehensive Plan.

4404 14.5 Standard buffer yards and permitted adjustments

a) The criteria in the table below shall achieve required opacity levels for bufferyards  
4406 specified in Section 14.7.

Opacity	Standard Bufferyard Width (ft.)	Number of Plant <del>Units</del> <u>Groups</u> per 100 feet	<u>Structure</u> <u>Enhancement</u> Required	Eligible for Adjustments**
0.1	10	<del>0.95</del> <u>1.00</u>	None	No
0.2	10	<del>1.85</del> <u>2.00</u>	None	No
0.2 (parking buffer)	10	<del>1.05</del> <u>1.00</u>	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

\* These buffers only occur where nuisance buffers are required by Section 14.9.

4408 \*\* Subject to approval by the ~~Economic and Community Development Services~~  
Director.



\*\*\* ~~May be reduced to acceptable alternative with Board of County Commissioners approval.~~ Adjacent to a street, may be reduced to three (3) foot metal decorative fence and three (3) foot hedge. The Development Services Director may waive segments of any required fence or wall in order to ensure visibility of traffic for safety purposes.

b) Required buffers may be adjusted to add or subtract land area, or to modify specific requirements for structures or landscape plantings. Such adjustments, where permitted, shall be assumed to maintain the required opacities under Sections 14.7. These adjustments may be made at the option of the applicant in order to make more efficient use of available land or to address other site design issues requiring greater flexibility in Code requirements; however, the ~~Community Development Services Director~~ may deny any proposed adjustment upon a finding that it would significantly impair the screening function of the required buffer.

1. Permitted bufferyard adjustments shall be as follows:

Increased Buffer Widths. Bufferyards exceeding the standard widths established in paragraph (a) above shall permit a ~~five (5) percent~~ reduction in landscape planting requirements ~~for each five (5) feet added to the required buffer width.~~ This reduction shall be applied equally to all plant types specified within the formula for the applicable plant unit group, ~~and shall not exceed fifteen (15) percent of the total required landscaping for the buffer.~~ In certain cases, the ~~structure requirement~~ required buffer enhancement may be reduced as a result of increased buffer width. ~~Permitted reductions in structure~~ Adjusted buffer enhancement and planting requirements are as shown below:

Opacity	<del>Increase in</del> Buffer Width (ft.)	<u>Number of Plant</u> <u>Groups per 100 feet</u>	<u>Structure</u> <u>Enhancement</u> <u>Required</u>
0.4	<del>5</del> <u>20</u>	<u>2.00</u>	None
0.5	<del>10</del> <u>35</u>	<u>2.25</u>	3' hedge
0.6	<del>10</del> <u>35</u>	2.70	3' hedge

<b>Opacity</b>	<b><del>Increase in</del> Buffer Width (ft.)</b>	<b><u>Number of Plant Groups per 100 feet</u></b>	<b><u>Structure Enhancement Required</u></b>
0.7	<del>15</del> <u>55</u>	2.25	3' hedge

4434 Reduced Buffer Widths. Buffers having less than the standard widths established in  
 4436 paragraph (a) above shall be subject to an increased landscape planting requirement  
 4438 of ten (10) percent for each five (5) foot reduction in width. This increase shall be  
 applied equally to all plant types specified within the formula for the applicable plant  
 unit group

4440 An upgrade in structure buffer enhancement features shall also be required.  
~~Maximum allowable buffer width reductions~~ Adjusted buffer enhancement and  
planting requirements are as shown below:

<b>Opacity</b>	<b><u>Width Reduction Buffer Width (ft.)</u></b>	<b><u>Number of Plant Groups per 100 feet</u></b>	<b><u>Structure Enhancement Required</u></b>
<u>0.3</u>	<del>5</del> <u>10</u>	<u>3.00</u>	3' hedge
0.4	<del>5</del> <u>10</u>	<u>2.50</u>	<del>6' masonry wall*</del> <u>3' open metal fence and 3' hedge</u>
0.5	<del>10</del> <u>15</u>	<u>3.25</u>	6' masonry wall*
0.6	<del>10</del> <u>20</u>	<u>4.00</u>	6' masonry wall*
0.7	<del>15</del> <u>30</u>	<u>3.50</u>	6' masonry wall*
* <del>May be reduced to acceptable alternative with Board of County Commissioners approval</del> <u>May be reduced to 3' open metal fence and 3' hedge adjacent to a street.</u>			

4442 14.6 Determination of land use classifications and intensities

4444 a) This Section classifies uses according to their potential impacts on surrounding  
 4446 properties. The impacts of higher intensity may include greater impervious surface  
 4448 coverage, causing increased stormwater runoff and reduced open space; increased  
 4450 bulk and height of buildings; increased traffic with associated noise and  
 congestion; signs and exterior lighting visible from neighboring property; and late  
 hours of operation. Under these regulations, a developer may either build at a  
 lower intensity that minimizes nuisances to neighbors, or provide a denser buffer if  
 the land is developed at a greater intensity.

4452 The range of intensity classes available to a use does not affect whether the use  
 4454 can locate on a site, but only how the use develops on that site. For example, an  
 4456 office use may meet the standards of any of intensity classes V through IX,  
 4458 depending on building and site design. Performance standards are specified for  
 each intensity class. Exceeding any single standard in an intensity class moves a  
 use to the next higher intensity class. ~~In the event that a use does not appear in  
 the next higher intensity class, it may not exceed any single criterion in the  
 highest intensity class in which it is listed.~~

4460 b) All land uses permitted by this Code are assigned a land use category for the  
 4462 purpose of determining buffering requirements. This classification system  
 separates uses on the basis of the type and degree of “nuisance” or negative  
 impact a use is likely to impose on adjacent properties. All uses within a use  
 category are considered to have an equivalent impact on neighboring uses.

4464 c) A particular development or proposed development shall be assigned an intensity  
 4466 rating according to the table in paragraph (d) of this Section. Each land use  
 4468 category established in the table has one or more possible intensity ratings,  
 4470 depending on the specific characteristics of the site. The intensity rating for any  
 site shall be determined by the elements that most appropriately measure  
 intensity for a given land use category, such as the impervious surface ratio (ISR),  
 the floor area ratio (FAR), and density.

4472 The most extreme value for any measurement shall determine the intensity rating  
 of the site. For example, the table below shows that ~~medium density residential~~  
an office use has possible land use intensity ratings of V, VI, VII, ~~and VIII~~, and IX.

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
<del>Medium Density Residential</del>										

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
Gross Density						6.00	8.00	10.00		
Height (# stories)						2 25	3 35	4 45		
Height/Setback						1.0	2.0	> 2.0		
Office										
FAR					0.20	0.25	0.50	0.75	1.00 0.75+	
Height (feet)					15	25	35	50	50+	
Height/Setback					0.66	1.0	2.0	— > 2.0 -----		

4474 A development having no more than six (6) units per acre and 2-story buildings  
 4476 would have an intensity rating of VI. However, a site with the same density in 4-story  
 buildings would be classified as land use intensity VIII. The standards that apply to  
 the highest intensity class for a use shall be the maximum permitted for that use.

4478 A single-story office development having an FAR of no more than 0.20 would have an  
 intensity rating of V. However, a site with the same FAR with a building height  
 4480 greater than twenty-five (25) feet and no more than thirty-five (35) feet would have  
 an intensity rating of VII.

4482 d) A particular development or proposed development shall be assigned an intensity  
 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									
FAR	0.35									
Low Density Residential										
Gross Density		2.0 0	3.0 0	4.0 0	5.0 0	7.00	8.50	10.00	12.00	12.00+

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
		<u>4.0</u> <u>0</u>								
<i>Medium Density Residential</i>										
<del>Gross Density</del>						6.00	8.00	10.00		
<del>Height (# stories feet)</del>						<del>2</del> <u>25</u>	<del>3</del> <u>35</u>	<del>4</del> <u>45</u>		
<del>Height/Setback</del>						1.0	2.0	> 2.0		
<i>High Density Residential</i>										
<del>Gross Density</del>								10.00	12.00	12.00+
<del>Height (# stories feet)</del>								5	<del>65</del> <u>65+</u>	<u>65+</u>
<del>Height/Setback</del>								2.0	<del>— &gt; 2.0 —</del>	
<i>Office</i>										
FAR					0.2 0	0.25	0.50	0.75	<del>1.00</del> <u>0.75+</u>	
Height (feet)					15	25	35	50	50+	
Height/Setback					0.6 6	1.0	2.0	<del>— &gt; 2.0 —</del>		
<i>General Commercial</i>										
FAR					0.1 5	0.20	0.25	0.35	0.50	<del>1.00</del> <u>0.50+</u>
Height (feet)					15	20	25	35	50	50+
Hours of Operation					7:00 a.m.—9:00 p.m.			Unlimited		
Height/Setback					0.5	0.66	1.0	<u>2.0</u>	> 2.0	<del>—</del>
<i>Heavy Commercial</i>										

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
FAR							0.25	0.35	0.50	<del>1.00</del> 0.50+
Height (feet)							25	35	50	50+
Hours of Operation							7:00 a.m.— 9:00 p.m.	Unlimited		
Height/Setback							1.0	<u>2.0</u>	> 2.0	—
<i>Light Industrial</i>										
ISR								0.5	0.75	0.75
Height (feet)								35	50	50+
Hours of Operation								7:00 a.m.—9:00 p.m.		unlimited
Height/Setback								0.66	1.0	<del>2.0</del> 1.0+
<i>Heavy Industrial</i>										<u>all</u>
<del>ISR</del>										<del>0.75</del>
<del>Height (feet)</del>										<del>50</del>
<i>Outdoor Recreation</i>										
ISR		0.2 0	0.3 5	0.5 0	0.6 0	0.70	0.75	0.75		
Height (feet)		15	20	25	35	45	50	50+		
<i>Institutional &amp; Group Living</i>										
ISR				0.2 0	0.3 0	0.45	0.60	0.75		
FAR				0.1 0	0.1 5	0.20	0.25	<del>0.35</del> <u>0.25+</u>		
Height (feet)				15	25	35	45	<del>50</del> <u>45+</u>		
Height/Setback				0.5	0.6 6	1.0	2.0	> 2.0		

Land Use Category	Land Use Intensity Rating									
	I	II	III	IV	V	VI	VII	VIII	IX	X
<i>Public Service</i>										
ISR					0.2 0	0.35	0.50	0.60	0.65	0.75
FAR					0.1 0	0.25	0.40	0.60	0.75	1.00 0.75+
Height (feet)					15	25	35	45	60	60+

4484

#### 14.7 Required buffers

4486

- a) Buffers Adjacent to Developed Property. The standards in the table below address the opacity of the buffer required between proposed and existing uses. The rows show the proposed land use intensity of the subject property, while the columns contain the land use intensity of existing development on the adjoining parcel(s). Asterisks indicate that no buffer is required.

4488

4490

Required opacity shall be reduced by fifty (50) percent where the existing adjacent land use is a single family home in a HIP, MXD, Industrial, Commercial, or Office future land use designation.

4492

4494

- b) Buffers Adjacent to Vacant Land. The standards in the table below address the opacity of the buffer required between proposed uses and vacant land. The rows show the proposed land use intensity of the subject property, while the columns contain the Future Land Use designation on adjoining parcel(s).

4496

4498

Vacant sites having approved, unexpired development plans shall be evaluated as developed sites.

4500

- c) Buffers Adjacent to Streets.

4502

1. Chuluota Overlay Area Buffers. Nonresidential uses adjacent to County Road 419 within the Chuluota Overlay Area, , shall meet the buffering requirements. Residential uses within the Overlay area shall be consistent with Paragraph (2) below.

4504

4506

2. Other Street Buffers. The standards in the table below address the opacity of the bufferyard that is required along arterial, collector and local streets or railroads.

- 4508 3. Landscape Materials. Plant ~~Unit~~ Group "C," shall be used on all street buffers  
4510 where overhead power lines are present. In the event that canopy trees are  
4512 required adjacent to power lines under a previously existing development  
4514 order, developer's commitment agreement, PD master development plan, or  
other provision(s) of this Code, the Development Services Director may allow  
the substitution of three (3) understory trees for each required one (1) canopy  
tree.

14.7.1 Buffer Requirements for M-2 -SEC. 30.907

- 4516 a) Landscaping. As required by Sections 14.3 of the Land Development Code.
- 4518 b) Front buffer. Front yards shall be not less than fifty (50) feet in depth as measured  
4520 from the front property line to any building. The twenty-five (25) feet of such yard  
4522 nearest to the front property line shall ~~be retained as a landscaped green area and~~  
4524 remain unpaved except for normal entrance drives, and shall be landscaped as  
4526 required in Part 14. The remaining twenty-five (25) feet may be used for the  
4528 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 ~~the~~ 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 that~~ sufficient area for the  
loading and unloading of vehicles is provided, consistent with generally ~~acceptable~~  
accepted engineering practices and principles.
- 4530 c) Buffering shall comply with Part 14. In any case where the required buffer width  
4532 exceeds a setback requirement noted in this Section, the greater standard shall  
apply.

14.8 Parking buffers

4534 A parking buffer shall be required where a parking lot, or parking structure, drive  
4536 aisle, and/or loading dock is located within twenty-five (25) feet of the boundary of a  
residential district or Future Land Use designation. Such buffer shall be in addition to  
any buffer required under Section 14.7.



14.9 Nuisance buffer yards – SEC. 30.1288

4538 14.10 Calculating the buffer planting

4540 a) The table below provides the plant material for a sample bufferyard. To calculate a  
bufferyard on a site, take the actual length of the bufferyard and divide by one  
hundred (100). Then multiply the result by the number of plant ~~units~~ groups per  
4542 one hundred (100) feet required by the table in Section 14.10. A sample calculation  
for opacity 0.2 is shown in the table below.

Total Linear Feet		Hundreds of Linear Feet	Plant Units Groups Per 100'	Total Plant Groups	Standard Plant Plants in Plant Group B	Plant Type	Total Plants Required*
315	Divide by 100 =	3.15 ×	<del>1.85</del> <u>2.00</u> =	<del>5.83</del> <u>6.30</u> ×	1	Canopy Tree =	<del>(5.83)</del> <u>(6.30)</u> <del>6-7</del>
<u>315</u>	<u>Divide by 100</u> =	<u>3.15 ×</u>	<u>2.00 =</u>	<u>6.30</u>	<del>1-2</del>	Understory =	<del>(5.83)</del> <u>6</u> <u>(12.60)</u> <u>13</u>
					<del>1</del>	<del>Evergreen =</del>	<del>(5.83)</del> <u>6</u>
<u>315</u>	<u>Divide by 100</u> =	<u>3.15 ×</u>	<u>2.00 =</u>	<u>6.30</u>	<del>11-17</del>	Shrub =	<del>(64.13)</del> <u>65</u> <u>(107.10)</u> <u>108</u>

\*(calculated figure) / rounded to next whole number

4544 b) The width of roads, driveways, or cross access easements that interrupt a bufferyard  
shall not be counted in determining the total linear feet of the bufferyard. In some  
4546 cases, it may be necessary to locate stormwater retention, utility facilities, or  
pedestrian/bicycle trails within a required buffer area due to the size, shape, or other  
4548 characteristics of the development site. In these instances, the ~~Economic and Community Development Services Director~~  
4550 the buffer to maintain the required opacity while meeting the unique needs of the  
subject property.

4552 14.11 Constrained site buffers

4554 Where a small or irregularly shaped site cannot feasibly meet the standard buffer requirements, the ~~Economic and Community Development Services Director~~ may authorize reduced buffers as follows:

4556 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 <del>the standard bufferyard in the table in</del> buffers required under Section 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 <del>a standard buffer</del> buffers required under Section 14.7 would reduce the net buildable area of the site by 10 percent or more.
Tree Preservation	Compliance with Chapter 60, <u>Arbor Regulations</u> , 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.

4558 (a) Based on required opacity, each buffer shall meet the applicable standard listed below:

Required Opacity	Bufferyard Width (ft.)	Number of Plant Units <del>Groups</del> per 100 ft.	Type of Structure Enhancement Required
0.1	5	1.00	None
0.2	5	1.50	3 ft. <del>deciduous</del> hedge
Parking Buffer (0.2)	5	1.15	3- ft. masonry wall —100% opaque
0.3	5	1.40	5 ft. masonry wall —100% opaque**
0.4	10	2.15	6 ft. masonry wall —100% opaque**

Required Opacity	Bufferyard Width (ft.)	Number of Plant Units <del>Groups</del> per 100 ft.	Type of <del>Structure</del> Enhancement Required
0.5	15	<del>2.15</del> <u>2.45</u>	8 <u>6</u> ft. masonry wall —100% opaque <u>**</u>
0.6	15	<del>2.45</del> <u>2.60</u>	10 <u>6</u> ft. masonry wall —100% opaque <u>**</u>
0.7	25	3.65	4 ft. berm with 5 ft. <del>deciduous</del> hedge on top. <u>**</u>
0.8	30	4.35	5 ft. berm <u>**</u>
0.9*	40	4.20	6 ft. berm <u>**</u>
1.0*	40	4.85	6 ft. berm <u>**</u>

\* These buffers only occur where nuisance buffers are required by Section 14.7.

\*\* Where a required wall or berm is adjacent to a road, the Development Services Director may waive such wall or berm or determine an appropriate alternative based on site visibility, public safety, and similar concerns.

#### 14.12 Maximum feasible buffer

4560 In cases of redevelopment or expansion of existing uses in which adequate site area  
4562 for either the standard or constrained bufferyard is not available, the ~~Economic and Community Development Services Director~~ may require that the maximum feasible  
4564 buffer be installed on any property line where a buffer is needed. The maximum  
4566 feasible buffer shall consist of a selection of plants and ~~structures~~ other buffer enhancement features that provide the most effective buffering possible in a given  
4568 location where the required opacity cannot be met. As part of the maximum feasible  
buffer determination, the ~~Director~~ Development Services Director may restrict the intensity of the development by limiting parking,  
employment, hours of operation, etc.

4570 14.13 Parking lot landscaping – SEC. 30.1292

14.14 Pedestrian access – SEC. 30.1293

4572 14.15 Screening

a) *Screening of Refuse Facilities.* ~~Refuse facilities shall be fully enclosed with berms, or walls made of masonry or other durable, low-maintenance materials approved by the Economic and Community Development Services Director. Masonry walls shall have a finished surface on the exterior side. The screening wall shall be two (2) feet higher than the refuse facility or five (5) feet in total height, whichever is greater. Refuse container enclosures shall have gates with spring-loaded hinges or the equivalent, and fasteners to keep them closed at all times except during refuse pick-up. The area shall be landscaped as indicated below and shall be oriented so that the landscaping faces adjoining properties or streets.~~

All solid waste containers, except approved recycling containers, shall be enclosed on at least three (3) sides with a six (6) foot screen. The screen shall consist of a brick or masonry wall, or other durable, low-maintenance material consistent with the finish of the primary building, as approved by the Development Services Director. Masonry walls shall have a finished surface on the exterior side. Refuse container enclosures shall have gates with spring-loaded hinges or the equivalent, and fasteners to keep them closed at all times except during refuse pick-up. The Development Services Director may require that a hedge or similar landscaping material surround the enclosure walls. The container and enclosure shall be oriented so that the opening faces away from public streets and adjoining properties. A concrete or asphalt pad of appropriate size and construction shall be provided as a base for the container. The container pad shall be at the approximate level of the service vehicle approach area so that the truck's loading mechanism can align with the container's sleeves. The screened enclosure shall not be located in any street right-of-way or required landscape buffer. Containers and enclosures shall be located to allow ease of access for collection trucks and direct access to drive areas. Straight-in or circular drives are encouraged to reduce truck maneuvering problems. No parking or other obstructions shall be permitted in front of such containers and enclosures. Hours of operation for emptying such containers may be specified during the site plan review process based on compatibility with adjacent properties to limit noise.

b) Refer to Part 9 for Pool Screen Enclosure standards

4604 14.16 General provisions for all landscaped areas

4606 a) *Landscape Installation and Quality of plant material.* When the construction upon or  
the development of a new site or the redevelopment, reconstruction, upgrading,  
4608 expansion or change in use of a previously developed site is such that a landscape  
plan is required, the provisions of this Section shall be applied to all landscaped  
4610 areas required by this Chapter consistent with the water-efficient landscaping  
standards established herein and the Florida Friendly Landscaping Program. All  
4612 plant materials shall be Florida No. 1 grade, or better, according to the current  
"Grades and Standards for Nursery Plants," published by the State of Florida,  
Department of Agriculture, except when the Development Services Director finds  
4614 that the existing native vegetation will provide the necessary visual screening.  
Existing trees situated in the required buffer may be used to satisfy the buffer tree  
4616 requirement if they are sufficient in size and number.

b) Tree planting standards.

4618 1. Canopy trees shall have a minimum height of eight (8) feet and minimum  
caliper of two and one-half (2½) inches with an overall average of three (3)  
4620 inches, measured one (1) foot above ground, immediately after planting.  
Canopy trees shall not be placed where they interfere with site drainage.  
4622 Where utility lines are present, understory trees generally shall be substituted  
for canopy trees using Plant Group C or from Florida Friendly Landscaping  
4624 Guide to Plant Selection & Landscape Design. Where canopy trees adjacent to  
utility lines are specified under a pre-existing development order, PD Master  
4626 Development Plan, or other provision(s) of this Code, they may waived by the  
Development Services Director subject to this Code. If they are used in buffers  
4628 adjacent to utility lines, canopy trees shall be placed at the edge of the buffer  
furthest from the utility lines. Evergreens, as provided in Plant Group A or  
4630 from Florida Friendly Landscaping Guide to Plant Selection & Landscape  
Design shall also be eight (8) feet in height at time of planting.

4632 2. Understory trees shall have a minimum height of six (6) feet and minimum  
caliper of one and one half (1½) inches measured one (1) foot above ground,  
4634 immediately after planting. Understory trees shall not be placed where they  
interfere with site drainage.

4636 c) *Required mix of tree species.* When ten (10) or more trees are required to be planted  
to meet the requirements of this Chapter, a mix of tree species shall be provided,  
4638 at least one (1) of which shall be native to the Central Florida region. The minimum  
number of species to be planted are indicated below.

### REQUIRED MIX OF TREE SPECIES

<b><u>Required Number of Trees Planted</u></b>	<b><u>Minimum Number of Species</u></b>
<u>10 - 20</u>	<u>2</u>
<u>21 - 30</u>	<u>3</u>
<u>31 - 40</u>	<u>4</u>
<u>41</u>	<u>5</u>

- 4640 d) *Shrubs and hedges*. Shrubs shall be a minimum of two feet (2') in height  
4642 immediately after planting. Hedges, where required, shall be planted and  
maintained so as to form a continuous and unbroken visual screen within a  
maximum of one (1) year after the time of planting.
- 4644 e) *Ground cover*. Ground cover plants include plant materials which reach a maximum  
4646 height of not more than twenty-four (24) inches and may be used in lieu of grass.  
Ground cover plants must present a reasonably complete coverage at time of  
4648 planting. Ground cover plants shall be a minimum of one (1) gallon size when  
planted and spaced a maximum of two (2) feet on center.
- 4650 f) *Turfgrass*. Grass areas shall be planted in species normally grown as permanent  
lawns in Seminole County. Grass areas may be sodded, plugged, sprigged or  
4652 seeded; provided, however, that solid sod shall be used in swales or other areas  
that are found, by the Development Services Director, to be subject to erosion.  
4654 Grass sod shall be clean and reasonably free of weeds and noxious pests or  
diseases. Turfgrass areas should be consolidated and limited to those areas on the  
site that receive pedestrian traffic, provide for recreational uses, provide soil  
4656 erosion control such as on slopes or in swales; or where turfgrass is used as a  
design unifier, or other similar practical use.
- 4658 g) *Mulch*. In order to preserve soil moisture, all planting areas except annual beds shall  
be mulched with no less than two (2) inches of organic mulch, such as wood chips,  
4660 pine needles or oak leaves. Mulch shall be placed directly on the soil or  
landscaping fabric and planting areas shall be properly edged to retain mulch.
- 4662 h) *Installation*. All landscaping shall be installed in accordance with professionally and  
generally accepted commercial planting procedures. Soil which is free of limerock,  
4664 pebbles and other construction debris shall be used. Installation of landscape  
materials shall be accomplished in accordance with the approved Landscape Plan.
- 4666 i) Required landscape design techniques.

Water use zones. Installed trees and plant materials shall be grouped together into zones according to their water use needs. The water use zones shall correlate with the water use zone designations identified in the Approved Plant Species list set forth in Figure 14.1 of this Part. The water use zones are based on drought tolerance and soil moisture categories listed in the Florida Friendly Plant List and database. There are three categories based on the following:

1. High water use zone: A zone containing plants which are generally associated with low to no drought tolerance and wet soils;
2. Moderate water use zone: A zone containing plants which are generally associated with medium drought tolerance and medium drained soils; and
3. Low water use zone: A zone containing plants which are generally associated with high drought tolerance and well drained soils.
4. Plants with similar cultural (soil, climate, sun and light) requirements should be grouped together and irrigated according to their water requirements. Turfgrass shall be irrigated on a separate zone from trees, shrubs and groundcover beds. The proposed water use zones shall be shown on the landscape plan and the irrigation system plan.

(a) *Design standards.* Low water use zone plant material shall comprise at least twenty (20) percent of the total regulated landscaped areas. High water use zone plant material which includes most turf grasses shall comprise no more than forty (40) percent of the total regulated landscape area.

(b) *Use of drought-resistant plant material.* All new or replacement plantings required for any off-street parking area, landscape area or landscape buffer shall use, to the maximum extent possible, native plant material or other species with equivalent drought-resistant properties. The intent of this requirement is to promote and conserve the County's water resources.

4696 (c) *Preservation of existing native plants and material.* Every reasonable  
4698 effort shall be made in the design and construction of all site  
4700 improvements and alterations to save existing healthy trees and native  
4702 vegetation and maintain the existing topography. The Development  
4704 Services Director may require alternate designs and construction  
4706 techniques to better achieve tree and native vegetation preservation  
while still allowing the permitted use of the property. Every reasonable  
effort shall be made to preserve trees and native vegetation to act as  
visual and noise buffers along the perimeters of single-family  
subdivisions and all other developments. Existing native vegetation  
specified to remain shall be preserved in its entirety, with all trees,  
understory and ground cover left intact. Areas of existing natural  
vegetation should not be irrigated.

4708 (d) *Irrigation.* Irrigation systems, when required, shall be designed to  
4710 correlate to the organization of plants into zones as described in  
4712 subsection (1) above. The water use zones shall be depicted on the  
4714 irrigation plan and landscape plan. A temporary aboveground  
4716 irrigation system may be used in areas where low water use zone trees  
4718 and plant material are proposed. All permanent underground irrigation  
4720 systems shall be automatic with cycling capacity and shall be designed  
to avoid irrigation of impervious surfaces. Irrigation systems shall be  
maintained to eliminate waste of water due to loss from damaged,  
missing or improperly operating sprinkler heads, valves, pipes, or  
controllers. Irrigation systems are required to be designed, installed  
and managed per best management practices as identified in the  
approved Florida Friendly Design Standards.

4722 (e) *Approved Plant Species list.* All plant material proposed to be installed  
4724 on a site to meet the requirements of this Code shall be site  
4726 appropriate and selected from the Approved Plant Species list set forth  
4728 in Figure 14.1 of this Part or from Florida Friendly Landscaping Guide  
to Plant Selection & Landscape Design. Use of any other species shall  
require prior approval by the Development Services Director. The  
plants listed in Figure 14.1 of this Part have demonstrated ability to  
grow and thrive in the Central Florida Area.

j) The following trees are approved for plants as Canopy Street Trees:

- 4730 1. Acer rubrum - Red Maple, native
- 4732 2. Carya spp. - Hickories, native
3. Elaeocarpus decipiens – Japanese Blueberry, not native



- 4734 4. Gordonia lasianthus - Loblolly Bay, native
- 4736 5. Liquidambar styraciflua – Sweetgum (use fruitless varieties as street trees), native
- 4738 6. Nyssa sylvatica – Black Gum, native
- 4740 7. Persea borbonia - Red Bay, native
- 4742 8. Pinus eliottii var. densa, var. eliottii - Slash Pine, native
- 4744 9. Pinus palustris - Longleaf Pine, native
- 4746 10. Pinus taeda - Loblolly Pine, native
- 4748 11. Platanus occidentalis – Sycamore, native
- 4750 12. Quercus shumardii - Shumard Oak, native
- 4752 13. Quercus virginiana and cvs. - Live Oak, native
- 4754 14. Tabebuia chrysotricha – Yellow trumpet Tree, not native
- 4756 15. Tabebuia heterophylla – Pink Trumpet Tree, not native
- 4758 16. Ulmus alata - Winged Elm, native
- 4760 17. Ulmus americana - American Elm, native
18. Ulmus parvifolia and cvs. – Chinese Elm, Lacebark Elm, not native
19. Taxodium distichum – Bald Cypress, native
- k) *Canopy trees and root barriers*: Canopy street trees located in planting strips less than ten (10) feet wide require the installation of a root barrier to protect the sidewalk or adjacent hard surface. The root barrier material must be 100 percent recycled polyethylene installed per the manufacturer’s recommendations. The barrier is to be installed linearly directly adjacent to the sidewalk edge and to twenty-four (24) inches depth from finished grade. A total of six (6) feet in length of barrier is required, centered on the trunk of the tree. Vertical ribs are required and must face towards the tree.
- l) *Prohibited plant species*. The exotic and nuisance plant species set forth in Figure 14.2 of this Part or invasive and exotic plant species as identified in F.S. 581.091, Rule Chapter 5B-57 and the University of Florida IFAS Extension Invasive Plant List and database shall not be planted.

#### 14.17 Landscaping and traffic circulation

a) *Wheel stops/curbing.* All landscaped areas shall be protected from vehicle encroachment by wheel stops or curbing. If curbing is raised above abutting landscaped areas, it shall be perforated to permit drainage from the paved ground surface area onto the landscaped area. Where a wheelstop or curb is utilized, the paved area between the curb and the end of the parking spaces may be omitted if the area is landscaped in addition to the required landscaping herein with a material such as ground cover, rock, or gravel, requiring minimal maintenance.

b) *Joint driveways.* Whenever a joint driveway or cross access easement configuration is required by the County or otherwise installed, the Development Services Director may adjust the location and design of landscape areas required on the building site(s).

c) *Intersection visibility.* When an accessway intersects a public right-of-way, landscaping shall be used to define the intersection; provided, however, that all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between two (2) feet and six (6) feet. Trees may be trimmed if they create a traffic hazard. Landscaping, except grass and ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement. The aforementioned triangular areas are described as follows:

1. The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right-of-way pavement line with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the other two (2) sides.
2. The area of property located at a corner formed by the intersection of two (2) or more public streets with two (2) sides of the triangular area being measured thirty (30) feet in length along the abutting edges of pavement, from their point of intersection, and the third being a line connecting the ends of the other two (2) lines.

#### 14.18 Landscape plan and irrigation plan submittal requirements

- 4794 a) A landscape plan and irrigation plan, when required, shall be submitted by the  
4796 applicant. The landscape plan shall graphically portray the layout of all landscape  
4798 plant materials, turf areas, walls, fences and buffers, pavement and parking areas,  
4800 curbing, structures, signs, easements, existing or proposed utility service lines,  
4802 and all other site improvements. The landscape plan shall list the common and  
4804 botanical name, size, quantity and spacing of each item. The landscape plan and  
irrigation plan shall indicate the total regulated landscape area and size of each  
water use zone by square feet. In addition, the landscape plan shall clearly  
indicate the location of existing vegetation which shall remain undisturbed. Any  
existing trees ~~three (3)~~ six (6) inches in diameter or larger proposed for removal  
shall be clearly indicated. Groups of trees in close proximity may be designated as  
"clumps" of trees on the plan.
- 4806 b) The irrigation plan shall be submitted showing a detailed layout and description of  
4808 a permanent underground irrigation system providing one hundred (100) percent  
4810 coverage of all landscaped areas. The irrigation plan shall include information  
such as sprinkler head type, pipe size, radius of throw, valve and backflow  
preventer, and rain sensor device locations.
- 4812 c) All water use zones shall be indicated on the landscape plan and irrigation plan.  
4814 Turf areas shall be irrigated on separate zones from trees, shrubs and ground  
4816 cover beds. A rain sensor device or switch shall be required on any newly installed  
4818 automatic irrigation system to prevent irrigation during periods of sufficient  
rainfall. The use of low volume, emitter or target irrigation is preferred for trees,  
shrubs and ground cover. Significant irrigation overthrow onto impervious  
surfaces is prohibited. The use of irrigation systems shall comply with all water  
use restrictions imposed by law.
- 4820 d) The Development Services Director may permit the use of a temporary above-  
4822 ground irrigation system in areas where drought tolerant/low water use zone  
plant material is proposed to be planted for the entire landscaped area. An  
irrigation plan shall not be required in such circumstances.
- 4824 e) When an effluent reuse system is available to serve the premises and sufficient  
4826 capacity exists, reclaimed water shall be used to irrigate any area required to be  
landscaped. The landscape and irrigation plan shall be exempt from the  
requirements of this Section.

- f) The landscape plan and irrigation plan shall be reviewed by the Development Services Director and building permits shall not be issued until a landscape plan and irrigation plan is approved. Irrigation systems shall be installed according to manufacturer's specifications and the Florida Irrigation Society Standards and Specifications for Turf and Landscape Irrigation Systems.
- g) More restrictive landscaping requirements. When landscaping requirements are included as part of the regulations for any zoning classification, the more restrictive requirements shall govern. It is intended that these regulations be used in conjunction with other landscaping regulations.
- h) Enforcement. All landscaping required by this Section shall be installed prior to issuance of a certificate of occupancy by the Building Official.
- i) Maintenance. The property owner, tenant and any agent of an owner or tenant shall be jointly and severally responsible for the proper maintenance of irrigation systems and of all landscaping in good condition so as to present a healthy and orderly appearance, free of refuse and debris and to provide proper maintenance of the plant material in order that it will, at all times, conform to the provisions of this Code. This requirement includes, but is not limited to, the replacement of plants damaged by insects, diseases, vehicular traffic, acts of God, and vandalism. Necessary replacements shall be made within forty-five (45) days after notification by the Development Services Director of a violation of this Section. Shrubs required by this Chapter as part of a hedge or durable landscape screen shall be maintained at the minimum required height or greater. Irrigation systems installed to meet the requirements of this Code shall be maintained in proper operating condition at all times to prevent waste of irrigation water.
- j) Waiver. The Board of County Commissioners, or designee, may grant a waiver from the provisions of this Section when such waiver is found to not be contrary to the public interest and furthers the intent and purposes of this Chapter.
- k) Administrative adjustments. The Development Services Director may approve reductions in setbacks and other requirements subject to the provisions of Section 5.19. Approval shall be conditioned on a finding that the administrative adjustment will protect and encourage the preservation of large canopy, specimen, or historic trees if the preservation of existing trees and vegetation can be assured during and after site development.

#### **Figure 14.1**

#### **APPROVED PLANT SPECIES LIST**

<u>CANOPY TREES (Mature Size 40' or more in Height)</u>			
<u>Common Name</u>	<u>Botanical Name</u>	<u>Water Zone</u>	<u>Native (Y/N)</u>
Bald Cypress	<u>Taxodium distichum</u>	<u>L</u>	<u>Y</u>
Black Cherry	<u>Prunus serotina</u>	<u>M</u>	<u>Y</u>
Black Gum/Swamp Tupelo	<u>Nyssa sylvatica</u>	<u>H</u>	<u>Y</u>
Chinese Elm	<u>Ulmus parvifolia</u>	<u>L</u>	<u>N</u>
Florida Elm	<u>Ulmus americana var. floridana</u>	<u>M</u>	<u>Y</u>
Florida Scrub Hickory	<u>Carya floridana</u>	<u>L</u>	<u>Y</u>
Formosan Gum	<u>Liquidambar formosana</u>	<u>L</u>	<u>N</u>
Green Ash	<u>Fraxinus pennsylvanica</u>	<u>M</u>	<u>N</u>
Laurel Oak	<u>Quercus laurifolia</u>	<u>L</u>	<u>Y</u>
Live Oak	<u>Quercus virginiana</u>	<u>L</u>	<u>Y</u>
Loblolly Pine	<u>Pinus taeda</u>	<u>L</u>	<u>Y</u>
Longleaf Pine	<u>Pinus palustris</u>	<u>L</u>	<u>Y</u>
Oriental Sycamore	<u>Platanus orientalis</u>	<u>M</u>	<u>N</u>
Pecan	<u>Carya illinoensis</u>	<u>M</u>	<u>N</u>
Pignut Hickory	<u>Carya glabra</u>	<u>L</u>	<u>Y</u>
Pond Cypress	<u>Taxodium ascendens</u>	<u>H</u>	<u>Y</u>
Red Maple	<u>Acer rubrum</u>	<u>H</u>	<u>Y</u>
Sand Pine	<u>Pinus clausa</u>	<u>L</u>	<u>Y</u>
Shumard Oak	<u>Quercus shumardii</u>	<u>L</u>	<u>Y</u>
Slash Pine	<u>Pinus elliotti</u>	<u>L</u>	<u>Y</u>
Southern Basswood	<u>Tilia floridana</u>	<u>M</u>	<u>Y</u>
Southern Magnolia	<u>Magnolia grandiflora</u>	<u>L</u>	<u>Y</u>
Sugarberry	<u>Celtis laevigata</u>	<u>L</u>	<u>Y</u>
Sweetgum	<u>Liquidambar styraciflua</u>	<u>L</u>	<u>Y</u>
Sycamore	<u>Plantanus occidentalis</u>	<u>H</u>	<u>Y</u>
Tulip Tree	<u>Liriodendron tulipifera</u>	<u>H</u>	<u>Y</u>
Tupelo Gum	<u>Nyssa aquatica</u>	<u>H</u>	<u>Y</u>

<u>CANOPY TREES (Mature Size 40' or more in Height)</u>			
<u>Turkey Oak</u>	<u>Quercus laevis</u>	<u>L</u>	<u>Y</u>
<u>Water Oak</u>	<u>Quercus nigra</u>	<u>M, L</u>	<u>Y</u>
<u>Weeping Willow</u>	<u>Salix babylonica</u>	<u>H</u>	<u>N</u>
<u>Winged Elm</u>	<u>Ulmus alata</u>	<u>L</u>	<u>Y</u>

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<u>UNDERSTORY TREES (Mature Size 12' to 35' Height)</u>			
<u>Common Name</u>	<u>Botanical Name</u>	<u>Water Zone</u>	<u>Native (Y/N)</u>
<u>American Hornbeam</u>	<u>Carpinus caroliniana</u>	<u>H</u>	<u>Y</u>
<u>American Holly</u>	<u>Ilex opaca (or x attenuata)</u>	<u>L</u>	<u>Y</u>
<u>Bluejack Oak</u>	<u>Quercus incana</u>	<u>L</u>	<u>Y</u>
<u>Bradford Pear</u>	<u>Pyrus calleryana "Bradfordi"</u>	<u>M</u>	<u>N</u>
<u>Carolina Ash</u>	<u>Fraxinus caroliniana</u>	<u>M</u>	<u>Y</u>
<u>Chapman Oak</u>	<u>Quercus chapmanii</u>	<u>L</u>	<u>Y</u>
<u>Cherry Laurel</u>	<u>Prunus caroliniana</u>	<u>M</u>	<u>Y</u>
<u>Chickasaw Plum</u>	<u>Prunus angustifolia</u>	<u>L</u>	<u>Y</u>
<u>Coastal Plain Willow</u>	<u>Salix caroliniana</u>	<u>H</u>	<u>Y</u>
<u>Common Persimmon</u>	<u>Diospyros virginiana</u>	<u>L</u>	<u>Y</u>
<u>Crape Myrtle</u>	<u>Lagerstroemia indica</u>	<u>L</u>	<u>N</u>
<u>Dahoon Holly</u>	<u>Ilex cassine</u>	<u>M</u>	<u>Y</u>
<u>Deciduous Holly</u>	<u>Ilex decidua</u>	<u>M</u>	<u>Y</u>
<u>Drake Elm</u>	<u>Ulmus parvifolia "Drake"</u>	<u>L</u>	<u>N</u>
<u>Dwarf Siberian Elm</u>	<u>Ulmus pumila</u>	<u>L</u>	<u>N</u>
<u>Eastern Red Cedar</u>	<u>Juniperus virginiana</u>	<u>L</u>	<u>Y</u>
<u>Eastern Hophornbeam</u>	<u>Ostrya virginiana</u>	<u>M</u>	<u>Y</u>
<u>Firethorn Pyracantha Tree</u>	<u>Pyracantha coccinea</u>	<u>L</u>	<u>N</u>
<u>Flowering Dogwood</u>	<u>Cornus florida</u>	<u>L</u>	<u>Y</u>
<u>Fraser's Photinia</u>	<u>Photinia x Fraseri</u>	<u>M</u>	<u>N</u>
<u>Fringetree</u>	<u>Chionanthus virginicus</u>	<u>M</u>	<u>Y</u>
<u>Glossy Tree Privet</u>	<u>Ligustrum lucidum</u>	<u>M</u>	<u>N</u>

<u>UNDERSTORY TREES (Mature Size 12' to 35' Height)</u>			
<u>Green Hawthorn</u>	<u>Crataegus viridis</u>	<u>M</u>	<u>Y</u>
<u>Italian Cypress</u>	<u>Cupressus sempervirens</u>	<u>M</u>	<u>N</u>
<u>Japanese Persimmon</u>	<u>Diospyros kaki</u>	<u>L</u>	<u>N</u>
<u>Jerusalem Thorn</u>	<u>Parkinsonia aculeata</u>	<u>L</u>	<u>N</u>
<u>Kawakami Pear</u>	<u>Pyrus calleryana "Kawaka"</u>	<u>M</u>	<u>N</u>
<u>Leyland Cypress</u>	<u>Cupressocyparis leylandii</u>	<u>M</u>	<u>N</u>
<u>Loblolly Bay</u>	<u>Gordonia lasianthus</u>	<u>H</u>	<u>Y</u>
<u>Loquat</u>	<u>Eriobotrya japonica</u>	<u>M</u>	<u>N</u>
<u>Mayhaw</u>	<u>Crataegus opaca</u>	<u>M</u>	<u>Y</u>
<u>Myrtle Oak</u>	<u>Quercus myrtifolia</u>	<u>L</u>	<u>Y</u>
<u>Parsley Hawthorn</u>	<u>Crataegus marshalli</u>	<u>L</u>	<u>Y</u>
<u>Paw Paw</u>	<u>Asimina triloba</u>	<u>M</u>	<u>Y</u>
<u>Queen Sage</u>	<u>Cycas circinalis</u>	<u>L</u>	<u>N</u>
<u>Red Bay</u>	<u>Persia borbonia</u>	<u>L</u>	<u>Y</u>
<u>Sand Post Oak</u>	<u>Quercus stellata</u>	<u>L</u>	<u>Y</u>
<u>Saucer Magnolia</u>	<u>Magnolia soulangeana</u>	<u>M</u>	<u>N</u>
<u>Service berry</u>	<u>Amelanchier Arborea</u>	<u>M</u>	<u>Y</u>
<u>Southern Juniper/Red Cedar</u>	<u>Juniperus salicicola</u>	<u>L</u>	<u>Y</u>
<u>Star Magnolia</u>	<u>Magnolia stellata</u>	<u>M</u>	<u>N</u>
<u>Sweetbay</u>	<u>Magnolia virginiana</u>	<u>M</u>	<u>Y</u>
<u>Taiwan Flowering Cherry</u>	<u>Prunus campanulata</u>	<u>M</u>	<u>N</u>
<u>Trumpet tree</u>	<u>Tabebuia spp.</u>	<u>M</u>	<u>N</u>
<u>Waxleaf Privet</u>	<u>Ligustrum japonicum</u>	<u>M</u>	<u>N</u>
<u>Wax Myrtle</u>	<u>Myrica cerifera</u>	<u>L</u>	<u>Y</u>
<u>Yaupon Holly</u>	<u>Ilex vomitoria</u>	<u>L</u>	<u>Y</u>

<u>PALMS (Mature Size 10' to 90' Height)</u>			
<u>Common Name</u>	<u>Botanical Name</u>	<u>Water Zone</u>	<u>Native (Y/N)</u>
<u>Cabbage Palm</u>	<u>Sabal palmetto</u>	<u>L</u>	<u>Y</u>

<u>PALMS (Mature Size 10' to 90' Height)</u>			
<u>Canary Island Date Palm</u>	<u>Phoenix canariensis</u>	<u>L</u>	<u>N</u>
<u>Chinese Fan Palm</u>	<u>Livistonia chinensis</u>	<u>L</u>	<u>N</u>
<u>European Fan Palm</u>	<u>Chamaerops humilis</u>	<u>M</u>	<u>N</u>
<u>Pindo Palm</u>	<u>Butia capitata</u>	<u>L</u>	<u>N</u>
<u>Queen Palm</u>	<u>Arecastrum romanzoffian</u>	<u>L</u>	<u>N</u>
<u>Senegal Date Palm</u>	<u>Phoenix reclinata</u>	<u>L</u>	<u>N</u>
<u>Washington Palm</u>	<u>Washingtonia robusta</u>	<u>L</u>	<u>N</u>
<u>Windmill Palm</u>	<u>Trachycarpus fortunei</u>	<u>L</u>	<u>N</u>

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<u>SHRUBS, SMALL PALMS AND CYCADS</u>			
<u>Common Name</u>	<u>Botanical Name</u>	<u>Water Zone</u>	<u>Native (Y/N)</u>
<u>Abelia</u>	<u>Abelia grandiflora</u>	<u>M</u>	<u>N</u>
<u>American Arborvitae</u>	<u>Thuja occidentalis</u>	<u>M</u>	<u>N</u>
<u>Asian Butterfly Bush</u>	<u>Buddleia asiatica</u>	<u>M</u>	<u>N</u>
<u>Banana Shrub</u>	<u>Magnolia figo</u>	<u>M</u>	<u>N</u>
<u>Bear Grass</u>	<u>Yucca smalliana</u>	<u>L</u>	<u>Y</u>
<u>Beautyberry</u>	<u>Callicarpa americana</u>	<u>L</u>	<u>Y</u>
<u>Boxthorn</u>	<u>Severinia buxifolia</u>	<u>N</u>	<u>N</u>
<u>Brook Euonymus</u>	<u>Euonymus americana</u>	<u>M</u>	<u>Y</u>
<u>Burford Holly</u>	<u>Ilex cornuta "Burfordi"</u>	<u>M</u>	<u>N</u>
<u>Camellia</u>	<u>Camellia japonica</u>	<u>M</u>	<u>N</u>
<u>Cardboard Plant</u>	<u>Zamia furfuracea</u>	<u>L</u>	<u>N</u>
<u>Cassia</u>	<u>Cassia spp.</u>	<u>M</u>	<u>N</u>
<u>Century Plant</u>	<u>Agave americana</u>	<u>L</u>	<u>N</u>
<u>Chapman Rhododendron</u>	<u>Rhododendron chapmannii</u>	<u>H</u>	<u>Y</u>
<u>Christmasberry</u>	<u>Lycium carolinianum</u>	<u>L</u>	<u>Y</u>
<u>Chinese Holly</u>	<u>Ilex cornuta</u>	<u>M</u>	<u>N</u>
<u>Chinese Witch Hazel</u>	<u>Loropetalum chinese</u>	<u>M</u>	<u>N</u>



SHRUBS, SMALL PALMS AND CYCADS			
<u>Chinese Juniper</u>	<u>Juniperus chinensis</u>	<u>L</u>	<u>N</u>
<u>Chinese Mahonia</u>	<u>Mahonia fortunei</u>	<u>M</u>	<u>N</u>
<u>Cleyera</u>	<u>Ternstroemia gymnanthera</u>	<u>L</u>	<u>N</u>
<u>Cleyera</u>	<u>Cleyera japonica</u>	<u>M</u>	<u>N</u>
<u>Common Buttonbush</u>	<u>Cephalanthus occidentalis</u>	<u>H</u>	<u>Y</u>
<u>Coontie</u>	<u>Zamia floridana</u>	<u>L</u>	<u>Y</u>
<u>Coralberry Ardisia</u>	<u>Ardisia crispa (or crenata)</u>	<u>M</u>	<u>N</u>
<u>Crinum Lily</u>	<u>Crinum asiaticum</u>	<u>M</u>	<u>N</u>
<u>Croton</u>	<u>Codiaeum variegatum</u>	<u>L</u>	<u>N</u>
<u>Dahoon Holly</u>	<u>Ilex cassine</u>	<u>M</u>	<u>Y</u>
<u>Dwarf Azaleas</u>	<u>Rhododendron obtusum</u>	<u>H</u>	<u>N</u>
<u>Dwarf Yaupon Holly</u>	<u>Ilex vomitoria "nana"</u>	<u>L</u>	<u>Y</u>
<u>Dwarf Palmetto</u>	<u>Sabal minor</u>	<u>L</u>	<u>Y</u>
<u>English Boxwood</u>	<u>Buxus sempervirens</u>	<u>M</u>	<u>N</u>
<u>Fatsia</u>	<u>Fatsia japonica</u>	<u>M</u>	<u>N</u>
<u>Feijoa</u>	<u>Feijoa sellowiana</u>	<u>M</u>	<u>N</u>
<u>Fetterbush</u>	<u>Lyonia lucida</u>	<u>L</u>	<u>Y</u>
<u>Firebush</u>	<u>Hamelia patens</u>	<u>L</u>	<u>Y</u>
<u>Firethorn Pyracantha</u>	<u>Pyracantha coccinea</u>	<u>M</u>	<u>N</u>
<u>Florida Flame Azalea</u>	<u>Rhododendron austrinum</u>	<u>H</u>	<u>Y</u>
<u>Florida Elderberry</u>	<u>Sambucus simpsonii</u>	<u>M</u>	<u>Y</u>
<u>Florida Anise</u>	<u>Illicium floridanum</u>	<u>M</u>	<u>Y</u>
<u>Florida Privet</u>	<u>Forestiera segregata</u>	<u>M</u>	<u>Y</u>
<u>Fragrant Honeysuckle</u>	<u>Lonicera fragrantissima</u>	<u>M</u>	<u>N</u>
<u>Fraser's Photinia</u>	<u>Photinia Fraseri</u>	<u>M</u>	<u>N</u>
<u>Gallberry</u>	<u>Ilex glabra</u>	<u>L</u>	<u>Y</u>
<u>Garden Hydrangea</u>	<u>Hydrangea macrophylla</u>	<u>H</u>	<u>N</u>
<u>Gardenia</u>	<u>Gardenia jasminoides</u>	<u>M</u>	<u>N</u>
<u>Golden-Dewdrop</u>	<u>Duranta repens</u>	<u>M</u>	<u>N</u>

SHRUBS, SMALL PALMS AND CYCADS			
<u>Groundsel Tree</u>	<u>Baccharis halimifolia</u>	<u>L</u>	<u>Y</u>
<u>Heavenly Bamboo</u>	<u>Nandina domestica</u>	<u>L</u>	<u>N</u>
<u>Holly Malpighia</u>	<u>Malpighia coccigera</u>	<u>M</u>	<u>N</u>
<u>Indian Hawthorn</u>	<u>Raphiolepis indica</u>	<u>L</u>	<u>N</u>
<u>Indica Azaleas</u>	<u>Rhododendron indica</u>	<u>H</u>	<u>N</u>
<u>Japanese Boxwood</u>	<u>Buxus microphylla</u>	<u>M</u>	<u>N</u>
<u>Japanese Privet</u>	<u>Ligustrum japonicum</u>	<u>L</u>	<u>N</u>
<u>Japanese Holly</u>	<u>Ilex crenata</u>	<u>M</u>	<u>N</u>
<u>Junipers</u>	<u>Juniperus spp.</u>	<u>L</u>	<u>N</u>
<u>King Sage</u>	<u>Cycas revoluta</u>	<u>L</u>	<u>N</u>
<u>Kumquat</u>	<u>Fortunella japonica</u>	<u>L</u>	<u>N</u>
<u>Kurume Azaleas</u>	<u>Rhododendron Kurume</u>	<u>H</u>	<u>N</u>
<u>Lady Palm</u>	<u>Rhapis excelsa</u>	<u>M</u>	<u>N</u>
<u>Lantana</u>	<u>Lantana camara</u>	<u>L</u>	<u>Y</u>
<u>Laurustius Viburnum</u>	<u>Viburnum tinus</u>	<u>H</u>	<u>N</u>
<u>Leatherleaf Mahonia</u>	<u>Mahonia Bealei</u>	<u>M</u>	<u>N</u>
<u>Leucothoe</u>	<u>Leucothoe axillaris</u>	<u>H</u>	<u>Y</u>
<u>Nagi Podocarpus</u>	<u>Podocarpus Nagi</u>	<u>M</u>	<u>N</u>
<u>Needle Palm</u>	<u>Rhapidohyllum hystrix</u>	<u>M</u>	<u>Y</u>
<u>Oakleaf Hydrangea</u>	<u>Hydrangea quercifolia</u>	<u>M</u>	<u>Y</u>
<u>Oleander</u>	<u>Nerium oleander</u>	<u>L</u>	<u>N</u>
<u>Pittosporum</u>	<u>Pittosporum tobira</u>	<u>M</u>	<u>N</u>
<u>Plumbago</u>	<u>Plumbago auriculata</u>	<u>L</u>	<u>N</u>
<u>Podocarpus</u>	<u>Podocarpus macrophyllus</u>	<u>L</u>	<u>N</u>
<u>Pygmy Date Palm</u>	<u>Phoenix roebelinii</u>	<u>M</u>	<u>N</u>
<u>Red Buckeye</u>	<u>Aesculus pavia</u>	<u>L</u>	<u>Y</u>
<u>Rosemary</u>	<u>Ceratiola ericoides</u>	<u>L</u>	<u>Y</u>
<u>Sandankwa Viburnum</u>	<u>Viburnum suspensum</u>	<u>H</u>	<u>N</u>
<u>Sasanqua Camellia</u>	<u>Camellia sasanqua</u>	<u>H</u>	<u>N</u>

SHRUBS, SMALL PALMS AND CYCADS			
<u>Saw Palmetto</u>	<u>Serenoa repens</u>	<u>L</u>	<u>Y</u>
<u>Scarlet Hibiscus</u>	<u>Hibiscus coccineus</u>	<u>M</u>	<u>Y</u>
<u>Scrub Palmetto</u>	<u>Sabal etonia</u>	<u>L</u>	<u>Y</u>
<u>Serrissa</u>	<u>Serrissa foetida</u>	<u>M</u>	<u>N</u>
<u>Shiny Blueberry</u>	<u>Vaccinium myrsinites</u>	<u>L</u>	<u>Y</u>
<u>Shrimp Plant</u>	<u>Beloperone guttata</u>	<u>M</u>	<u>N</u>
<u>Silverthorn</u>	<u>Eleagnus pungens</u>	<u>L</u>	<u>N</u>
<u>Slender Buckthorn</u>	<u>Bumelia reclinata</u>	<u>M</u>	<u>Y</u>
<u>Snowbell</u>	<u>Styrax americanus</u>	<u>H</u>	<u>Y</u>
<u>Spanish Bayonet</u>	<u>Yucca aliofolia</u>	<u>L</u>	<u>Y</u>
<u>Spanish Dagger</u>	<u>Yucca gloriosa</u>	<u>L</u>	<u>Y</u>
<u>Sparkleberry</u>	<u>Vaccinium arboreum</u>	<u>L</u>	<u>Y</u>
<u>Spice-Bush</u>	<u>Lindera benzoin</u>	<u>M</u>	<u>Y</u>
<u>St. John's Wort</u>	<u>Hypericum spp.</u>	<u>M</u>	<u>Y</u>
<u>Star Anise</u>	<u>Illicium anisatum</u>	<u>M</u>	<u>N</u>
<u>Surinam Cherry</u>	<u>Eugenia uniflora</u>	<u>M</u>	<u>N</u>
<u>Swamp Honeysuckle Azalea</u>	<u>Rhododendron riscosum</u>	<u>H</u>	<u>Y</u>
<u>Sweet Pepperbush</u>	<u>Clethra alnifolia</u>	<u>M</u>	<u>Y</u>
<u>Sweet Pinxter Azalea</u>	<u>Rhododendron canescens</u>	<u>H</u>	<u>Y</u>
<u>Sweet Viburnum</u>	<u>Viburnum odoratissimum</u>	<u>M</u>	<u>N</u>
<u>Sweetshrub</u>	<u>Calycanthus floridus</u>	<u>M</u>	<u>Y</u>
<u>Tar-Flower</u>	<u>Befaria racemosa</u>	<u>L</u>	<u>Y</u>
<u>Thryallis</u>	<u>Galphima (or Thryallis) glauca</u>	<u>L</u>	<u>N</u>
<u>Tough Bumelia</u>	<u>Bumelia tenax</u>	<u>M</u>	<u>Y</u>
<u>Walter Viburnum</u>	<u>Viburnum obovatum</u>	<u>M</u>	<u>Y</u>
<u>Witch Hazel</u>	<u>Hamamelis virginiana</u>	<u>M</u>	<u>Y</u>
<u>Yellow Anise</u>	<u>Illicium parviflorum</u>	<u>M</u>	<u>Y</u>
<u>Yellow Pineland Lantana</u>	<u>Lantana depressa</u>	<u>L</u>	<u>Y</u>

<u>GROUNDCOVERS</u>			
<u>Common Name</u>	<u>Botanical Name</u>	<u>Water Zone</u>	<u>Native (Y/N)</u>
<u>Algerian Ivy</u>	<u>Hedera canariensis</u>	<u>M</u>	<u>N</u>
<u>Asparagus Fern</u>	<u>Asparagus spp. (Sprengeri)</u>	<u>L</u>	<u>N</u>
<u>Beach Sunflower</u>	<u>Helianthus debilis</u>	<u>L</u>	<u>Y</u>
<u>Beach Morning Glory</u>	<u>Ipomoea stolonifera</u>	<u>L</u>	<u>Y</u>
<u>Bigleaf Periwinkle</u>	<u>Vinca major</u>	<u>M</u>	<u>N</u>
<u>Billbergia Bromeliad</u>	<u>Billbergia spp.</u>	<u>H</u>	<u>N</u>
<u>Black Eyed Susan</u>	<u>Rudbeckia hirta</u>	<u>L</u>	<u>Y</u>
<u>Blazing Star Liatris</u>	<u>Liatris tenuifolia</u>	<u>L</u>	<u>Y</u>
<u>Blue Daze</u>	<u>Convolvulus "Blue Daze"</u>	<u>M</u>	<u>N</u>
<u>Blue Flag</u>	<u>Iris virginica</u>	<u>H</u>	<u>Y</u>
<u>Blue Lily of the Nile</u>	<u>Agapanthus africanus</u>	<u>M</u>	<u>N</u>
<u>Bromeliad</u>	<u>Vriesea spp.</u>	<u>H</u>	<u>N</u>
<u>Bugleweed</u>	<u>Ajuga reptans</u>	<u>H</u>	<u>N</u>
<u>Butterfly Iris</u>	<u>Dietes iridoides</u>	<u>H</u>	<u>N</u>
<u>Carolina Jessamine</u>	<u>Gelsemium sempervirens</u>	<u>M</u>	<u>Y</u>
<u>Cast Iron Plant</u>	<u>Aspidistra elatior</u>	<u>L</u>	<u>N</u>
<u>Cinnamon Fern</u>	<u>Osmanda cinnamomea</u>	<u>H</u>	<u>Y</u>
<u>Confederate Jasmine</u>	<u>Trachelospermum asiatic</u>	<u>M</u>	<u>N</u>
<u>Coontie</u>	<u>Zamia floridana</u>	<u>L</u>	<u>Y</u>
<u>Cordgrass</u>	<u>Spartina spp.</u>	<u>L</u>	<u>Y</u>
<u>Coreopsis</u>	<u>Coreopsis gladiata (or tinctoria)</u>	<u>H</u>	<u>Y</u>
<u>Creeping Fig</u>	<u>Ficus pumila</u>	<u>L</u>	
<u>Creeping Juniper</u>	<u>Juniperus horizontalis</u>	<u>L</u>	<u>N</u>
<u>Creeping Phlox</u>	<u>Phlox nivalis</u>	<u>L</u>	<u>Y</u>
<u>Crown of Thorns</u>	<u>Euphorbia milii</u>	<u>L</u>	<u>N</u>
<u>Daylily</u>	<u>Hemerocallis spp.</u>	<u>L</u>	<u>N</u>
<u>Dichondra</u>	<u>Dichondra micrantha</u>	<u>M</u>	<u>N</u>

<u>GROUNDCOVERS</u>			
<u>Dwarf Coreopsis</u>	<u>Coreopsis auriculata "Nana"</u>	<u>H</u>	<u>N</u>
<u>Dwarf Heavenly Bamboo</u>	<u>Nandina domestica "nana"</u>	<u>M</u>	<u>N</u>
<u>Dwarf Oyster Plant</u>	<u>Rhoeo spathacea "nana"</u>	<u>L</u>	<u>N</u>
<u>Dwarf Palmetto</u>	<u>Sabal minor</u>	<u>L</u>	<u>Y</u>
<u>Dwarf Pittosporum</u>	<u>Pittosporum tobira "Wheeleri"</u>	<u>M</u>	<u>N</u>
<u>English Ivy</u>	<u>Hedera helix</u>	<u>M</u>	<u>N</u>
<u>Fancyleaved Caladium</u>	<u>Caladium x Nortulanum</u>	<u>M</u>	<u>N</u>
<u>Gaillardia</u>	<u>Gaillardia pulchella</u>	<u>L</u>	<u>Y</u>
<u>Gerbera Daisy</u>	<u>Gerbera jamesonii</u>	<u>M</u>	<u>N</u>
<u>Hall's Honeysuckle</u>	<u>Lonicera japonica "Halliana"</u>	<u>L</u>	<u>N</u>
<u>Holly Fern</u>	<u>Cyrtomium falcatum</u>	<u>M</u>	<u>N</u>
<u>Japanese Garden Juniper</u>	<u>Juniperus procumbens</u>	<u>L</u>	<u>N</u>
<u>Leatherleaf Fern</u>	<u>Rumohra adiantiformis</u>	<u>M</u>	<u>N</u>
<u>Lilly Turf</u>	<u>Liriope spp.</u>	<u>M</u>	<u>N</u>
<u>Mondo Grass</u>	<u>Ophiopogon japonicus</u>	<u>M</u>	<u>N</u>
<u>Moss Pink</u>	<u>Phlox subulata</u>	<u>M</u>	<u>N</u>
<u>Nick's Compact Juniper</u>	<u>Juniperus c.p. "Nick's Compacta"</u>	<u>L</u>	<u>N</u>
<u>Parson's Juniper</u>	<u>Juniperus squamata "Parsoni"</u>	<u>L</u>	<u>N</u>
<u>Periwinkle, Vinca</u>	<u>Catharantus roseus</u>	<u>M</u>	<u>N</u>
<u>Plumbago</u>	<u>Plumbago auriculata</u>	<u>L</u>	<u>N</u>
<u>Prairie Iris</u>	<u>Iris hexagona</u>	<u>H</u>	<u>Y</u>
<u>Red Muhly Grass</u>	<u>Muhlenbergia spp.</u>	<u>L</u>	<u>Y</u>
<u>Florida Rosemary</u>	<u>Ceratiola ericoides</u>	<u>L</u>	<u>Y</u>
<u>Royal Fern</u>	<u>Osmanda regalis</u>	<u>H</u>	<u>Y</u>
<u>Saw Palmetto</u>	<u>Serenoa repens</u>	<u>L</u>	<u>Y</u>
<u>Sedum</u>	<u>Sedum spp.</u>	<u>L</u>	<u>N</u>
<u>Shield Fern</u>	<u>Thelyptis spp.</u>	<u>M</u>	<u>Y</u>
<u>Shore Juniper</u>	<u>Juniperus conferta</u>	<u>L</u>	<u>N</u>
<u>Society Garlic</u>	<u>Tulbaghia violacea</u>	<u>L</u>	<u>N</u>

<u>GROUNDCOVERS</u>			
<u>Star Jasmine</u>	<u>Jasminum nitidum</u>	<u>M</u>	<u>N</u>
<u>Swamp Lily</u>	<u>Crinum americanum</u>	<u>H</u>	<u>Y</u>
<u>Sword Fern</u>	<u>Nephrolepis exalta</u>	<u>H</u>	<u>Y</u>
<u>Trailing Fig</u>	<u>Ficus sagittata</u>	<u>L</u>	<u>N</u>
<u>Virginia Creeper</u>	<u>Parthenocissus quinquefolia</u>	<u>H</u>	<u>Y</u>
<u>Wedelia</u>	<u>Wedelia trilobata</u>	<u>L</u>	<u>N</u>
<u>Weeping Lantana</u>	<u>Lantana montevidensis</u>	<u>L</u>	<u>N</u>
<u>Wild Canna</u>	<u>Canna flaccida</u>	<u>H</u>	<u>Y</u>
<u>Wintercreeper</u>	<u>Euonymus fortunei "coloratus"</u>	<u>M</u>	<u>N</u>
<u>Yellow Pineland Lantana</u>	<u>Lantana depressa</u>	<u>L</u>	<u>Y</u>

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<u>NON-NATIVE VINES</u>		
<u>Common Name</u>	<u>Botanical Name</u>	<u>Water Zone</u>
<u>Algerian Ivy</u>	<u>Hedera canariensis</u>	<u>M</u>
<u>Allamanda</u>	<u>Allamanda cathartica</u>	<u>M</u>
<u>Arabian Jasmine</u>	<u>Jasminum sambac</u>	<u>M</u>
<u>Chinese Wisteria</u>	<u>Wisteria sinensis</u>	<u>L</u>
<u>Confederate Jasmine</u>	<u>Trachelospermum asiaticum</u>	<u>M</u>
<u>Coral Vine</u>	<u>Antigonon leptopus</u>	<u>L</u>
<u>Downy Jasmine</u>	<u>Jasminum multiflorum</u>	<u>M</u>
<u>English Ivy</u>	<u>Hedera helix</u>	<u>M</u>
<u>Hall's Honeysuckle</u>	<u>Lonicera japonica "halliana"</u>	<u>L</u>
<u>Japanese Clematis</u>	<u>Clematis dioscoreifolia</u>	<u>M</u>
<u>Mexican Flame Vine</u>	<u>Senecio confusus</u>	<u>L</u>
<u>Star Jasmine</u>	<u>Trachelospermum jasminoides</u>	<u>M</u>

<u>Turfgrasses</u>	
<u>Common Name</u>	<u>Water Zone</u>
<u>Bahia Grass</u>	<u>M</u>

Turfgrasses	
Bermuda Grass	<u>M</u>
Centipede Grass	<u>H</u>
St. Augustine FX-10	<u>M</u>
St. Augustine Grass	<u>H</u>
Zoysia Grass	<u>M</u>

4868 Water Zone Key:

4870 H = High Water Use Zone - Plants which are associated with moist soils and require supplemental water in addition to natural rainfall to survive. This zone includes shallow rooted turfgrass varieties.

4872 M = Moderate Water Use Zone - Plants which survive on natural rainfall with supplemental water during seasonable dry periods. This zone includes deep rooted turfgrass varieties.

4874 L = Low Water Use Zone - Plants which, once established, survive on natural rainfall without supplemental water. Because of the relatively high water requirements of turfgrass, no presently available varieties are included in this category.

4876 Sources: St. Johns River Water Management District Xeriscape Plant Guide South Florida  
 4878 Water Management District Xeriscape Plant Guide II

**FIGURE 14.2**  
**PROHIBITED PLANT SPECIES LIST**

<u>Common Name</u>	<u>Botanical Name</u>
<u>Acacia</u>	<u>Acacia spp.</u>
<u>Air Potato Vine</u>	<u>Dioscorea bulbifera</u>
<u>American Mulberry</u>	<u>Morus rubra</u>
<u>Australian Pine</u>	<u>Casuarina equisetifolia</u>
<u>Brazilian Pepper Tree</u>	<u>Schinus terebinthifolius</u>
<u>Cajeput or Punk Tree</u>	<u>Melaleuca leucodendra</u>
<u>Camphor</u>	<u>Cinnamomum camphora</u>
<u>Castor Bean</u>	<u>Ricinus communis</u>
<u>Chinaberry</u>	<u>Melia azedarach</u>
<u>Chinese Tallow</u>	<u>Sapium sebiferum</u>
<u>Ear Tree</u>	<u>Enterolobium cyclocarpum</u>

**FIGURE 14.2**  
**PROHIBITED PLANT SPECIES LIST**

<u>Eucalyptus</u>	<u>Eucalyptus spp.</u>
<u>Hydrilla</u>	<u>Hydrilla verticillata</u>
<u>Jacaranda</u>	<u>Jacaranda acutifolia</u>
<u>Kudzu Vine</u>	<u>Paeraria lobate</u>
<u>Mimosa</u>	<u>Albizia julibrissin</u>
<u>Paper Mulberry</u>	<u>Broussonetia papyrifera</u>
<u>Rice Paper Plant</u>	<u>Tetrapanax papyriferus</u>
<u>Rosewood</u>	<u>Dalbergia sissoo</u>
<u>Silk Oak</u>	<u>Grevillea robusta</u>
<u>Taro</u>	<u>Colocasia esculenta</u>
<u>Water Hyacinth</u>	<u>Eichhornia spp.</u>
<u>Any other plant species prohibited by Federal or State law including, but not limited to, those prohibited by the rules of the Florida Department of Environmental Protection and the Florida Department of Agriculture, and those listed in the most recent Florida Exotic Pest Plant Council's List of Invasive Plant Species.</u>	

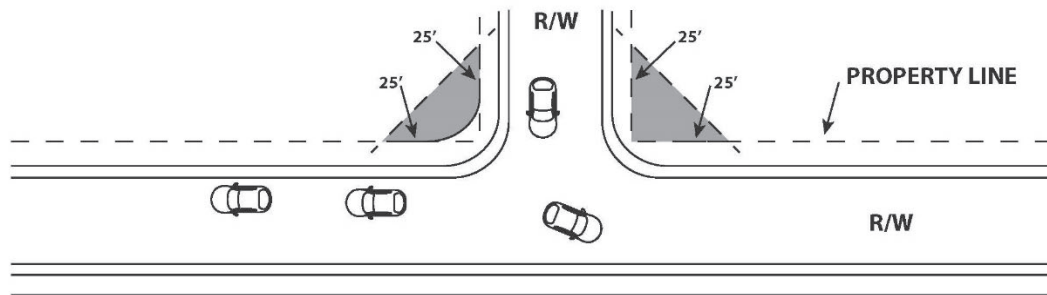
4880 14.19 **Fences** – SEC. 30.1349

- 4882 a) ~~On property assigned a residential zoning classification, a closed fence or wall in~~  
4884 ~~excess of three (3) feet in height shall maintain the same district front yard setback~~  
4886 ~~requirement as the main or principal dwelling structure except where backing up~~  
~~to a limited access highway or where regulations require such fences. In the case~~  
~~of corner lots, the lot shall be considered to have a front yard or yards on any side~~  
~~or sides abutting a road right-of-way.~~
- 4888 b) ~~No closed fence or wall in excess of six (6) feet six (6) inches shall be erected on any~~  
~~property assigned a residential zoning classification without approval of the Board~~  
~~of Adjustment after public hearing. Nor shall such fence or wall be erected closer~~  
4890 ~~than five (5) feet to any existing adjacent neighborhood dwelling structure.~~
- 4892 c) ~~Entrance walls to a subdivision may be erected closer to streets or roads only on~~  
~~approval of the Board of County Commissioners.~~



- d) ~~No barbed-wire fence shall be erected in any residential district. Barbed wire may be used on security fences erected in any commercial or industrial district, provided such use is limited to three (3) strands, a minimum of six (6) feet above the ground. Such fences may be permitted in estate areas, on approval of the Board of Adjustment, after public hearing.~~
- e) ~~All fences shall be maintained in their original upright condition.~~
- f) ~~Fences and walls designed for painting or similar surface finish shall be maintained in their original condition as designed. Any walls or fences which have been defaced shall be promptly restored to their original condition.~~
- g) ~~Missing boards, pickets, posts or bricks shall be promptly replaced with material of the same type and quality.~~
- a) A building permit is required for any fence or wall to be erected, replaced, or receive major repair. A major repair shall be considered a segment of fence or wall more than ten (10) percent of the total linear feet of the existing fence or wall, two (2) or more fence or wall panels, or more than eighteen (18) linear feet, whichever is less. Building permit applications must include a certified survey showing the location of the proposed fence or wall; however the Planning Manager may waive this requirement and allow a plot plan or site plan when the survey corner markers will be made visible for inspection by the Building Inspector. If determination for compliance to approved plans cannot be made by exposed survey corner markers, the Building Inspector may require a string line from survey corner marker to survey corner marker to ensure compliance. If the Building Inspector is still unable to determine if compliance is met due to site conditions, it is the responsibility of the contractor or owner, if owner/builder permit, to provide a site built survey to verify compliance with the approved plans.
- b) Residential zoning classifications: fences and walls are limited to a maximum height of four (4) feet within the front yard and side street setbacks and six (6) feet six (6) inches within the side and rear yard setbacks except as provided in (f) of this Section. In the case of corner lots, the lot shall be considered to have a front yard or yards on any side or sides abutting a road right-of-way.
- c) Commercial or Industrial zoning classifications: fences and walls are limited to a maximum height of six (6) feet six (6) inches within the front setback and eight (8) feet within the side and rear yard setbacks except as required to maintain visibility per (c)(4) of this Section and Section 250.91, Code of Ordinances. Notwithstanding any other provisions of this Code, fences shall not be located within a designated buffer unless required under Chapter 30 Part 14.

- d) Agricultural zoning classifications: fences and walls are limited to a maximum height of five (5) feet and an additional one (1) foot for embellishments within the front yard setback; and eight (8) feet within the side and rear yard setbacks. Fences located within the front yard setback must be open split rail; steel woven wire may be used behind split rail fencing for animal containment, but no barbed wire is permitted. These regulations shall not apply to property having an agricultural classification from the Seminole County Property Appraiser.
- e) Planned Developments: Unless otherwise stated in the recorded Development Order or Developer's Commitment Agreement, all fences or walls will comply with this Section.
- f) Setback distance requirements will be as follows:
1. No side street setback will be required from any side property line adjoining railroad right-of-way or a limited access highway.
  2. For corner lots in residentially zoned properties, including residential Planned Developments unless otherwise stated in the development order, the secondary front yard or side street setback may be reduced to five (5) feet provided the visual clearance (sight line triangle) requirements of (c)(4) of this Section can be met and with approval by the Seminole County Traffic Engineering Division. Building permit applications requesting the reduction of the side street setback must include a certified survey indicating the adjacent rights-of-way.
  3. Fences, walls, hedges, plantings, or other obstructions must maintain visual clearance requirements at the intersection on corner lots. The visual clearance triangle must be fifteen (15) feet for residentially and agriculturally zoned property, or twenty-five (25) feet for commercially or industrially zoned property at a street intersection unless otherwise approved by the County Engineer. The visual clearance triangle is measured from the property corner adjoining the intersection of rights-of-way the distance described above with a line joining points on those lines.



4. Any fence, wall, hedge, planting (except plants defined as shoreline vegetation in FAC 62-340-450), or other obstruction adjacent to a natural water body is limited to a maximum height of four (4) feet. Any fence or wall greater than four (4) feet must be located a minimum distance of thirty (30) feet from the normal high water elevation of a natural water body. Building permit applications for fences or walls adjacent to a natural water body must include a certified survey no less than five (5) years old indicating the Normal High Water Elevation.
- g) In all zoning districts, a chain link fence and other non-privacy fences (e.g., clear plastic and metal or aluminum picket fences) that are not opaque but function similarly to a chain link fence in that they do not obstruct the view with a maximum height of six (6) feet six (6) inches may be permitted on a vacant parcel, except as provided in (b) of this Section.
- h) Entrance walls to a subdivision may be erected closer to streets or roads only on approval of the Board of County Commissioners.
- i) No barbed-wire fence shall be erected in any residential district except for security of public utilities. Barbed wire may be used on security fences erected in any commercial or industrial district or for security of public utilities, provided such use is limited to three (3) strands, a minimum of six (6) feet above the ground.
- j) No fence or wall shall be erected or project beyond the property line or be located within required visual clearance areas.
- k) A fence shall be uniform in construction, design, material, color and pattern, and the fence material shall be a standard material conventionally used by the fence industry. Nontraditional materials, including, but not limited to, tires, mufflers, and hubcaps, are prohibited. Open split-rail fences shall be permitted.
- l) All fences shall be maintained in their original upright condition.

- 4984 m) Fences and walls designed for painting or similar surface finish shall be maintained  
4986 in their original condition as designed. Any walls or fences which have been  
defaced shall be promptly restored to their original condition.
- 4988 n) Missing boards, pickets, posts or bricks shall be promptly replaced with material of  
the same type and quality, subject to permitting requirements in (a) of this  
Section.
- 4990 o) Gates and posts are limited to the same maximum heights and required setbacks  
4992 for fences and walls provided in (b) (c), (d), and (e) of this Section, including  
architectural embellishments. Gates shall not swing into adjacent properties or  
encroach into the right-of-way.
- 4994 p) Where grade elevations along adjoining properties differ, fence/wall height shall be  
4996 measured from the finished ground floor elevation of the property having the  
higher ground floor elevation.
- 4998 (q) Any fence greater in height than provided in this Section or within the required  
yard setbacks shall not be erected without approval of the Board of Adjustment  
5000 after a public hearing. Reductions to the side street setback as provided in (f)(2)  
will not require Board of Adjustment approval unless otherwise determined by the  
Planning Manager.

5002 14.20 Open Space Easements – SEC. 30.111

## PART 15 OUTDOOR LIGHTING REQUIREMENTS

### 15.1 Exterior lighting requirements.

All commercial, office, industrial and multi-family development shall comply with the following exterior lighting requirements:

a) Light spillage: Illumination onto adjacent properties shall not exceed five-tenths (0.5) foot-candles.

b) Height of lighting sources:

1. Height of fixture will be measured at the vertical distance from the normal finished grade directly below the centerline of the luminaire to the top of the light fixture. Height of the pole will be measured at the vertical distance from the finished grade to the highest point inclusive of the pole, fixture, and mounting arm.

2. All lighting on non-industrial zoned properties shall consist of cut-off fixtures mounted no higher than sixteen (16) feet. An exception to this requirement may be made if the applicant demonstrates that a greater height will not result in light spillage onto surrounding properties in excess of five-tenths (0.5) foot-candles; provided however, that in no event shall lighting exceed a maximum height of twenty-five (25) feet on a parcel adjacent to property with a Residential Future Land Use designation or a residential zoning classification.

3. Lighting on industrial zoned properties (except that located within two hundred (200) feet of residential property) shall consist of cut-off fixtures mounted no higher than twenty-five (25) feet.

4. On industrial property located within two hundred (200) feet of residential property, lighting shall be limited to cut off fixtures mounted no higher than sixteen (16) feet. An exception to this requirement may be made if the applicant demonstrates that a greater height will not result in light spillage onto surrounding properties in excess of five-tenths (0.5) foot-candles.

15.2 Lighting for football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, auto race tracks, horse race tracks or show arenas, and similar facilities may exceed the maximum height allowed herein upon written authorization of the Development Services Director. Such authorization may only be granted upon

- 5036 a finding that a greater height will not have a significant effect on the citizens of  
Seminole County.
- 5038 15.3 Light fixtures. All light fixtures must conform to the following regulations:
- 5040 a) All fixtures, including security lighting, must be cutoff fixtures.
- 5042 b) All fixtures must be incorporated into the building or site as an integrated design  
element through the use of common or complementary style, material, and color.
- 5044 c) Fixtures may not be tilted towards adjacent properties.
- 5046 d) Sag lenses, convex lenses, and drop lenses are prohibited.
- 5048 e) Floodlighting is prohibited except for non-retail industrial uses where the  
floodlights internal to the site and cannot be seen from adjacent public right of  
way and neighboring residential uses or zoning district.
- 5050 15.4 Time controls and motion detectors. Lighting on non-residential sites must include  
time controls. The time controls must dim all outdoor lights by at least fifty (50)  
percent of normal illumination levels within one hour of the close of business on the  
site. The lights must remain dimmed until the business reopens in the morning or the  
automatic light sensors switch the light off in the morning. Where a site includes  
more than one business, the time controls must dim the lights associated with each  
discrete place of business within the hour of the respective business closing to the  
public, but common area lighting may remain fully lit until the last onsite business  
closed. This requirement does not apply to business that operate twenty-four (24)-  
hours a day. Dimmed lights may return to full luminance for no more than thirty (30)  
seconds if triggered by a motion detector.
- 5058 a) Light sensors. All outdoor lighting must include light sensors that automatically  
turn lights off when daylight exceeds eighty-five (85) of the ground level  
luminance of the fixture.
- 5060 b) Manual controls. All electrical circuits for outdoor lighting must include manually  
controlled switches conveniently located for manual operations.
- 5062
- 5064 15.5 Lighting setback: Outdoor lighting fixtures shall be located no less than fifty (50) feet  
from any property having a residential future land use designation or a residential  
zoning classification.
- 5066
- 5068 15.6 Shielding requirements: Unless an exemption is granted by the ~~Development Review  
Manager~~, Public Works Director, outdoor lighting fixtures shall be shielded in such a

manner that no light is emitted above a horizontal plane passing through the lowest point of the light emitting elements, so that direct light emitted above the horizontal plane is eliminated. An exemption to this subsection may only be granted upon a finding that it will not create an adverse effect on the citizens of Seminole County.

15.7 Underground wiring: Electric power lines serving an outdoor light fixture shall be installed beneath the surface of the ground unless it is determined by the Development Services Director that soil, topographical, or any other compelling conditions, make the underground installation of such utility lines unreasonable or hazardous.

a) Approved Alternate Materials and Methods of Construction or Installation/Operation. The Development Services Director ~~Development Review Manager~~ may approve any lighting design, material, or method of installation or operation not specifically prescribed herein if he/she finds that:

1. The alternative provides an approximate equivalence to the applicable requirements of this Section; and
2. The alternative complies with the intent of this Section; or
3. The alternative is necessary for the safety and security of people and property.

b) Submission of Plans and Evidence of Compliance. An applicant for any permit required by Seminole County involving outdoor lighting fixtures must submit

- 5088 plans indicating how compliance with this Section will be accomplished. This  
5090 submission shall include the following information:
- 5092 1. The location of all proposed or existing outdoor light fixtures on the  
property and the foot candle emissions of such fixtures onto any adjoining  
5094 property.
  - 5096 2. A description of all outdoor light fixtures or other illuminating devices  
proposed for use on the property. The description should include, but is  
5098 not limited to, catalog cuts by manufacturers and drawings.
  3. Any other relevant information as may be reasonably required by Seminole  
County.
  4. The applicant may submit additional information, such as photometric  
plan data, to support use of the proposed lighting.
- 5100 15.8 Prohibited Lights. The following lighting sources shall be prohibited:
- 5102 a) Laser lights or any similar high intensity light source which projects light  
above the horizontal plane of the light source.
  - 5104 b) Flashing or animated lights located in or adjoining residential areas.
- 5106 1. Additional Requirements for Special Uses. Where permitted, light  
sources for the following special uses shall be designed and installed  
in accordance with the following requirements:
  - 5108 2. Recreational Facilities. Lighting of outdoor recreational facilities such as  
football fields, soccer fields, baseball fields, softball fields, tennis courts,  
5110 golf driving ranges, auto race tracks, horse race tracks or show areas and  
similar uses shall be fully shielded or designed with sharp cut-off  
capability, so as to minimize up-light, spill-light, and glare.
  - 5112 3. Outdoor display lots. Lighting of outdoor display lots such as automobile  
sales lots, building material sales centers, garden centers and similar uses  
5114 shall be fully shielded or provided with sharp cut-off capability, so as to  
minimize up-light, spill-light, or glare.
  - 5116 4. Gasoline pump and drive-thru canopies. Light fixtures on the underside of  
gasoline pump and drive-thru canopies shall be recessed into the canopy



5118 ceiling so that the bottom of the fixture is flush with the canopy ceiling  
and is not visible from the horizontal plane.

5120 15.9 Applicability. This Section shall apply to all development except the following:

5122 a) Residences built as single-family or two-family dwelling units.

5124 b) Outdoor light fixtures installed on and in connection with facilities and land  
owned or operated by the federal government or the State of Florida, or any  
department, division, or agency thereof.

5126 c) Outdoor light fixtures lawfully installed prior to the effective date of this Section,  
unless and until the property is rezoned or redeveloped (and the cost to retrofit  
existing outdoor light fixtures to achieve compliance with this Section is less than  
5128 ten (10) percent of the total redevelopment cost).

5130 d) In the event of a conflict between this Section and any other provision of this  
Code, the more restrictive requirement shall apply.

5132 **PART 16 PERFORMANCE STANDARDS** – PART 68

16.1 Intent

5134 16.2 Noise

16.3 Vibration

5136 16.4 Smoke

16.5 Dust and Dirt

5138 16.6 Odors

16.7 ~~Glare.~~ Illumination levels

5140 Any operation or activity producing glare must be conducted so that direct or  
5142 indirect illumination from the source of light does not cause illumination in excess of  
0.5 foot candles in any residential district. Illumination levels may not exceed 0.5 foot  
5144 candles at the property line where the neighboring property is a residential use or is  
zoned for a residential use. For all other uses, illumination levels may not exceed 1.0-  
5146 foot candles at the property line. To avoid glare and light spilling onto neighboring  
properties, fixtures must be installed with shields and reflectors.

5148 16.8 Toxic Matter

16.9 Electrical Disturbance and Radioactivity

5150 16.10 Fire and Explosive Hazards

## Chapter 35 - SUBDIVISION REGULATIONS

#### PART 4. - REQUIRED SUBMITTALS

##### Sec. 35.44. - Required submittals for final plat.

The required submittals, meeting the legal requirements of platting, of the final plan shall consist of a fully executed correct plat map, meeting all state and County standards, final engineering drawings and auxiliary submittals, to include a boundary survey signed and sealed by a professional surveyor and mapper registered in Florida, and all required legal instruments.

- (a) *General.* The final plat shall be drawn with black drawing ink on linen tracing cloth, or equally durable material, using sheets ~~twenty (20) inches by twenty-four (24) inches~~ twenty four (24) inches by thirty six (36) inches. Each sheet shall have a marginal line completely around the sheet placed to leave a three-inch binding margin on the left and a one-inch margin on the other three (3) sides. Final plats shall meet all the requirements of Chapter 177, Florida Statutes, and shall be so certified by the land surveyor. The final plat shall be at a scale of not more than one (1) inch to one hundred (100) feet. All dimensions shall be to the nearest one-hundredth of a foot and angles to the nearest second of a degree.
- (b) *Plat Requirements.* The final plat shall constitute only that portion of the approved preliminary plan which the subdivider proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations. Copies of the final plat and complete sets of the final engineering plans showing the following information, shall be provided:
  - (1) Title block to include the name of subdivision, the appropriate section, township, and range, and the words, "Seminole County, Florida."
  - (2) The legal description of the area contained within the plat with bearings and distances and with references to a subdivision corner tie.
  - (3) A vicinity map, at scale, showing the proposed subdivision in relation to the surrounding streets.
  - (4) The location of all permanent reference markers (PRMs) in conformance with state statutes.
  - (5) A legend which defines all symbols, shows stated and graphic scale, and displays north arrow.
  - (6) Sufficient data to determine readily, and to reproduce on the ground, the location, bearing, and length of each street right-of-way line, boundary line, block line, and building line, whether curved or straight, adequately correlated with monuments and markers.

- (7) The right-of-way lines, widths, and names of all streets and roads.
  - (8) The radius, central angle, chord, chord bearings and arcs of all curved streets, and curved property lines.
  - (9) Lot lines and lot and block numbers.
  - (10) Proposed building setback lines from side, front, and back lot lines, if different than those specified by the Zoning Regulations of Seminole County.
  - (11) Location and width of canals and waterways.
  - (12) Dedications, reservations and easements, showing widths and purpose, shall be delineated on the face of the plat and shall not be incorporated by reference said dedications shall be recited within the Dedication statement.
  - (13) The names, locations, and plat book and page numbers of abutting subdivisions and streets, and the location of abutting subdivisions.
  - (14) Certificates as required by Chapter 177, Florida Statutes; of owners showing dedications; of surveyor confirming correctness; of Planning and Zoning Commission approval; of Board of County Commissioners' approval; and for Clerk of Circuit Court recording. Signatures of owners must be in conformance with Florida Statutes, section 692.01 (for corporations), or Chapter 689 (for individuals).
  - (15) A certificate of joinder and consent and approval by mortgagee on the plat or as a separate instrument.
  - (16) A statement that reads: "NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the public records of this County."
  - (17) A statement on the face of any plat for non-single- family residential development not having early encumbrance and reservation of the development's public facility capacity shall read: "NOTICE: See Seminole County Development Order Number \_\_\_\_\_, recorded in the Public Record Books of Seminole County, Florida, for contingencies as to public facility capacity encumbrance or reservation and other information."
- (c) *Engineering Drawings.* Final engineering plans and specifications for the following improvements, both on-site and off-site, shall be submitted to the ~~Current Planning Office~~ Planning and Development Division at the same time as Final Plat submittal:
- (1) Water system. Size, material, and location of water mains, plus valves and hydrants.
  - (2) Sewer system. Size, material, and location of lines, with submittal of profile where required.
  - (3) Storm water drainage facilities.
  - (4) Bulkheads.
  - (5) Streets.

- (6) Sidewalks, bicycle paths, and pedestrian paths.
- (7) Excavation and fill.
- (8) Cross-sections at fifty-foot intervals or greater for off-site improvements as recommended by the Development Review Manager.
- (d) *Preliminary Subdivision Plan.* A copy of the approved preliminary subdivision plan shall be attached to each submitted copy of the final engineering plan.
- (e) *Additional Required Legal Submittals.* The approval of the Final Plat shall be made only pursuant to certification of adequacy of the following list of required submittals by the County Engineer, Utilities Division, ~~Development Review Manager~~ Development Services Director, and/or County Attorney as appropriate.
  - (1) *Bonds.* The approval of any plat shall be subject to the subdivider guaranteeing the installation of storm drainage facilities, bulkheads, streets, and water and sewer lines by filing a performance bond or bonds in the amount of one hundred ten (110) percent of the construction costs, including landfill. Cost for construction shall be 1) estimated by the subdivider's engineer or 2) a copy of the contract provided. The amount of the performance bond must be approved as adequate by the County Engineer, the Utilities Division, and/or their designee. In lieu of performance bonding, improvements may be installed following Final Plat approval and preceding Final Plat recording subject to the approval of the County Engineer, the Utilities Division, and/or their designee. In cases where improvements are installed prior to recording, a maintenance bond must be submitted to the County Engineer, the Utilities Division, and/or their designee. The Plat cannot be recorded until the maintenance bond is approved by the County Engineer, the Utilities Division, and/or their designee. Said maintenance bond shall only be required when the responsibility for maintenance of said improvements is to be transferred to the County or homeowners association. Where the improvements will neither be owned or maintained by the County or a homeowners association and ownership is retained by the developer a maintenance bond will not be required.

Bonding requirements may also be met by the following, but not limited to:

- (A) Escrow Deposit
  - Cashier's Check
  - Certified Check
- (B) Others, as approved by the Board of County Commissioners, which may include Developer-Lender-County Agreement for providing public improvements, assignment of Interest-Bearing Certificate of Deposit, Irrevocable Letters of Credit, or Developer's Agreement.

All financial institutions or other sureties executing documents on behalf of the developer for compliance with the conditions hereunder must be acceptable to County.

- (2) *Covenants.* Any protective deed covenants to be placed on the property shall be notarized and in a form suitable for recording.
- (3) *Title Certificate.* A certificate of ownership, signed by a licensed attorney at law or an abstract company, in form approved by the County Engineer, and showing:
  - (A) Parties executing plat are owners of the land embraced by the plat.
  - (B) All mortgages, liens, or other encumbrances.
  - (C) *Payment of Taxes.* Prior to authorizing the recording of any plat the Planning and Development Division shall be provided proof that all delinquent ad valorem taxes and all taxes that are due and payable which relate to the real property which is being platted have been paid.
  - (D) Description of plat is correct.
  - (E) No conflicting rights-of-way, easements, or plats exist.
- (4) *Public Disclosure.* In accordance with F.S. § 286.23, or its successor, any person or entity holding real property in any form of representative capacity including, but not limited to a partnership, a limited partnership, a corporation or a trust, shall, prior to conveying real property to the County, make all disclosures required by F.S. § 286.23, or its successor; provided, however, that if a person or entity claims to be exempt from such disclosure pursuant to State law, an affidavit attesting to said exemption shall be filed by the said person or entity.
- (5) *Documents, Deeds, Certificates and Bond Forms.* All documents, deeds, certificates and bond forms required pursuant to this Section shall be submitted in a form as developed and approved by the County Attorney. Copies of standard forms shall be appended hereto for informational purposes.
- (f) *Other Required Submittals.*
  - (1) *Arbor Information.* The location of all trees within road rights-of-way and easements to be cleared will be submitted to the Arbor Section, Current Planning Office, if different information than shown on the Preliminary Plat. The Arbor Inspector shall recommend any necessary tree replacement at this stage.
  - (2) *Addresses.* Addresses shall be indicated in parentheses on each lot on one (1) separate copy of the Final Plat. Addresses will be obtained by the developer from the Land Development Division in accordance with the established addressing system.
  - (3) Letters will be submitted by all appropriate utility companies stating that all easements are adequate.

- (4) Copies of all required Florida Department of Environmental Protection Water and Wastewater Permits.
- (5) Copy of any required St. Johns River Water Management District Permit.

## **PART 6. - DESIGN STANDARDS**

### **Sec. 35.61. General.**

All lands included within the subdivision must be suitable for the various purposes proposed in the request for subdivision approval. Further, no subdivision plan may be approved unless the Board finds, after full consideration of all pertinent data, that the subdivision can be served adequately with such normal public facilities and services as are suitable in the circumstances of the particular case. In addition to the Design Standards below, all plans must comply with the Engineering Manuals described in Section 5.20 of this Code.

- (a) *Conformance with County policy.* The subdividing and development of any areas subject to this ordinance must conform to the adopted general goals and objectives of the Board with respect to the physical development of the County as set forth in various elements of the Comprehensive Plan of Seminole County and other requirements including:
  - (1) The most current Orlando Urban Area Transportation Study and adopted Seminole County Transportation Plan;
  - (2) County policies on water supply, waste disposal, and other essential utilities; and
  - (3) The Land Development Code, as amended.
- (b) *Use of natural features.* The arrangement of lots and blocks and the street system must make the most advantageous use of topography and preserve mature trees, wetlands and other natural features wherever possible. No subdivision may be approved that would result in the removal of over seventy-five (75) percent of existing trees, with trunk diameters of six (6) inches or greater, from any site, unless the Planning Manager finds that the development of the site would be severely restricted. Special consideration and credit will be given to the retention of trees having a trunk diameter of twenty-four (24) inches or larger. Special consideration will be given for waterfront features and shoreline protection as specified in Chapter 71 of this Code. Any person aggrieved by the decision of the Planning Manager may request a waiver from this requirement from the Board of County Commissioners.
- (c) *Consideration of soil and flood hazards.* A subdivision plan will not be approved unless all land intended for use as building sites can be used safely for building



purposes without danger from flood or other inundation or from adverse soil or foundation conditions or from any other menace to health, safety, or public welfare. In particular, lands which are within the 100-year flood-prone areas, may not be subdivided and developed until proper provisions are made for protective flood-control measures and water-management facilities necessary for flood-free development and flood-free vehicular access to such sites. Each platted lot must have a buildable area equal to the minimum lot size requirement of the applicable zoning district and located above the 100-year floodplain elevation or wetlands line, whichever is higher. Any portion of the platted lot which lies below the 100-year floodplain elevation or wetlands line must be dedicated to the public as a drainage easement, a conservation easement, or both. No filling or grade level change will be permitted which will adversely affect any surrounding area. Requirements for development within the 100-year floodplain are contained in the flood prone article of the Seminole County Zoning Regulations and the Seminole County Comprehensive Plan. The latest edition of the Seminole County Soil Survey is to be used as a guideline in identifying soil properties and interpretations for various uses in terms of soil limitations and soil features adversely affecting a particular use. In addition, the soil supplement is to be used in interpreting the basic properties of the soils in terms of their potential for a particular use. The following standards must be followed in areas of low and very low potential soils:

- (1) Lands where soils have very low potential and low potential for proposed uses, as identified in the Seminole County Soil Survey and its Soil Supplement, may not be developed unless:
  - (A) Health and safety hazards are not created.
  - (B) County maintenance of public facilities is not involved where the soil performance is low or unreliable without approved modifications.
- (2) Unincorporated urban development is prohibited on soils with very low potential without approved modification.
- (3) A public facility may not be constructed where the soil performance for the public facility is of low or very low potential, except in cases of overriding public interest.
- (4) It is the policy of the County not to accept a dedication for public ownership or maintenance of utilities or roads constructed in areas where soil performance for the utilities or roads is of a low or very low potential without approved modifications.

(d) *Finished floor elevation.* No platted lot may be approved unless it contains a suitable building site of sufficient elevation to permit construction utilizing a first-floor elevation based upon the following:

- (1) The elevation of the site must be at least one (1) foot above the 100-year flood-prone elevation, as determined by the County Engineer based upon the best available data. Where the floodway of any stream or river is defined, lots may be platted for residential use only if all parts of the platted lots located within the floodway are expressly limited to open space uses. Reduction of on-site drainage storage capacity is prohibited. Finished floor elevations will be established by utilizing Seminole County Vertical Control Datum.
- (2) Provided that building lots are a reasonable level or slope toward a street, road, or right-of-way, the minimum finished floor elevation of any structure must be greater than or equal to sixteen (16) inches above the lowest crown of that portion of the adjacent street, road, or right-of-way upon which the structure fronts. On lots which slope away from a street or road with continuous slope toward a lake, stream, or water collection area and, where positive drainage exists, the finished floor elevation of any structure must be greater than or equal to one (1) foot above finished site grade measured at the highest contour that abuts the building. Where necessary, swales must be constructed to divert run-off water around any structure to not adversely impact adjacent property owners.
- (3) Driveways or other areas of access to a building or structure must be sloped to prevent the runoff of surface water into any building or structure.

(e) Prior to the issuance of a Certificate of Occupancy, trees must be planted on new residential lots, as shown on the approved building permit, subject to the following requirements:

1. Tree quantity:

<u>Lot Size (in square feet)</u>	<u>Minimum Number of Canopy Trees</u>
<u>&lt;= 6,000</u>	<u>2</u>
<u>6,001-10,000</u>	<u>3</u>

<u>10,001- 14,000</u>	<u>4</u>
<u>14,001- 20,000</u>	<u>6</u>
<u>20,001- 43,560 (1 acre)</u>	<u>9</u>

2. For lots greater than one (1) acre, nine (9) trees shall be provided for each acre, prorated for fractional acres.
3. For lots of 10,000 square or less, at least one of the required canopy trees must be in the front yard. For lots equal to or greater than 10,001 sq. ft., at least two (2) of the required canopy trees must be in the front yard.
4. The canopy tree requirements may be met with trees planted in a tree lawn within the right of way that is contiguous with the lot line.

(f)(e)—Special considerations. Special consideration must be given in the layout of streets, lots, blocks, buildings, and easements to the preservation of large and specimen individual trees. Special consideration must also be given to preserving natural drainage methods and natural topography and landscape. Special consideration must be given to providing special screening, buffers, or berms where developments abut noncompatible land uses.

## Chapter 40 – Site Plan Approval

## Chapter 40 - SITE PLAN APPROVAL

**Section 6. Amendments to Chapter 40, Site Plan Approval.** Chapter 40 of the Land Development Code of Seminole County is amended as follows (underlines are additions, strikethroughs are deletions, and remaining text is unchanged):

### **PART 2. PROCEDURES FOR SECURING APPROVAL OF SITE PLANS**

#### **Sec. 40.14. Approval procedures.**

- (a) Based upon the information generated and/or the recommendations of the development review committee, the ~~Planning Manager~~ Development Services Director will approve, approve subject to stated conditions, or deny the site plan except as stipulated in the specific district requirements of the zoning regulations. Any person aggrieved by the decision of the ~~Planning Manager~~ Development Services Director may, in accordance with Section ~~40.92~~ 40.172, file a written appeal with the ~~Current planning office~~ Planning and Development Division and have the site plan considered by the Board of County Commissioners.

### **PART 4. REQUIRED SUBMITTALS**

#### **Sec. 40.43 General Development and Proposed Improvements**

- (m) Additional data, maps, plans, and/or statements demonstrating compliance with Chapter 30, Part 68 Performance Standards.

### **PART 10. VARIANCES, APPEALS, AND VACATING OF RIGHTS-OF-WAY**

#### **Sec. 40.172. Appeals.**

Any person aggrieved by a decision of the approving entity regarding a site plan may file a written appeal with the ~~current planning office~~ Planning and Development Division to have the plan considered by the Board of County Commissioners. The petition shall state fully the specific grounds for the appeal and all of the facts relied upon by the petitioner. The Board of County Commissioners shall consider only those items specified in the petition.

28 May 23, 2023

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36 Chapter 60 – ARBOR REGULATIONS

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PART 1. - IN GENERAL

**Sec. 60.1.** - Findings of fact and statement of purposes.

WHEREAS, trees are proven producers of oxygen, an essential element to the survival of man, and appreciably reduce the ever-increasing and environmentally dangerous carbon dioxide content of the air; and

WHEREAS, trees precipitate dust and other particulate airborne pollutants from the air; and

WHEREAS, trees transpire considerable amounts of water each day and thereby purify the air much like the air-washer device employed in commercial air conditioning systems; and

WHEREAS, trees play a vital role in neutralizing wastewater passing through the ground from surface to ground water table and aquifers; and

WHEREAS, trees, through their root systems, stabilize the ground water table; and

WHEREAS, tree leaves break the onslaught of pelting raindrops upon the soil surface and give the soil the opportunity to become saturated and, when fallen, cover the ground to keep the soil from drying out and decay thereby replacing minerals in the soil and enrich it to support later plant growth; and

WHEREAS, trees play a pronounced and important part in community-wide activities involving soil conservation, erosion control and flood control; and

WHEREAS, trees substantially contribute food and shelter for wildlife in the urban and suburban environment; and

WHEREAS, trees are an invaluable psychological counterpoint to the man-made urban and suburban setting and camouflage harsh scenery and unsightly city-scape and softening the outline of masonry, metal and glass; and

WHEREAS, trees increase the value of property and are a valuable property asset which can affect an area economically and beautify the land and breaking the monotony of endless sidewalks and miles of highways and streets; and

WHEREAS, trees protect the community from climatic extremes by providing shade and windbreak protection and by moderating temperatures within neighborhoods, parking lots, etc.; and

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WHEREAS, tree removal impairs benefits to existing property owners in surrounding areas, impairs economic stability and the value of improved and unimproved real property and causes increased surface drainage and soil erosion causing increased public costs; and

WHEREAS, the requirements of this article generally maintain a balance between important environmental concerns and compatible development. In so doing they:

(1) Allow development while encouraging the establishment of tree coverage on public and private lands within unincorporated Seminole County.

(2) Maintain existing trees in a healthy and non-hazardous condition through proper arbor practices.

(3) Establish and maintain diversity in tree species and age classes to provide a healthy and sustainable urban/suburban forest; and

WHEREAS, Seminole County finds that it is in the best interests of the public to enact land development regulations controlling the removal of trees in Seminole County in order to retain as many trees as possible, consistent with the economic use of private property.

NOW, THEREFORE, this Chapter is hereby ordained.

#### **Sec. 60.2. Scope.**

The terms and provisions of this Chapter shall apply to all real property lying within the unincorporated areas of the county except as to those properties exempted from regulation by the County pursuant to Sections 163.3162 and 823.14, Florida Statutes (2003 2021) and except as to developed single family lots of ~~five (5)~~ three (3) acres or less.

#### **Sec. 60.3. Duties and responsibilities.**

The Board of County Commissioners (BCC) is hereby designated as the Seminole County Tree Committee. In that capacity, the Seminole County Tree Committee may:

- ~~(5)~~ (1) Implement a ~~Tree~~ an Urban Forestry Planting and Management Plan;
- ~~(6)~~ (2) Provide for designating and observing an Arbor Day, including a Proclamation relating thereto;
- ~~(7)~~ (3) Approve the annual re-certification as Tree ~~County~~ City (for unincorporated Seminole County) USA;
- ~~(8)~~ (4) Coordinate activities and programs with civic and public interest groups devoted to tree care and preservation;



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~~(9) (5) Hear appeals by aggrieved parties from decisions made by the Planning and Planning Manager or Development Services Director, or his or her designee; and~~

~~(10) (6) Direct the enforcement of all provisions of this ordinance.~~

~~— (7) Review and approve or deny requests to remove historic trees as defined in Chapter~~

~~2. The Board of County Commissioners (BCC) is hereby designated as the Seminole County Tree Committee. In that capacity the BCC may: The Seminole County Natural Resource Officer shall have the following duties:~~

~~(1) Consider and ~~impose~~ recommend appropriate tree preservation conditions of approval for land use amendments, rezoning requests, and preliminary master plans;~~

~~(2) ~~Approve~~ Consider grading, tree replacement and tree protection provisions contained in final master plans and subdivision plats;~~

~~(3) Approve Historic and Specimen Tree ~~nominations~~ designations and permits for necessary removal of Historic and Specimen trees. Decisions by the Natural Resource Officer can be appealed to Planning Manager or Development Services Director; and~~

~~(4) ~~Increase citizen awareness of and community support for tree preservation and protection programs and objectives;~~~~

~~(11) (4) Advise the Development Services Director regarding fund distribution of the Arbor Violation Trust Fund in support of these provisions.~~

#### ~~Sec. 60.4. Tree preservation during development and construction. - Permits required.~~

~~(a) In order It shall be unlawful for any person to prevent destruction of, or damage cause damage to, trees, trees not designated for destroy, permanently injure, or remove any protected tree as defined in this article without first obtaining a tree removal permit may be required by the terms of the permit to be protected by barrier zones. Protective barriers shall be erected prior to any land clearing or construction of any structures, roads, utility service, or other improvements and may be required by the terms of the permit to comply with the following: (1) — Protective posts (two (2) inches by four (4) inches or larger wooden post, two (2) inches outer diameter or larger galvanized pipe, or other post material of equivalent size and strength rebar shall not be used as a protective post) shall be implanted deep enough in the ground to be stable and with at least three (3) feet of the post visible above the ground;~~

~~(2) Protective posts shall be placed at points not closer than the drip line of or otherwise establish that the protected tree, with the posts being not further than six (6) feet apart, except that pedestrian access may be allowed within this line as needed during construction but, in~~

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~~no case, shall access be permitted closer than five (5) feet to the trunk; qualifies for an exception or exemption as provided in this article.~~

~~(b) Nothing contained in this ordinance shall be deemed to impose any liability upon the county, its officers, or employees, nor to relieve the owner of any private property from the duty to keep any tree upon any area of his/her property or under his/her control in such condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any private road or public right-of-way, park, or other public place within the county.~~

~~(c) Nothing contained herein shall prevent a property owner from maintenance or trimming trees on his/her property. In fact, proper trimming is a necessary responsibility of every property owner such that no severe tree trimming occurs.~~

~~(Ord. No. Code 1965, § 19A-43; Ord. No. 85-33, § 3, 12-9-85; Ord. No. (3)—All protective posts shall be linked together (fencing at least three (3) feet high, two (2) courses of rope not less than one-half (1/2) inch in diameter or a chain of comparable size, or other material of equivalent visibility), and each section shall be clearly visible (flagged with yellow plastic tapes or other brightly colored weatherproof marker);~~

~~(4) All existing trees to remain and replacement stock shall have the natural soil level maintained from the trunk to the drip line of each tree. Permanent tree wells, retaining walls or planter islands shall be provided, when found to be necessary by the Planning and Development Director, or his or her designee, to maintain the existing natural soil levels. Insofar as practicable to maintain a reasonable beneficial use of the property, natural drainage to such trees shall be maintained. No grade changes shall be made within the protective barrier zones, without prior approval by the Planning and Development Director, or his or her designee;~~

~~(5) Protective barrier zones shall remain in place and intact until such time as landscape operations begin or construction is complete, whichever occurs first;~~

~~(6) Landscape preparation in the protected area shall be limited to shallow disking of the area, however, no disking shall occur within five (5) feet of the trunk or above ground roots.~~

~~(b) No building materials, machinery or temporary soil deposits shall be placed within protective barrier zones defined in subsection (a) above;~~

~~(c) No attachments or wires other than those of a protective or non-damaging nature shall be attached to any tree;~~

~~(d) Trenching of any type should be avoided in the protective barrier zone. Where underground installations are conducted adjacent to the trunks of trees to be preserved, tunneling should be utilized to the maximum practicable extent. When trenching or tunneling occurs near trees to be protected, protective measures should be taken in~~

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accordance with the ~~Tree Protection Manual for Builders and Developers published by the Florida Department of Agriculture and Consumer Services which is adopted herein by this reference thereto;~~

- ~~(e) The Planning and Development Director, or his or her designee, shall conduct periodic inspections of the site before work begins and during clearing, construction and post-construction phases of development in order to insure compliance with this Code and the intent of this chapter. Trees that are destroyed or which are subject to major damage, as determined by the Planning and Development Director, or his or her designee, shall be replaced in accordance with the requirements of this ordinance before occupancy unless removal has been permitted by the County.~~

Sec. 60.5. Exemptions.

The following exemptions are self-executing, but any person desiring a document attesting to such exemption may make application to the ~~Planning and Development Services~~ Director, or his or her designee. If deemed necessary the property shall be inspected to confirm that the specified activity is, in fact, exempt. If the activity is determined to be exempt, the ~~Planning and Development Services~~ Director, or his or her designee, shall place on record the basis for the same, including all statements and documents submitted by the applicant and shall describe with particularity the precise activities exempted.

- (a) *Emergencies.* In the event that any tree endangers health or safety and requires immediate removal, such as, but not limited to, the cutting of emergency fire lanes by fire-fighting units, verbal authorization may be given by the ~~Planning and Development Services Director~~, or his or her designee, and the tree may be removed without obtaining a written permit as herein required. Such verbal authorization shall later be confirmed in writing;
- (b) *Nurseries.* All state-approved, governmental and private plant or tree nurseries and botanical gardens are exempt from the terms and provisions of this Chapter only in relation to those trees which are planted and growing for the sale or intended sale to the general public in the ordinary course of business or for some public purpose;
- ~~(c) *Pruning.* Normal pruning (less than twenty-five (25) percent of the canopy) of trees, when conducted in accordance with the adopted "Tree Pruning Standards" of the National Arborist Association, are exempt from the terms and provisions of this chapter, except that the following pruning practices are not permitted and constitute a violation of this chapter requiring replacement of the trees subjected thereto in accordance with the replacement requirements of this chapter:~~
- ~~(1) *Hat-racking:* the severe trimming of trees in which most branches are cut and few branches with leaves remain;~~
- ~~(2) *Lollipoping:* the severe trimming of trees to create a non-natural shape.~~

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Trees planted and maintained as topiaries which are not part of the required landscaping are exempt from these pruning restrictions.

~~(d)~~—(c) *Agricultural uses.* Activity of a bona fide farm operation on land classified as agricultural land pursuant to section 193.461, Florida Statutes (2003 2021), is exempt from this Chapter 60 if such activity is regulated through implemented best management practices, interim measures, or regulations developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district and adopted under Chapter 120 as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.

~~(e)~~—(d) *Exotic trees.* All tree species listed as Category I or Category II invasive exotics in the Florida Exotic Pest Plant Council's List of Invasive Species, ~~including the following species of trees,~~ shall be exempt from the provisions of this Chapter.:

- ~~(1) Acacia (Acacia species);~~
- ~~(2) Australian Pine (Casuarina species);~~
- ~~(3) Brazilian Pepper (Schinus terebinthifolius);~~
- ~~(4) Cajeput Tree or Punk Tree (Melaleuca quinquenervia);~~
- ~~(5) Camphor (Cinnamomum camphora);~~
- ~~(6) Chinaberry (Melia azedarach);~~
- ~~(7) Chinese Tallow Tree (Triadica sebifera);~~
- ~~(8) Ear Tree (Enterolobium cyclocarpum)~~
- ~~(9) Eucalyptus (Eucalyptus robusta)~~
- ~~(10) — Flamegold Tree (Koelreuteria elegans);~~
- ~~(11) — Guava (Psidium species);~~
- ~~(12) — Jacaranda (Jacaranda acutifolia)~~
- ~~(13) — Java Plum (Syzygium cumini);~~
- ~~(14) — Mimosa (Albizia julibrissin);~~
- ~~(15) — Paper Mulberry (Broussonetia papyrifera);~~
- ~~(16) — Rosewood (Dalbergia sissoo);~~
- ~~(17) — Silk Oak (Grevillea robusta);~~
- ~~(18) — Tung Oil Tree (Aleurites fordii);~~
- ~~(19) — Umbrella Tree (Schefflera actinophylla); and~~
- ~~(20) — White Lead Tree (Leucaena leucocephala).~~

~~(f)~~—(e) *Disasters.* In the case of emergencies such as hurricane, hailstorm, windstorm, flood, freeze, or other disasters, the requirements of this Chapter may be temporarily waived by the Planning and Development Services Director, or designee, or the Emergency

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~~Management Director~~ Public Safety Director. At the earliest possible meeting of the board, findings shall be presented to the board establishing that such waiver was necessary so that public or private work to restore order in the county would not be impeded. Said waiver must be for a time certain and may not be for an indefinite period;

~~(g)~~ (f) *Dead or declining trees.* Dead or declining trees, as determined by a certified arborist, are exempt from the terms of this Chapter.

(g) *State Laws.* Any property designated by State Law that mandates additional or alternative tree or arbor requirements and procedures. If said laws are repealed, single family residential lots under three (3) acres are exempt from these provisions.

(h) *Protected Trees:* Trees less than six (6) inches DBH and palm trees are exempt.

#### 60.6 - Jurisdiction of article.

The terms and provisions of this article shall be submitted with all applications for logging permits unless waived by apply to all real property lying within the unincorporated areas of the county.

#### Sec. 60.7 Variance, appeal, and penalty.

(a) *Deviations from regulations.* The Development Services Director, or designee, based upon his or her determination that submission of a plan may grant deviations from any provision of this article where the strict application of the provision to a particular site would not further the public interests based upon future development conditions that will relate to the site. The Planning and create a substantial economic hardship. In all cases, reasonable efforts must be made to preserve trees per this article. The Development Services Director, or designee, may grant deviations from any provision of this article only when the applicant demonstrates that the purposes of this article will be or has been achieved by other means. If the Development Services Director or designee, upon receipt of said application, may require such additional information as deemed necessary to meet the intent and purposes of this chapter; denies a request for deviation from this article because the applicant did not demonstrate that the purposes of the article will be or has been achieved by other means, then the applicant may appeal the decision to the Board of County Commissioners.

(c) The Planning and Development Director, or his or her designee, may, in granting a logging permit, place such reasonable conditions or restrictions upon the same as deemed necessary to:

(1) Protect trees not permitted to be logged;

(2) Buffer logging operations from waterways, parks, and residentially designated, zoned, occupied or used lands;

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- ~~(3) Guarantee restoration of terrain to a degree necessary for the prevention of erosion and protection of flora;~~
  - ~~(4) Prevent pollution;~~
  - ~~(5) Insure reforestation, if part of the management plan;~~
  - ~~(6) Preserve historic trees;~~
  - ~~(7) Otherwise promote the intents and purposes of this chapter.~~

~~(d) Notwithstanding anything herein to the contrary, no person shall:~~

- ~~(1) Destroy, damage or log any trees which have been designated by the county or other appropriate agency as threatened, endangered or historic; or~~
- ~~(2) Conduct logging operations within fifty (50) feet of any lands that are residentially designated, zoned, used or occupied.~~

~~The Board of County Commissioners may, after such notice as is reasonable under the circumstances, order the removal of dead, damaged or diseased trees on private or public property when such trees:~~

- ~~(1) Constitute an imminent threat to life or (b) Variance. Upon application by the property; or~~
- ~~(2) Harbor pest insects which threaten other trees in the area; or~~
- ~~(3) Are diseased with a disease that threatens other trees in the area.~~

~~The owner of the property upon which the tree is located shall remove the tree within the time specified by the Board. Failure to comply with the Board's order shall authorize the County to enter upon the property and remove the tree and bill the owner for the expense thereof.~~

#### **~~Sec. 60.6. Variances.~~**

~~The, the preservation of any tree on the preferred tree replacement species list with a trunk diameter of identified as a protected tree over twenty-four (24) inches and greater measured four and one-half (4½) feet above the ground [Diameter at Breast Height (DBH)]DBH may be considered as the basis for the Planning and Development Director, or his or her designee, granting of a variance from the required replacement ratios or the literal application of the provisions of this chapter. Conditions of a variance so granted shall be made a part of the arbor permit. Sec. 60.7. Appeals.~~

~~Any affected person, as hereafter defined, aggrieved by any decision made in the application of this chapter may file a written appeal with the Tree Committee in accordance with the provisions of this section. Pursuant to the county's land development regulations a. An "affected person" is the person, firm, corporation or other legal entity making an application for a permit pursuant to this Chapter or that is the subject of any enforcement action pursuant to this Chapter.~~

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- ~~(a) The appeal shall be filed not later than fifteen (15) days from the date on which the disputed decision was rendered;~~
  - ~~(b) The fee for filing an appeal shall be paid when the appeal is filed. The amount of the fee shall be established by resolution of the Board of County Commissioners.~~
  - ~~(c) The hearing on the appeal shall be held within sixty (60) days of the date of filing of the appeal.~~
  - ~~(d) After a full and complete hearing on the appeal, the Tree Committee shall, within fifteen (15) days of said hearing, render its decision in writing either affirming, overruling, or modifying the decision of the administrative official, agency or body variance to site development and landscape requirements may be granted to allow for the preservation of a healthy specimen tree as defined in this article.~~

~~Sec. 60.8. Effect of violations upon building permits and final approvals.~~

~~No building permits shall be issued on lands where violations of this chapter are found to exist by the Planning and (c) Enforcement Official. The Development Services Director or designee, until such time as appropriate remedial action is approved by the code enforcement officer, or other county. Final approval designees shall not be given empowered to any construction until all violations have been corrected.~~

~~Secs. 60.9—60.20. Reserved~~

**~~PART 2. CUTTING, DESTRUCTION, REMOVAL, ETC.~~Sec. 60.21. Permit required.**

~~No person shall, directly or indirectly, cut down, destroy, remove, move, or effectively destroy through damaging, or authorize the cutting down, destroying, removing, moving, or damaging any living trees situated on property described herein without a permit as herein provided. No County official, employee or agent shall issue a permit provided citations and evaluate a site for herein in violation of the requirements of this chapter its compliance with this Chapter and Chapter 53 of the Seminole County Code.~~

~~(§ 8.21, LDC, through Supp 16; § 9, Ord. No. 94-5, 3-22-94).~~

~~Sec. 60.(d) Appeals. Any person adversely affected by the decision of a county official in the enforcement or interpretation of this article may appeal such decision to the BCC within thirty (30) days. Such appeal shall be made by requesting a hearing in writing to the Development Services Director, or his or her designee. Such request shall include a summary of the decision being appealed and the basis for the appeal. Any person adversely affected by the BCC's decision may file a petition for a writ of certiorari in the Circuit Court of the County.~~

~~(e) Penalty for violation. Violations of this article shall be subject to the following:~~

- ~~(1) Where violations of this article have occurred, remedial action shall be taken to restore the property consistent with a restoration plan approved by the Development Services Director, or designee. The restoration plan shall include payment of the required application fee, require tree replacement, and require mitigation of any other damage to~~



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the property. Remedial action must be taken within 60 days of receipt of notice of violation or as approved by the Development Services Director, or designee.

- (2) No certificate of occupancy or certificate of completion shall be issued for any development until all applicable permits or restoration plan conditions have been accomplished.
- (3) Trees removed without a permit or destroyed or which received major damage in violation of Section 60.8 must be replaced before the issuance of a certificate of completion or certificate of occupancy by any or any combination of the following:

  - a. A comparable size and type tree;
  - b. Replacement at a two (2) to one (1) ratio of the cumulative caliper of the trees to be installed to the cumulative DBH of the trees removed, destroyed or damaged. Replacement trees shall be chosen from the canopy trees listed in **Sec. 30.1236**; or
  - c. Payment into the Arbor Trust Fund in an amount equal to the cost of the two (2) to one (1) caliper ratio replacement per Section 60.7(e)(3)b, above.
- (4) Specimen trees removed without permit or destroyed or receiving major damage in violation of section 60.8 must be replaced by any of or any combination of the following:

  - a. Replacement at a four (4) to one (1) ratio of the cumulative caliper of the trees to be installed to the cumulative DBH of the specimen trees removed. Replacement trees shall be chosen from the canopy trees listed in Chapter 30. All trees shall be installed before issuance of a certificate of completion or certificate of occupancy; or
  - b. Payment into the Arbor Trust Fund in an amount equal to the cost of the four (4) to one (1) caliper ratio replacement per Section 60.7(e)(4)a. above.
- (5) Failure to comply with required remedial action shall be referred to the Code Enforcement Board.
- (6) If the County Code Enforcement Board finds any person in violation of any provision of this article or any condition of any permit issued pursuant to this article, then that person shall be subject to the tree replacement requirements of Section 60.7(e) or penalties as described in 60.7(e). Each tree, removed, damaged or destroyed, may constitute a separate offense and violation of this article. Each day that a violation of any provision of this article or any permit condition is allowed to continue, including the failure to replace any tree removed, damaged or destroyed pursuant to the provisions of this article, may constitute a separate offense and violation of this article.
- (f) *Rules and regulations.* The BCC is hereby authorized to adopt by resolution such rules and regulations as are necessary or proper to implement this article.
- (g) *Tree replacement fees.* To cover the cost of replacing the trees, including materials and labor, fees shall be paid into the Arbor Trust Fund and are established at a rate per caliper inch basis (insert reference to fee schedule here). Trees removed without a permit or destroyed or which received major damage in violation of Chapter 60 will require a replacement fee two (2) times the fee established in the fee schedule.



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60.8. - Tree protection and maintenance during and after development and construction.

- (a) Following development approval, it shall be unlawful for any person, during the construction of any structures or other improvements, to place solvents, material, construction machinery or soil deposits within the drip-line of any tree which is designated to remain.
- (b) It shall be the responsibility of the permittee to ensure that any tree or stand of trees designated to remain be protected with protective barriers during construction. Barriers for the designated protected trees shall be in place prior to any land clearing occurring near protected trees designated to remain. The property owner shall guarantee survival of retained or replacement trees for one (1) year from the issuance of a certificate of completion, or until the issuance of a certificate of occupancy on single-family residential lots. All trees installed to meet the requirements of this article shall be planted and irrigated in accordance with Chapter 30.
- (c) Protective barriers shall be placed at points not closer than six (6) feet from the base of the tree or at the radius of distance of one (1) foot radius for every one (1) inch of diameter of tree or stand of trees, whichever is greater to a maximum of twenty four (24) feet from the center of the tree. If circumstances exist that require encroachment of the drip-line, the Development Services Director, or designee may use discretion in allowing the barriers to be placed closer to the tree trunk. No attachments or wires other than those of a protective or nondamaging nature shall be attached to any tree.
- (d) Protective barriers shall consist of three (3) foot tall temporary fencing with posts spaced six (6) feet apart and linked together with brightly colored net fence fabric.
- (e) The Development Services Director, or designee may conduct periodic inspections of the site. It is the responsibility of the property owner and the permittee to ensure that all provisions of this article are met.
- (f) Impervious surfaces placed beneath the drip line of any preserved tree shall not exceed forty percent (40%) of the drip-line area and shall not be placed closer than six feet from the trunk of any such trees without prior approval from the Development Services Director, or designee.
- (g) All preserved trees shall have their natural soil level maintained. Tree wells and/or planter islands shall be provided, if necessary, to maintain the natural existing soil level of at least seventy-five percent (75) of the drip line.
- (h) Trees planted or retained as required by this article shall not be trimmed or severely pruned so as to appear stunted. Trees shall be pruned as needed to maintain health and form in such a way that retains or improves the natural form of that tree species. All tree pruning shall be conducted according to the latest edition of the Natural Arborist Association Standards. Trees damaged or destroyed due to improper trimming or severe pruning shall be replaced in accordance with Section 60.7.

60.9. - Recommended, replacement, restricted, and specimen trees.

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(a) *Recommended stock.* The following tree replacement species are suggested because they are native to the region and/or their proven performance in Central Florida. The canopy trees listed in Chapter 30 Part 14 Approved Plant List Table or from the Florida Friendly Landscaping Guide may be used as replacement stock without prior approval.

All other replacement trees must be approved by the Development Services Director, or designee.

(b) *Restricted stock.* All plants listed on the Florida Exotic Pest Plant Council list, categories I and II may not be used as replacement stock within the unincorporated areas of the county due to their exotic invasive nature or otherwise undesirable characteristics.

(c) *Specimen trees.* Reasonable efforts should be made to preserve specimen trees. A permit to remove a specimen tree shall be granted when one or more of the following items do not allow for reasonable options to preserve the tree(s):

- (1) Grading and drainage requirements within the drip line of canopy trees;
- (2) The construction of a building;
- (3) The installation of required utilities; or
- (4) Access to and immediately around proposed structures.

If approved for removal by the Development Services Director or designee, specimen trees shall be replaced at a ratio of two (2) to one (1) of the cumulative caliper of the trees to be installed to the cumulative DBH of the trees removed. Commercial lots under ten thousand (10,000) square feet shall be required to replace specimen trees at a one-to-one ratio of the cumulative caliper of the trees installed to the cumulative DBH of the trees removed.

(d) *Replacement.* Protected trees identified for removal on the tree survey, shall be replaced by trees identified as canopy trees listed in Chapter 30, Part 14, Approved Plant List Table. Replacement trees may include trees planted in landscape areas, open spaces and on individual lots.

(1) Replacement of non-specimen trees shall be based on a one-to-one ratio of the cumulative DBH of the trees to be removed to the cumulative caliper of the trees to be installed. (For example: a 21" DBH tree to be removed shall be replaced by seven (7) 3" Caliper trees or three (3) 7" Caliper trees, or any combination of replacement trees that total the total DBH removed.) Specimen trees shall be replaced on a two-to-one ratio of the cumulative caliper of the trees to be installed to the cumulative DBH of the trees removed. Notwithstanding the replacement requirements of this paragraph, Section 60.9(d), no applicant may be required to replace more than ninety caliper inches per acre (prorated for fractional acres) for each development approval or permit, as the case may be, upon demonstration that the applicant has avoided the removal of protected trees to the maximum extent practicable. The replacement requirements of this paragraph shall not apply to pine trees harvested during a *bona fide* silvicultural operation.

(2) All replacement trees are to be Florida Nursery Standard #1 or better.

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- (3) Canopy trees used for replacement shall be a minimum of ten (10) feet in height and have a caliper no less than three (3) inches.
- (4) Understory trees shall not make up more than twenty-five percent (25) of the total number of trees planted to meet the required replacement for the site. Understory trees used for replacement shall be a minimum of four (4) feet in height and have a caliper no less than one and a half inches.
- (5) Palm trees listed in the recommended stock may be used as replacement trees with the following ratio: one (1) inch of palm caliper = .33 inches of canopy or understory tree. Palm trees may not account for more than twenty (20) percent of the required replacement trees.
- (6) Healthy, as determined by a certified arborist, preserved trees on site, including protected trees and trees listed as canopy trees in Chapter 30, shall count toward meeting the replacement requirements of this Section per the following:
- a. The cumulative DBH of specimen trees preserved on site shall count two (2) to one (1) toward meeting the total replacement requirement.
- (7) Trees located within a designated conservation area shall not count toward replacement requirements of this article.
- (8) If the Development Services Director determines that the number of trees to be planted is unfeasible, then the applicant can account for the remainder of the required caliper inches by paying the fee per caliper inch (insert reference to fee schedule) into the Arbor Trust Fund.
- (9) When ten (10) or more trees are required to be planted on a site to meet the requirements of this Chapter, a mix of trees shall be provided at least one (1) of which shall be native to the Central Florida Region and no single tree species may constitute more than fifty (50) percent of the trees planted. The minimum number of species to be planted is set forth below.

REQUIRED MIX OF  
TREE SPECIES

Required Number of Trees Planted	Minimum Number of Species
10—20	2
21—30	3
31—40	4

41+	5
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Sec. 60.22- 10. –Permit application and Procedures–

The following procedures shall be followed and shall govern the granting of all permits pursuant to this Chapter:

- (a) *Application.* Permits for removal, relocation, or replacement of trees covered herein shall be obtained by making application in a form prescribed by the ~~Planning and Development~~ Services Director, or his or her designee, to the following appropriate public bodies:

- (1) In the case of a subdivision development, an application for an arbor permit shall accompany the preliminary subdivision plan of said subdivision and shall be submitted to the Development Review Division for review. The Development Services Director or designee, shall have final authority over the approval or denial of applications for permits in such instances. Approval of the final engineering plans shall constitute approval of the arbor permit, provided however that no clearing pursuant to the arbor permit shall commence until the site permit has been issued for the final engineering plans;

~~The arbor permit submittal information included with the preliminary subdivision plan may be limited to an aerial photograph or drawing of the areas where trees are proposed for removal or relocation. Upon submittal of final engineering plans for a subdivision, the applicant shall provide all information required in Section 60.22(b) and (i). The Planning and Development~~

- (2) In the case of any development which requires site plan approval by the Planning and Zoning Commission, the Board of County Commissioners, or both; permits for removal, relocation or replacement of trees covered herein shall be obtained by making application at the time of site plan submittal to the board charged by law, ordinance or regulation with the approval of said site plan. In those cases where a site plan is required to be approved by both the Planning and Zoning Commission and the Board of County Commissioners, the decision of the Planning and Zoning Commission with respect to the ~~tree~~ arbor permit application shall be recommendatory only, and the Board of County Commissioners shall make the ultimate decision as to whether to grant or deny said application for permit. Staff

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evaluation of the appropriateness of the application will be included in their recommendation to the Board of County Commissioners and approval of the site plan shall constitute approval of the arbor permit;

- (3) In the case of a vacant single family lot development involving tree removals, an application for an arbor permit shall accompany the building application for said lot and shall be ~~submitted to the Building Division for approval~~ reviewed and approved by the Natural Resource Officer; or
- (4) In all cases, other than those described in subsections (1), (2) and (3) above, permits for removal, relocation, or replacement of trees covered herein shall be obtained by making application to the Planning Division.

- (b) *Submittals.* All applications shall be accompanied by such permit fee as shall, from time to time, be established by duly adopted resolution by the Board of County Commissioners; provided, however, that governmental agencies are exempted from permit fees. Each application for a permit to remove, relocate or replace trees covered herein shall be accompanied by a written statement indicating the reasons for removal, relocation or replacement of trees and ~~two (2) copies~~ one (1) copy of a legible site plan drawn to the largest practicable scale, ~~but need not be certified by a registered surveyor, indicating with the following information:~~

~~(1) Location of all existing or~~ (1) A sealed or certified tree survey prepared by a professional surveyor. The tree survey shall have been completed within two (2) years from the date of the application. Each survey shall indicate the following information:

a. Property boundaries.

b. All protected trees described and preserved trees, as defined in this article, shall be identified with the following information:

1. Location

2. DBH.

3. Common name

4. Identification of specimen trees, if appropriate

(2) In addition to the tree survey, each tree removal application or request shall provide a landscape prepared by a professional landscape architect containing the following information:

a. A table based on caliper inches that lists the surveyed trees proposed for protection and removal

b. An indication of the trees to be preserved and protected

c. Identification of existing utilities and proposed easements

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- d. Identification of waterbodies, wetland and other conservation areas
  - e. An indication of existing and proposed improvements to the site, including proposed grading plan
  - f. A table based on caliper inches that lists and sums the removed trees, the tree replacement calculations and any potential tree mitigation calculations, including a schedule of trees to be planted indicating species, size, caliper, and location per Section 60.9
  - g. Location of all existing and proposed structures, improvements and site uses, properly dimensioned in reference to property lines, setback and yard requirements in spatial relationship.
- ~~(2) Proposed changes, if any, in site elevations, grades and major contours;~~
- ~~(3) Location of existing or proposed utility services and easements;~~
- ~~(4) Location of all trees on site which have a minimum DBH of three (3) inches designating the trees to be retained, removed, relocated, or replaced.~~h. \_\_\_\_\_
- Groups of trees in close proximity may be designated as "clumps" of trees with the estimated number and type of trees noted when they are to be removed, relocated or replaced. Trees with a DBH of twenty-four (24) inches and greater shall be identified by species and diameter measurement. Trees to be removed, relocated or replaced shall be labeled by (common or botanical name) on the site plan;
- ~~(5) Tree information required above shall be summarized in legend form on the plan and shall include the reason for the proposed removal, relocation or replacement; and~~
- ~~(6) Applications involving developed properties may be based on drawings showing only that portion of the site directly involved and adjacent structures and landscaping on natural growth incidental thereto.~~
- (c) *Tree preservation.* For trees that are to be saved or retained, each application must contain a statement of how these trees or tree areas are to be protected during construction and landscape operations;
- (d) *Application review.* Upon receipt of a proper application, the appropriate body or agency shall review said application. The review may include, but need not be limited to, a field check of the site and referral of the application for recommendations to other appropriate administrative departments or agencies. The designated public agency or body shall take all steps to assure that a decision is made on the application within thirty (30) days; provided, however, that, in the case of site plan approval, a decision on an application shall be made within the time required for site plan approval; and provided,

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further, however, that, if more time is required to process any application, a request in writing stating a specified extension of time shall be made to the applicant for his or her approval. If the request for extended process time is rejected by the applicant, an approval, conditional approval or denial of the application shall be issued without undue delay; provided, further, however, that expiration of the review time does not entitle the applicant to remove the trees which are the subject of the application.

~~(e) *Issuance of permits for removal.* No permit shall be issued for tree removal unless one (1) of the following conditions exists:~~

- ~~(1) The tree is located in a buildable area, yard area or right-of-way where a structure or improvement is to be placed and for which a permit application has been filed, and/or it unreasonably restricts the permitted use of the property;~~
- ~~(2) The tree is diseased or injured or in danger of falling on pedestrians, vehicular traffic or in such proximity to existing or proposed structures so as to endanger such structures;~~
- ~~(3) The tree interferes with utility services or creates unsafe vision clearance;~~
- ~~(4) The tree is diseased or infested with a condition that will require removal of the tree to prevent the transmission of the disease or infestation.~~

~~(f) *Relocation or replacement.* As a condition of the granting of a permit, the applicant may be required by the Planning and Development Director, or his or her designee, to relocate or replace (with authorized replacement trees) the trees being removed. Replacement trees, when required, will be provided based on the DBH of the trees being removed and the caliper (trunk diameter measured one foot above the ground) of the replacement stock trees. A site plan depicting the proposed location of the replacement trees is required as part of the permit application. The replacement standards below will apply, provided, however, that under no circumstances shall the number of required replacement trees exceed 250 trees per acre.~~

#### ~~TREE REPLACEMENT STANDARDS~~

~~In determining the required relocation or replacement of trees, the following shall be considered:~~

- ~~(1) Existing tree coverage;~~

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- ~~(2) Number of trees to be removed and retained. Special consideration will be given to the retention of Florida native species and trees with a DBH of twenty-four (24) inches or larger;~~
- ~~(3) Area to be covered with structures, parking, and driveways;~~
- ~~(4) Topography and drainage of the site and its environs;~~
- ~~(5) Character and ecology of the site; and~~
- ~~(6) Characteristics and amount of trees, shrubs and grass proposed for planting on the site by the applicant. Special credit may be given in consideration of planting of trees that exceed the minimum diameter requirements or are selected from the "Preferred Tree Species" list.~~
- ~~(g) *Alternatives to standard tree replacement.* If the total number of trees required cannot be reasonably accommodated on a site, the total caliper inches shall be met by the placement of fewer, but larger, trees on the site, as approved by the Planning and Development Director, or his or her designee;~~
- ~~(h) — When ten (10) or more trees are required to be planted on a site to meet the requirements of this chapter, a mix of trees shall be provided at least one (1) of which shall be native to the Central Florida Region and no single tree species may constitute more than fifty (50) percent of the trees planted.~~
- ~~(i) — *Permit form.* Permits shall be issued in such form as may be prescribed by the Planning and Development Services Director, or designee, and may set forth in detail the conditions upon which the permit is granted. One (1) permit may cover several trees or groups of trees as long as the same can be clearly identified thereon; provided, however, that, no permit may be issued for more than one (1) parcel or area of land unless said parcels or areas of land are contiguous to one another; and~~
- ~~(j)—(f) *Permit expiration.* Any permit issued under this ordinance shall automatically expire twelve (12) months after issuance, or, when issued as part of a building permit, at the time of expiration of the building permit, whichever is later.~~
- ~~(k)—(g) *Stop Work Order.* Whenever any work is being done contrary to the provisions of this ordinance, the Planning and Development Services Director, or designee, may order the work stopped by serving written notice on the holder of the permit or the person(s) at the work site.~~

~~Sec. 60.23. Replacement stock.5.1. - Logging.~~

- ~~(a) Except as to activity conducted on land classified as agricultural land pursuant to Section 193.461, Florida Statutes (2003), no person shall engage in logging operations without first obtaining a logging permit.~~



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- (b) Each application for a logging permit shall comply with all applicable conditions and recommendations outlined in the Florida Department of Agriculture and Consumer Services' publication titled "Silviculture Best Management Practices". Applications shall describe in detail the lands to be logged, the size and types of trees to be logged, the term of operations, the months during which trees will be logged, the procedures for safeguarding trees not to be logged, procedures for restoration of altered terrain, procedures for preventing erosion and pollution, and to what extent reforestation is to occur. (a) ~~In all cases wherein this chapter requires replacement of any tree removed, said replacement shall be made with "replacement stock." Replacement stock is hereby defined as any immature tree, other than palm trees, with a minimum diameter of two (2) inches at one (1) foot above ground level (i.e. two (2) inch caliper) and having a height of at least eight (8) feet. Replacement stock shall be maintained by the permittee until replacement stock meets the definition of a tree as defined in Chapter 2. Any dead or substantially damaged tree under maintenance shall be replaced with same kind within thirty (30) days of notification. Trees listed as Category I or Category II invasive exotics identified in the Florida Exotic Pest Plant Council's List of Invasive Species shall not qualify as replacement stock.~~
- (b) ~~The following suggested tree replacement species were selected for their hardiness, disease or pest resistance. It is not the intent to limit acceptable species (except as herein set forth), but rather to provide adequate guidelines in the selection of replacements. All replacement trees shall be Florida Nursery grade Number 1. Tree species must be approved in advance by the Planning and Development Director, or his or her designee, except for the following trees which may be used as replacement stock without prior approval:~~

*Preferred Tree Species List*

- ~~(1) American Elm (Ulmus americana);~~
- ~~(2) American Holly (Ilex opaca);~~
- ~~(3) American Hornbeam (Carpinus caroliniana);~~
- ~~(4) Box Elder (Acer negundo);~~
- ~~(5) Bald Cypress (Taxodium distichum);~~
- ~~(6) Carolina Basswood (Tilia americana var caroliniana);~~
- ~~(7) Dahoon Holly (Ilex cassine);~~
- ~~(8) Devilwood (Osmanthus americanus);~~
- ~~(9) Laurel Oak (Quercus laurifolia);~~
- ~~(10) ——— Live Oak (Quercus virginiana);~~
- ~~(11) ——— Loblolly Bay (Gordonia lasianthus);~~
- ~~(12) ——— Loblolly Pine (Pinus taeda);~~
- ~~(13) ——— Longleaf Pine (Pinus palustris);~~
- ~~(14) ——— Persimmon (Diospyros virginiana);~~
- ~~(15) ——— Pignut Hickory (carya glabra);~~

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- ~~(16) — Pond Cypress (Taxodium ascendens);~~
  - ~~(17) — Pond Pine (Pinus serotina);~~
  - ~~(18) — Red Bay (Persea borbonia);~~
  - ~~(19) — Red Maple (Acer rubrum);~~
  - ~~(20) — Sand Live Oak (Quercus geminata);~~
  - ~~(21) — Scrub Holly (Ilex opaca);~~
  - ~~(22) — Silk Bay (Persea humilis);~~
  - ~~(23) — Slash Pine (Pinus eliottii);~~
  - ~~(24) — Southern Magnolia (Magnolia grandiflora);~~
  - ~~(25) — Southern Red Cedar (Juniperus silicicola);~~
  - ~~(26) — Swamp Tupelo (Nyssa sylvatica biflora);~~
  - ~~(27) — Sweetbay (Magnolia virginiana);~~
  - ~~(28) — Sweetgum (Liquidambar styraciflua);~~
  - ~~(29) — Sycamore (Platanus occidentalis);~~
  - ~~(30) — Tulip Tree (Liriodendron tulipifera);~~
  - ~~(31) — Turkey Oak (Quercus laevis); and~~
  - ~~(32) — Winged Elm (Ulmus alata).~~

*Acceptable Tree Species List*

- ~~(1) Carolina Ash (Fraxinus caroliniana);~~
- ~~(2) Carolina Laurel Cherry (Prunus caroliniana);~~
- ~~(3) Eastern Cottonwood (Populus deltoides);~~
- ~~(4) Hackberry (Celtis laevigata);~~
- ~~(5) River Birch (Betula nigra);~~
- ~~(6) Shumard Oak (Quercus shumardii);~~
- ~~(7) Swamp Bay (Persea palustris);~~
- ~~(8) Myrtle Oak (Quercus myrtifolia); and~~
- ~~(9) Sand Pine (Pinus clausa).~~

Other native and non-native species may be acceptable for use but will require County approval prior to planting.

- ~~(c) *Planting setbacks.* All replacement and new trees shall be planted at least four (4) feet away from any building, sidewalk, road or structure.~~

~~(§ 72, Ord. No. 87-1, 2-10-87; § 8.23, LDC, through Supp 16; Part XXII, § 3, Ord. No. 92-5, 3-30-92; Part VI, § 3, Ord. No. 93-1, 2-23-93; § 11, Ord. No. 94-5, 3-22-94; Ord. No. 04-3, § 13, 1-13-04). Sec. 60.24. Authority to impose fines and county arbor violation trust fund.~~

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~~(a) The Code Enforcement Board, after notice and hearing, is authorized to impose fines, in amounts not to exceed those shown in subsection (b), for removal of trees without an arbor permit or removal of trees in excess of those authorized by an arbor permit.~~

~~(b) Fines shall be calculated on the basis of the following table:~~

~~If the DBH of the tree(s) removed cannot reasonably be determined then there shall be a rebuttable presumption that the DBH of each tree removed was in excess of twelve (12) inches but less than twenty-four (24) inches. If the number of trees removed cannot reasonably be determined then there shall be a rebuttable presumption that the density of the trees removed was one hundred (100) trees per acre and the number of trees removed shall be calculated using that density applied to the areas cleared. The maximum fine per acre shall not exceed ten thousand dollars (\$10,000.00).~~

~~(c) All fines shall be in addition to and not in lieu of the requirement to plant replacement trees as specified in Section 60.22(f) of this chapter.~~

~~(d) An arbor violation trust fund is hereby established by the county for deposit of fines paid to the county. All monies deposited hereunder shall be deposited in the arbor violation trust fund, which shall be a separate account established and maintained apart from the general revenue fund of the County. All money in this fund shall be used for the planting of trees in the County and the administrative costs incurred in enforcing this ordinance as authorized by the Board of County Commissioners. The arbor violation trust fund shall be self-perpetuating from year to year unless specifically terminated by the Board of County Commissioners.~~

~~(§ 12, Ord. No. 94-5, 3-22-94; Ord. No. 04-3, § 14, 1-13-04).~~

A reforestation plan indicating all appropriate cover and plantings shall be submitted with all applications for logging permits unless waived by the Development Services Director, or his or her designee, based upon his or her determination that submission of a plan would not further the public interests based upon future development conditions that will relate to the site. The Development Services Director, or his or her designee, upon receipt of said application, may require such additional information as deemed necessary to meet the intent and purposes of this Chapter;

(c) The Development Services Director, or designee, may, in granting a logging permit, place such reasonable conditions or restrictions upon the same as deemed necessary to:

(1) Protect trees not permitted to be logged

(2) Buffer logging operations from waterways, parks, and residentially designated, zoned, occupied or used lands.

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- (3) Guarantee restoration of terrain to a degree necessary for the prevention of erosion and protection of flora
  - (4) Prevent pollution
  - (5) Insure reforestation, if part of the management plan
  - (6) Preserve historic trees
  - (7) Otherwise promote the intents and purposes of this Chapter
- (d) Notwithstanding anything herein to the contrary, no person shall:
- (1) Destroy, damage or log any trees which have been designated by the county or other appropriate agency as threatened, endangered or historic; or
  - (2) Conduct logging operations within fifty (50) feet of any lands that are residentially designated, zoned, used or occupied.

**25. Relocation of removed tree onto other property.**

Where a tree is to be removed under the provisions of this chapter, the County may, with the consent of the property owner, relocate the tree at the County's expense to County-owned property for replanting, either for permanent utilization at the new location or for future use for another public purpose. If the County does not elect to relocate any such tree, it may, with the consent of the property owner, give any citizen of the County the right to acquire any such tree at the citizen's expense for relocation on private property within the County. If consent is given, the consenting property owner shall be provided with an agreement that no damage will occur to the property from which the tree is removed during the relocation process. The County Manager or other agent designated by the Board of County Commissioners shall establish procedures for notification of the availability of trees for private relocation and shall set forth the manner in which such relocation shall be established. It is intended that the private relocation of trees shall be on a first-come-first-served basis and for the individual benefit of the citizens and not for profit. Nothing in this section shall be construed as preventing a property owner from relocating or selling trees removed; provided, however, that said owner shall provide reasonable assurance to the agency or body granting the tree removal permit that said tree shall not be damaged or destroyed in the process of relocation.

## Chapter 80 – Construction Permits

## SEC. 80.4 – COMPLIANCE REQUIREMENTS

(a) *Submittals.* The following information shall be provided by applicants for all permits under this Chapter: the name, local address and phone number of applicant; the date; the precise description of the work proposed, including two (2) sets of final engineering plans, signed sealed and stamped "approved for construction" by a registered professional engineer; the location of the work, any special conditions; the expected starting and completion dates; and any other submittals and information as may be required by the county engineer to reasonably exercise his authority hereunder.

(b) *Insurance.* Unless specifically required by the Board of County Commissioners or the county engineer, the permit shall not be effective for any purpose whatsoever until applicant, or his designated representative, delivers to the Seminole County Engineer a certificate of liability insurance evidencing bodily injury and property damage coverage equal to or in excess of the following limits: one hundred thousand dollars (\$100,000.00) per person; three hundred thousand dollars (\$300,000.00) per occurrence; and fifty thousand dollars (\$50,000.00) property damage. Said certificate of insurance shall name the County of Seminole as an additional insured, shall be effective for all periods of work covered by this permit, and shall be in a form and issued by an insurance company acceptable to county.

(c) *Approving authority.* The county engineer shall have the authority to approve or deny applications.

(d) *Appeals.* Any party claiming to be aggrieved by a decision of the approving authorities may appeal to the Board of County Commissioners by filing a notice of appeal with the approving authority within thirty (30) days of the date of denial.

(e) *Time limit.* The permit shall be considered valid for sixty (60) days beginning on the date of issuance. If work does not commence by the sixtieth (60th) day, the permit shall be considered void and reapplication will be necessary. Work must be completed by the completion date indicated on the application. Work not completed by the completion date will be subject to stop work order, re-application, additional fee or other remedy as may be required by the Board of County Commissioners.

(f) *Construction and Demolition Hours:* Construction, drilling, demolition, land clearing, and filling operations may only occur between the hours of 7:00 am and 7:00 pm on weekdays and Saturdays. No such activities shall occur on Sundays or holidays unless special written approval is granted by the County Manager specifying days and hours. These time limitations do not apply to any public service utility emergency or work being performed by the County.

(g) *Compaction Method.* With the exception of hand-held, small walk behind or mini compactors, the compaction of soil during construction, land clearing and filling operations shall

only occur by the use of non-vibratory compaction methods unless approved by the County Engineer or designee. The use of vibratory or dynamic compaction shall be on a case by case basis and typically not permitted within the County right-of-way or within 150 feet of any structures which are considered critical work zones. The use of vibratory compaction within critical work zones requires approval of the County Engineer or designee and may require vibration testing and structure monitoring in accordance with FDOT standards and specifications.