

ORDINANCE NO. 2024-____

SEMINOLE COUNTY, FLORIDA

2 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**
3 **SEMINOLE COUNTY, FLORIDA AMENDING THE LAND**
4 **DEVELOPMENT CODE OF SEMINOLE COUNTY IN THE FOLLOWING**
5 **MANNER: CHAPTER 2 (DEFINITIONS) TO REVISE DEFINITION OF**
6 **GUEST HOUSE OR COTTAGE AND ADD DEFINITION FOR NOMINAL**
7 **ROOF OVERHANG; CHAPTER 30 (ZONING REGULATIONS) TO**
8 **REMOVE UC DESIGNATION FROM SECTION 30.2.1**
9 **(ESTABLISHMENT OF DISTRICTS), TO CORRECT REFERENCES IN**
10 **SECTION 30.2.2 (GROUPINGS AND DEFINITIONS OF GROUPINGS), TO**
11 **CORRECT TERMINOLOGY IN SECTIONS 30.2.3 (DISTRICTS SHOWN**
12 **ON MAPS), 30.2.4 (OFFICIAL ZONING MAP), AND 30.2.5**
13 **(INTERPRETATION OF DISTRICT BOUNDARIES), TO INCLUDE A**
14 **PROCESS FOR UN-COMBINING PLATTING LOTS IN SECTION 30.2.6**
15 **(APPLICATION OF ZONING CLASSIFICATION REGULATIONS), TO**
16 **REVISE TABLE 5.2 IN SECTION 30.5.2 (PERMITTED USE TABLE &**
17 **FOOTNOTES), TO REVISE THE USE CONSOLIDATION TABLE IN**
18 **SECTION 30.5.3 (USE CONSOLIDATION), TO INCLUDE A PROCESS**
19 **FOR SPECIAL EVENTS, OUTDOOR SALES AND TEMPORARY**
20 **PACKAGE STORAGE AND UPDATING TERMINOLOGY IN SECTION**
21 **30.6.4 (TEMPORARY USES), TO REVISE SECTION 30.7.3**
22 **(DIMENSIONAL STANDARDS TABLE), TO CORRECT**
23 **TYPOGRAPHICAL ERRORS AND RENUMBERING IN SECTION 30.8.3**
24 **(MM MISSING MIDDLE DISTRICT AND ALTERNATIVE STANDARDS),**
25 **TO CLARIFY COMMON USABLE OPEN SPACE REQUIREMENTS AND**
26 **CORRECT TYPOGRAPHICAL ERRORS IN SECTION 30.8.5 (PD**
27 **PLANNED DEVELOPMENT), TO INCLUDE A STANDARD FOR**
28 **AIRPORT INCOMPATIBLE USES AND NOISE LEVEL NOTICE IN**
29 **SECTION 30.10.8 (AIRPORTS), TO INCLUDE A PROVISION**
30 **REGARDING SETBACKS AND CLEARANCE OF RESIDENTIAL**
31 **GARAGES IN SECTION 30.11.7 (MISCELLANEOUS DESIGN**
32 **STANDARDS), TO CORRECT TYPOGRAPHICAL ERRORS IN SECTION**
33 **30.13.3 (SIGN STANDARDS); CHAPTER 35 (SUBDIVISION STANDARDS)**
34 **TO UPDATE TERMINOLOGY IN SECTION 35.44 (REQUIRED**
35 **SUBMITTALS FOR FINAL PLAT); CHAPTER 60 (ARBOR**
36 **REGULATIONS) TO CORRECT TYPOGRAPHICAL ERRORS AND**
37 **UPDATE TERMINOLOGY IN SECTIONS 60.3 (THE BOARD OF**
38 **COUNTY COMMISSIONERS DESIGNATED AS THE SEMINOLE**
39 **COUNTY TREE COMMITTEE), 60.4 (PERMITS REQUIRED), 60.5**
40 **(EXEMPTIONS), 60.7 (VARIANCE, APPEAL, AND PENALTY), 60.8**
41 **(TREE PROTECTION AND MAINTENANCE DURING AND AFTER**
42 **DEVELOPMENT AND CONSTRUCTION), AND 60.9 (RECOMMENDED,**
43 **REPLACEMENT, RESTRICTED, AND SPECIMEN TREES), TO UPDATE**
44 **TERMINOLOGY AND INCLUDE A STANDARD FOR IDENTIFICATION**
45 **OF NUISANCE EXOTIC TREES IN SECTION 60.10 (PERMIT**
46 **APPLICATION AND PROCEDURES), TO UPDATE TERMINOLOGY IN**

48 **SECTION 60.11 (LOGGING), TO ESTABLISH AUTHORITY TO IMPOSE**
50 **FINES AND ESTABLISH THE COUNTY ARBOR TRUST FUND IN**
52 **SECTION 60.12 (AUTHORITY TO IMPOSE FINES AND COUNTY**
54 **ARBOR TRUST FUND); CHAPTER 90 (UNIFORM BUILDING**
56 **NUMBERING SYSTEM) TO UPDATE TERMINOLOGY IN SECTIONS**
90.10 (SUBDIVISION, PLAZA AND BUILDING NAMES) AND 90.12
(VARIANCE PROCEDURES TO THE UNIFORM ADDRESSING
SYSTEM); PROVIDING FOR CONFLICTS; PROVIDING FOR
CODIFICATION IN THE LAND DEVELOPMENT CODE OF SEMINOLE
COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.

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

64 **WHEREAS**, Ordinance 2024-2 was adopted by the Seminole County Board of County
Commissioners on January 9, 2024 and implemented a comprehensive update to the entire Land
66 Development Code including repealing and replacing Chapters 2 and 30 and amending Chapters
1, 5, 35, 40, 60, and 80; and

68 **WHEREAS**, due to the comprehensive nature of Ordinance 2024-2 and the Land
Development Code update, some provisions were not properly included, have typographical errors
70 or necessitate updated terminology; and

WHEREAS, the purpose of this Ordinance is correct these errors and omissions and to
72 provide clarity and consistency within the Land Development Code; and

WHEREAS, the Seminole County Local Planning Agency held a public hearing, with all
74 required public notice on _____, for the purpose of providing recommendations to
the Board of County Commissioners with regard to this Ordinance and recommended that the

Board of County Commissioners adopt this Ordinance amending the Land Development Code;
and

WHEREAS, the Board finds that this Ordinance to amend the Land Development Code is
in the best interest of the health, safety and welfare of the public and will provide clarity and
consistency within the Land Development Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

Section 1. Incorporation of Recitals. The above recitals are incorporated herein by
reference and form an integral part of the Ordinance.

Section 2. Intent and Purpose. The intent and purpose of this Ordinance is to amend the
Seminole County Land Development Code to correct the errors and omissions resulting from the
comprehensive update of the Land Development Code accomplished by Ordinance 2024-02.

Section 3. Chapter 2 (Definitions) of the Land Development Code of Seminole County is
hereby amended to read as follows:

Chapter 2 - DEFINITIONS

* * *

Sec. 2.3. Definitions. [For the purposes of this chapter, certain terms shall have the
meanings ascribed to them in this Section, unless the context clearly indicates otherwise.]

* * *

Guest house or cottage: A detached accessory building located on the same premises of
the main residential building, intended for intermittent or temporary occupancy by a nonpaying
guest, and which has no cooking facilities and is not rented. For the purposes of this definition,
temporary and intermittent occupancy shall mean a period of less than thirty consecutive days,
which does not happen continuously and has periods of time in between stays.

* * *

Nominal Roof Overhang: The part of the roof or wall that extends beyond a lower wall.

For purposes of applying to property setbacks, the distance of a roof overhang into a property setback shall not exceed eighteen (18) inches.

* * *

Section 4. Chapter 30 (Zoning Regulations) of the Land Development Code of Seminole County is hereby amended to read as follows:

CHAPTER 30 – ZONING REGULATIONS

* * *

PART 2. ESTABLISHMENT OF DISTRICTS

30.2.1 Establishment of Districts (Abbreviations).

In order to classify, regulate, and restrict the uses of land, water, buildings, and structures; to regulate and restrict the height and bulk of buildings; to regulate the 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
PLI	Public Lands and Institutions
RP	Residential Professional District
OP	Office District
CN	Restricted Neighborhood Commercial District
C-1	Retail Commercial District
C-2	General Commercial District
C-3	Heavy Commercial and Very Light Industrial District
CS	Convenience Commercial District
MM	Missing Middle District
MUCD	Mixed Use Corridor District
M-1A	Very Light Industrial District
M-1	Industrial District

M-2	M-2 Heavy Industrial Zoning District
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30.2.2 Groupings and definition of groupings.

30.2.2.1 Where the phrases "all residential districts," "residential districts," "zoned residentially," or "residentially zoned," or similar phrases, are used in these zoning 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 ~~30.3.2.3~~ 30.3.2.3 and truck parking in residential districts pursuant to Section 30.9.4 on property which is primarily residential, and has not been assigned an Agricultural Tax Classification under section 193.461, Florida Statutes.

* * *

30.2.3 Districts shown on maps.

30.2.3.1 The boundaries of the various districts are shown upon an ~~official zoning atlas~~ Official Zoning Map of sectional maps and a chart explaining the symbols which appear on said sectional maps. The ~~official zoning atlas~~ Official Zoning Map is hereby made a part of this Chapter and all maps, references, and other information shown therein shall be as much a part of this Chapter as if all matter and information set forth by said maps were fully described herein.

30.2.4 Official Zoning ~~Atlas~~ Map.

30.2.4.1 Boundaries. The boundaries of each district shall be shown on the Official Zoning ~~Atlas~~ Map and the district symbol, as set out in Section 30.2.1, of this Code, shall be used to designate each district.

30.2.4.2 Changes in district boundaries. If, in accordance with the provisions of these Zoning Regulations and applicable provisions of Florida law, changes are made in district boundaries or other matter portrayed on the Official Zoning ~~Atlas~~ Map, such changes shall be entered promptly on the appropriate digital zoning map of the Official Zoning ~~Atlas~~ Map after the amendment has been approved by the Board of County Commissioners. No amendment to these Zoning Regulations which involves matter portrayed in the Official Zoning ~~Atlas~~ Map shall become effective until such change and entry has been made on the Official Zoning ~~Atlas~~ Map in the manner herein set out.

30.2.4.3 Unauthorized changes prohibited. No changes of any nature shall be made in the Official Zoning ~~Atlas~~ Map except in conformity with the procedures set out in these Zoning Regulations. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of these Zoning Regulations and punishable as provided by Section 1.4 of this Code.

148 30.2.4.4 Final authority as to zoning. Regardless of the existence of purported copies
of all or part of the Official Zoning-~~Atlas~~ Map, which may from time to time be made or published,
150 the Official Zoning-~~Atlas~~ Map, which shall be located in the office of the County Clerk, shall be
the final authority as to the current zoning status of all lands and waters in the unincorporated area
152 of the County.

 30.2.4.5 Correction of errors. Whenever the Planning Manager or his designee,
154 discover that, through a bona fide draftsman or scriveners error in the reproduction process, the
Official Zoning-~~Atlas~~ Map therein does not agree with the latest enacted ordinance related thereto,
156 he/she shall correct the Official Zoning-~~Atlas~~ Map to accurately reflect the proper zoning status of
all land thereon by entering the correction on the appropriate digital zoning map. The Planning
158 Manager or his/her designee may make such a correction without action by the Board of County
Commissioners being required.

160 30.2.4.6 Retention of earlier zoning maps-~~or atlases~~. All zoning maps, or remaining
portions thereof, which have had the force and effect of official zoning maps-~~or atlases~~ for the
162 County of Seminole prior to the effective date of adoption of these Zoning Regulations shall be
retained as a public record and as a guide to the zoning status of lands and waters prior to such
164 date. Upon the date of adoption of these Zoning Regulations, the historical Official Zoning-~~Atlas~~
Map of that date shall be microfilmed, photographed or computer imaged, and such copy retained
166 permanently in a place separate from the original-~~atlas~~ map.

 30.2.4.7 Replacement of Official Zoning-~~Atlas~~ Map. If the-~~official zoning atlas~~
168 Official Zoning Map, becomes damaged, lost, destroyed, or difficult to interpret by reason of the
nature or number of changes, the Board of County Commissioners may, by resolution, adopt a new
170 Official Zoning-~~Atlas~~ Map, which shall supersede the prior Official Zoning-~~Atlas~~ Map. The new

Official Zoning-Atlas Map may correct drafting or other errors or omissions in the prior Official
172 Zoning-Atlas Map.

30.2.5 Interpretation of district boundaries.

174 Except as otherwise specifically provided, a district symbol or name shown within district
boundaries on the ~~official zoning atlas~~ Official Zoning Map indicates that district regulations
176 pertaining to the district extend throughout the whole area surrounded by the boundary line. Where
uncertainty exists as to the boundaries of any district shown on said maps, the following rules shall
178 apply:

* * *

180 30.2.6 Application of zoning classification regulations.

* * *

182 30.2.6.4 Reduction of lot area prohibited. ~~No~~ Except for lots that meet the criteria
in 30.2.6.6, no lot or yard existing on September 8, 1980 shall thereafter be reduced in size,
184 dimension, or area below the minimum requirements set out herein, except by reason of a portion
being acquired for public use, in any manner, including dedication, condemnation, purchase, and
186 the like. Lots or yards created after September 8, 1980 shall meet at least the minimum
requirements established herein.

188 * * *

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

a. The properties are vested in accordance with the Comprehensive Plan Policy FLU
194 3.3 and Sec. 15.3 of the Land Development Code; and

b. The subject parcel is in the urban area; and

c. Fifty (50) percent or more of the lots in the same platted subdivision have the same character and are the size as originally platted; and

d. All existing structures on the subject property meet the setback requirements for the subject zoning classification; and

e. The subject property is not limited in its development potential due to wetlands and floodplains; and

f. The subject property has adequate access to a public right of way and roadway that meets the County standard per Seminole County Public Works Manual Section 1.11.1; and

g. The subject property has adequate drainage per Seminole County Public Works Manual Chapter 2.

h. Utility services are available, or the property is eligible for permits to install potable water wells and onsite sewage treatment and disposal systems, per the following conditions:

1. Utility services are available from Seminole County in accordance with Section 270.1 of the Seminole County Code of Ordinances or Section 381.0065(2)(a), Florida Statutes, as applicable, or

2. Utility services are available from a city or other entity regulated by the Public Services Commission, or

3. If the un-combined lots are unable to connect to any of the previously mentioned regulated potable water distribution systems, the property must be eligible for a permit for potable water wells with the St. Johns River Water Management District (SJRWMD) in accordance with applicable SJRWMD provisions and eligible for onsite sewage treatment and disposal systems (OSTDS) with the local Florida Department of Health location in accordance with Section 381.0065(4), Florida Statutes, as applicable.

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

PART 5. PERMITTED USES BY ZONING DISTRICT

* * *

30.5.2 Permitted Use Table & Footnotes.

See enclosed table.

226 **TABLE 5.2**

Seminole County Land Development Code (Permitted Uses)	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		PLI	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	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S	S	S		S	S ⁴	S ⁴				S				P ¹³	P ¹³		S									
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)	L	L	L	L	L	L	L	L	L		L		L	L	L	L	L																			
Community residential home (7-14 unrelated persons)	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	L	L	L	L	L						P							L									
Dwelling, multiple-family										P	P	P	L	L										P ¹³	P ¹³		P									
Dwelling, two-family or duplex									P	P	P		P	L																						
Dwelling, single-family	P	P	P	P	P	P	P	P	P				P	L	P					P																
Dwelling unit, accessory	P	P	P	P	P	P	P	P																												
Guest cottage	P	P	P	S	S	S	S	S	S																											
Dwelling unit, accessory for employee																L				S				S	S	S	P		P	S						
Farmworker housing	S	S																																		
Hotels & motels (exc. Bed & breakfast)																P									P	P				P	P					
Home Occupation	P	P	P			P	P	P	P																											
Home Office	P	P		P	P	P	P	P	P				P																							
Live-Work Unit														L													P									
Mobile homes or manufactured homes	L, P	L													P	P	P																			
Transient parking of recreational vehicles, campers, etc.	L	L															P																			

Seminole County Land Development Code (Permitted Uses)	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		PLI	RP	OP	CN	CS	C-1	C-2	C-3	MUCD		M-1A	M-1	M-2					
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		L	P	P					
Community	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			S	P	S	S	L	L	P	P		L	L	L					
Regional																							S	S	L											
Fire Stations																				P	P	P	P	P	P	P										
Libraries																			P			P	P	P	P	P										
Medical facilities																																				
Hospital		S										S									S ¹⁷			S	S	S	S				P					
Clinic, Medical or Dental																				S	P	P	P	P	P	P	P		P		P					
Retail Pharmacy																								P	P	P	P		L	P	P					
Pain management clinic																										P			P	P						
Residential facility, nursing home or rehabilitation center												S									S ¹⁷			S	S	S	S				P					
Recreational Facilities, Private		P ⁷		S ¹⁰	S ¹⁰	S ¹⁰	S ¹⁰	S ¹⁰	S ¹⁰	S ¹⁰	S ¹⁰	S ¹⁰			S ¹⁰	S ¹⁰	S ¹⁰			S ¹⁰				P	P	P		S	S							
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	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	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	P	S	S		S							
Vocational, business and professional (non-industrial)																					S ¹⁶						S		P	P	P					
Industrial Trade Schools																									P					P						
College or university		S																	P								S									

Seminole County Land Development Code (Permitted Uses)	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		PLI	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 ¹⁷	-	-	P	P	P	P									
Convenience store																	L ²⁴			-			P	P	P	P	P									
Self-service gasoline pumps as an accessory use																				-		-	S	S	S	S					P					
Dry cleaning (pick-up and drop-off only)																								P ¹⁴	P ¹⁴	P	P									
Food and Beverage																				-																
Alcoholic beverage establishment																								S	S		S									
Delicatessen / Café																				-		P	P	P	P	P	P		P	P	P					
Ice cream / Coffee / Tea shop																				-		P	P	P	P	P	P		P							
Restaurant, drive-through																				-		-	-		S											
Restaurant, standard																				-		-	-	P	P	P	P		P	P	P					
Funeral home																				-	S ¹⁷	-	-	P ²⁹	P ²⁹	P ²⁹	P ²⁹		P ²⁹	P ²⁹	P ²⁹					
Indoor recreation																								P	P	P	P									
Museum																								P	P	P	P									
Studios, Physical Fitness (includes dance, martial arts)																						P	P	P	P	P	P		P	P	P					
Indoor assembly and entertainment																																				
Theaters and Cinemas																								P	P	P	P			P	P					
Commercial Kennels	S	S																							P	P				P	P					
Laundry, self-service																						-	P	P	P	P	P									
Office uses												P								S	P	P	P	P	P	P	P		P	P	P					
Outdoor advertising signs (Billboards)																				-		-	-		L	L	-									
Outdoor entertainment and assembly																				-		-	-				-									
Theater, drive-in																									S		-									
Stadiums, racetracks, and speedways		S ⁸																									-									
Outdoor recreation and amusement uses, intensive		P ⁷															L ²⁵								P	P	P									
Outdoor recreation uses, extensive	S ⁵	S ⁵															L ²⁵																			
Outdoor storage of merchandise and/or materials																									P ²²	P ²²			P ²²	P ²²	P ²²					

Seminole County Land Development Code (Permitted Uses)	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		PLI	RP	OP	CN	CS	C-1	C-2	C-3	MUCD		M-1A	M-1	M-2					
Commercial Uses																																				
Personal Services																						P	P	P	P	P	P									
Retail Sales/Services																																				
Light Retail																						P	P	P	P	P	P		L ²⁷							
General Retail																								P	P	P	P		L	P	P					
Grocery store																							P	P	P	P	P									
Agricultural Supplies																										P			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	P		P	P	P					
Retail, rural																																				
Produce stand	P ³	P ³																																		
Temporary sale of agricultural products																						S ¹²	S ¹²	S ¹²	S ¹²	S ¹²										
Sexually oriented businesses																															P					
Studios, Radio/television (excluding towers)																								P	P	P	P		P	P	P					
Studios, Artist (includes music, photographic)																						P	P	P	P	P	P		P							
Veterinary Clinic ¹		S																						P	P	P	P			P	P					

Seminole County Land Development Code (Permitted Uses)	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		PLI	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																													P					
Junk and Recycling Yards																														S	S					
Laundry and dry cleaning plants																										P			P ¹⁸	P ¹⁸	P					
Lithography and publishing plants																										P				P	P					
Machine shops																													P ²⁶	P ²⁶	P ²⁶					
Machinery sales and storage																										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-mix <u>redi-mix</u> concrete plants																														S	S					
Animal Processing																														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-Storage Facility																										P				P	P					
Testing of materials, equipment and products																													P	P	P					
Trade shops (including upholstery, metal)																										P				P	P					
Warehouse and Distribution																										P			P ¹⁹	P ¹⁹	P					
Cold storage and frozen foodlockers																										P			P	P	P					
Lumber Storage and Distribution																									S	P				P	P					
Wholesale storage of flammable liquids or gases																														S ²³	S ²³					
Wholesale meat and produce distribution																										P				P	P					

Seminole County Land Development Code (Permitted Uses)	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		PLI	RP	OP	CN	CS	C-1	C-2	C-3	MUCD		M-1A	M-1	M-2
Infrastructure and Transportation																															
Airplane landing field or heliport		S													S		S												S	S	S
Communications tower, camouflage design	S	S	S	S	S	S	S	S	S	S	S	S			S		S			S	S	S	S	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	L ¹⁵			L ¹⁵	L ¹⁵	L ¹⁵
Landfill, Sanitary		S																											S	S	
Parking garages or lots, primary use																			P		P				P	P	P ²⁸			P	P
Sewage treatment and related facilities, public		S															P ¹¹		P												
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
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
Ground-Mounted Solar, Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P		P	P	P
Ground-Mounted Solar, Medium	P	P																	P		S			S	S	S			P	P	P
Ground-Mounted Solar, Large	P	P																	P										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		P		S			S	S	S	S		P ²⁰	P	P
Water treatment plant		S															P ¹¹		P												

Seminole County Land Development Code (Permitted Uses)	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		PLI	RP	OP	CN	CS	C-1	C-2	C-3	MUCD		M-1A	M-1	M-2	
Agricultural and Other Uses																																
Agriculture uses generally	P ²	P ²																														
Commercial Pig Farm		S																														
Poultry and livestock production (except pigs)	P ²	P ²																														
Fishing hatcheries or fish pools	P	P																														
Equestrian Facilities																																
Keeping of horses for use of occupant	P	P	S																													
Riding stables limited to 10 lessons and/or customers per day	P	S ⁹																														
Riding stables exceeding 10 lessons and/or customers per day	S																															
Nurseries, Greenhouses, and Silviculture																																
Landscape contractor accessory to wholesale nursery or tree farm	P	S																														
Greenhouses – Wholesale Only	P ¹⁰	P ¹⁰																								P			P	P		
Plant nursery – Wholesale Only	P ¹⁰	P ¹⁰																						P	P	P			P	P		
Plant nursery – Retail																								P	P	P			P	P		
Plant nursery – on-site produce Only	L	L																														
Tree Farm	P	P																														

232 P – Permitted

234 L – Limited Uses

234 S – Special Exceptions

Footnotes:

236 1. No overnight boarding except for animals being treated on the premises

238 2. Agricultural operations and attendant structures; greenhouses (not involved with retail sales to the general public); including, but not limited to, poultry production, apiculture, dairy farms, plant nurseries, dairies, silviculture (including fish hatcheries and 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.

240 3. Roadside stands for the sale of fruits, vegetables and similar products produced on the premises, provided such stand is placed no closer than twenty-five (25) feet to a property line.

242 4. Community residential homes having seven (7) to fourteen (14) unrelated residents, provided that the location does not create an over-concentration of such homes or substantially alter the nature and character of the area, all as defined in Florida Statutes as amended from time to time.

244 5. When making use of the land with nominal impacts to natural resources as determined by the Planning Manager.

246 6. Plant nurseries and greenhouses not involved with retail sales to the general public.

248 7. Neighborhood recreation areas, when approved as part of a subdivision plat.

246 8. Privately owned and operated recreational facilities open to the paying public, such as, athletic fields, stadiums, racetracks, and speedways if the use is located along a major roadway or has immediate accessibility thereto.

246 9. Riding stables, provided that no structure housing animals is located nearer than one hundred (100) feet from a property line.

248 10. Private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area as determined by the Planning Manager.

248 11. Where no other such facilities are available. Must be located within the park and not closer than two hundred (200) feet from any property line. All such facilities shall conform to State and County water and sewer plant regulations and shall be enclosed with a six (6) foot chain-link fence and shielded by screen planting.

250 12. Parking of semi-tractor trailers and cargo trailer boxes in rural areas for the sale of feed, hay, or other agricultural products when such products are offered for retail sale from said trailer and when the trailer is located outside of the urban/rural boundary.

13. Density and design criteria must conform to the standards for properties assigned the R-3 zoning classification.

- 252
14. Dry cleaners utilizing a Perman R308 dry cleaning machine or machine, found to be similar in nature by the Planning Manager, which provide dry cleaning services to only those customers bringing clothing and other materials to the site for service; 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.
- 254
15. Communication towers when monopole in design if the tower is under one hundred forty (140) feet in height. Communication towers when monopole in design if the tower is over one hundred forty (140) feet in height may be permitted by Special Exception.
16. Private vocational, business, and professional schools which do not have an industrial character. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required.
- 256
17. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required.
18. Only nonflammable solvents shall be used. (Class IV National Fire Protective Association Code.)
- 258
19. Provided no storage is done outside an enclosed structure
20. Provided, however, no sewer plant shall be located closer than two hundred (200) feet to the perimeter of the district nor shall any other utility plant, station, or distribution office be located closer than one hundred (100) feet to the perimeter of the district.
- 260
21. Reserved.
22. Outside storage of parts, supplies or materials shall be permitted only in an enclosed or fenced area.
- 262
23. Wholesale storage of gasoline, liquefied petroleum, gas, oil, or other inflammable liquids or gases, provided they meet the regulations of N.F.P.A. and the Seminole County Building Code and, further, that all overhead storage tanks are diked.
24. A service store, with living quarters, if desired, to provide groceries, bottle gas, a snack bar, and supplies for occupants of the park.
- 264
25. Recreational facilities, such as, golf courses, swimming pools, tennis courts, marinas, etc. Petroleum products may be sold in marina areas only for marina use.
26. Using only electrically fired forges
- 266
27. Retail sales if ancillary to a use permitted by this section. For purposes of this subsection, “ancillary” shall mean supplementary, or secondary, not of primary importance.
28. Subject to landscaping and screening requirements of the MUCD district.
- 268
29. No cremation

270 30.5.3 Use Consolidation

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

274 (b) See enclosed table.

Use Consolidation

<u>Civic Assembly, not for profit</u>
<u>Community centers</u>
<u>Meeting halls</u>
<u>Places of worship, houses of worship, religious institutions</u>
<u>Recreation centers</u>
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
Retail sales and services, light
Book, stationery, and newsstands
Candy Stores
Florist and gift shops
Hobby and craft shops
Interior decorating and draperies
Jewelry stores
Locksmiths
Luggage shops

Pharmacies
Sporting goods
Tobacco shops
Toy stores
Wearing apparel shoes
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 <u>Precision instruments</u> 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
Sports courts (e.g. Tennis, Basketball, Pickleball, Volleyball, Handball)

PART 6. ADDITIONAL USE STANDARDS

* * *

30.6.4 Temporary Uses.

30.6.4.1 Carport/garage/yard sales “Carport/garage/yard sales” may be held in any residential and agricultural districts. Such sales may not be conducted on the same parcel more often than twice each year and each sale shall not exceed three (3) days in duration. At the conclusion of such sales, all unsold items shall be removed or packed in such manner as not to create an unsightly view as seen from the street or from adjoining properties. Any signs advertising such sales shall be removed from the premises immediately at the conclusion of the sale. No merchandise may be stored or displayed outside the carport or garage.

30.6.4.2 Permits for site-specific special events, outdoor sales of merchandise, and temporary package storage permits, and mobile food vendors.

(a) Temporary use of designated properties for special events and outdoor sales of merchandise.

(1) Purpose and intent. The Board of County Commissioners finds that special events having a specific location often attract a large gathering of people and may cause impacts to the public health and safety, requiring appropriate regulations to insure adequate sanitation and sewage disposal facilities; law enforcement; fire rescue personnel and equipment; parking; traffic control; crowd control; and other concerns in the interest of public safety and public health. In enacting this Section, it is the intent of the Board to protect and promote the health, welfare, and safety of Seminole County citizens and visitors.

(2) Use restrictions and general requirements.

a. Special events at specific locations are subject to the permitting provisions of this Section. The special event permit review process is intended to mitigate

impacts on surrounding land uses where such impacts were not addressed through prior development approvals on the subject property. Special events which occur on a county-wide basis rather than at a particular location are not subject to the permitting provisions of this Section, except for off-premise signs.

b. No site specific special event may be permitted for more than fourteen (14) consecutive days, and no parcel of land may be permitted to have more than five (5) site specific special events in any twelve-month period, unless otherwise authorized by the Board of County Commissioners.

c. At the end of the period for which the site specific special event was permitted, the use of the approved location must be discontinued and all temporary structures involved must be removed and all permanent structures may be used only as permitted under applicable pre-existing development approvals.

d. Off-premise and on-premise signs may be used to announce, identify or direct attendees to the location of a site specific special event subject to the following requirements:

1. Off-premise signs. Permitted according to the provisions of Section 30.13.3(b)(2)a.

2. On-premise signs. A plan for all signs to be placed on-site, announcing or identifying the site specific special event, must be submitted with the application unless a special event application is not required by subsection 30.6.4(2)b. Evaluation of this plan will take into account traffic visibility; visibility of adjacent business signs and/or traffic signs and signals; disturbance to adjacent properties; and other appropriate considerations as determined by the Development Services Director. In the circumstance when

a special event application is not required, the property owner shall be mindful of the foregoing
considerations so as to not create a negative impact when placing on-premise signs.

e. The sale of admission or seating tickets in excess of the approved
attendance shall be prohibited.

f. The operator of a site specific special event must obtain all
required permits and authorizations from the owner of the property and all applicable agencies
such as the Building Division, Public Works Department, Sheriff's Office, or other department
or agency as needed.

g. Depending upon the type of special event being requested and the
estimated attendance, security personnel may be required to staff the special event. A Security
Plan shall be submitted by the event operator to the Planning and Development Division. The
Security Plan shall include the security measures proposed to be taken (searches, metal
detection, ID check, etc.), the location of these measures and the proposed number of security
personnel. The Planning and Development Division will provide the Security Plan to the
Sheriff's Office for review and comment. The security personnel required by the Security Plan
should be staffed by off-duty police officers or sheriff's deputies. However, the Development
Services Director can waive this requirement and allow third party private security personnel
upon the applicant showing that no off-duty officers or deputies are available for the special
event. The Security Plan will be required as a condition of approval for any Special Event
Permit. The cost for any such security measures shall be borne by the applicant.

(3) Approval.

a. Special events expected to draw less than two hundred (200)
persons as participants or spectators at any time during the event may be administratively
approved by the Development Services Director. Special events expected to draw more than

two hundred (200) persons at any given time may be administratively approved by the
Development Services Director or designee where they are located on developed office,
commercial, or industrial sites of ten (10) acres or more and have adequate parking and other
facilities to support the expected number of participants.

In approving any special event, the Development Services Director shall make a
determination that the proposed event is reasonably compatible with nearby existing
development, and does not pose an unreasonable safety or health risk for patrons or neighbors.
The Development Services Director may place conditions on approval of a special event permit
as needed to maintain compatibility and promote the health, safety and welfare of Seminole
County citizens and visitors.

The Development Services Director may, at his or her discretion, refer any special event
permit application to the Board of County Commissioners.

b. Any special event exceeding the scope of those described in
paragraph 3(a) above shall require approval by the Board of County Commissioners, unless
otherwise provided for herein.

In approving any special event, the Board shall make a determination that the proposed
event is reasonably compatible with nearby existing development and does not pose an
unreasonable safety or health risk for patrons or neighbors. The Board may place conditions
on approval of a special event permit as needed to maintain compatibility and promote the
health, safety and welfare of Seminole County citizens and visitors.

Once a special event is approved by the Board, subsequent applications for the same
special event are only required to be reviewed and approved by the Development Services
Director or designee. If the subsequent special event is substantially modified or changed from
the prior Board approval or the conditions of approval were not sufficient to maintain

compatibility and promote the health, safety and welfare of Seminole County citizens and
visitors, as determined by the Development Services Director, the special event permit request
would be required to obtain Board approval.

(4) Application for permit. Policies and procedures regarding special event
permits shall be available in the offices of the Planning and Development Division. An
applicant for a special event permit shall file a written application not less than ninety (90)
days prior to the proposed event. This time period may be reduced by the Development
Services Director upon a finding that there is sufficient time to fully review, comment and
approve the application.

All special event permit applications shall include the following:

- a. Application fee as may be established by the Board of County
Commissioners.
- b. Name and address of applicant or contact person(s) for the event.
- c. Legal description of subject property in digital word processing
format.
- d. Date(s) and hours of the special event.
- e. Estimated attendance at the special event per 24-hour period.
- f. Descriptions of all performances at the event.
- g. Description of all recording and/or sound amplification
equipment, signs or other attention-getting devices which will be utilized in connection with
the event.
- h. Description of how security and traffic control will be provided.
- i. Any necessary licenses for the serving of food and/or beverages.

j. Certificate of Insurance listing Seminole County, Florida, its officials, officers and employees and the Seminole County Sheriff's Office as Additional Insureds and in the types and amounts required by the County's Risk Management Division.

k. The following information must be provided on a conceptual site plan not less than 11" x 17" in size:

- Areas for the serving of food and/or beverages.
- Location(s) of structure(s), including any temporary shelters such as tents.
- Points of ingress and egress to the site.
- Location of music or other amplified noise source(s) in relation to residential areas.
- Location of fireworks or other noise sources.
- Location of sanitation facilities.
- Location of trash receptacles.
- Parking plan.
- Pedestrian circulation plan, including travel routes for any shuttle vehicles, demonstrating that traffic/parking areas are safely separated from pedestrians.
- Location of medical facilities if required by the Public Safety Director.

k. Additional information as the Board or the Development Services Director may require.

(5) Review Process. Upon receiving a completed application, the Economic and Community Development Services Director shall transmit relevant information to other

appropriate officials including but not limited to the Building Official, the County Engineer, the Public Safety Director, the Sheriff, and the Environmental Services Director for review. Based on comments from these officials and compliance with this Section, the Development Services Director shall approve or deny the application pursuant to Section 30.6.4.2(3)a, or prepare the item for presentation to the Board of County Commissioners for its consideration pursuant to Section 30.6.4.2(3)b. The applicant shall retain responsibility for securing all other necessary permits that may be required in addition to the Special Event Permit. Any decision of the Development Services Director with regard to any special event permit application may be appealed to the Board of County Commissioners for consideration under paragraph 30.6.4.2(3)b above. Such appeal must be submitted within fifteen (15) days of notification of a decision by the Development Services Director.

(6) Outdoor sales of merchandise. The outdoor sale of merchandise is permitted within any non-residential zoning district but shall require an outdoor sales permit, if such sales were not contemplated in the approved development plan for the subject property. Individual parcels are limited to a maximum of ninety (90) days of outdoor sales per calendar year. Outdoor sales permits may be administratively approved by the Planning Manager. Outdoor sales may not involve amplification of sound that may be heard beyond the property boundary and must comply with Chapter 165 of the County Code. Any decision of the Planning Manager with regard to any outdoor sales permit application may be appealed to the Development Services Director within fifteen (15) days of notification of a decision by the Planning Manager.

In approving any outdoor sales of merchandise, the Planning Manager shall make a determination that the proposed sale is reasonably compatible with nearby existing development. The Planning Manager may place conditions on approval of an outdoor sales

442 permit as needed to maintain compatibility and promote the health, safety and welfare of
Seminole County citizens and visitors. Applications for outdoor sales of merchandise must
444 include the following information on a conceptual site plan not less than 11" × 17" in size:

- Location(s) of structure(s), including any temporary shelters such as
446 tents.
- Points of ingress and egress to the site.
- 448 • Location of sanitation facilities.
- Location of trash receptacles.
- 450 • Parking plan.
- Pedestrian circulation plan.

452 The requirements of this Section shall not apply to any event for which a motion picture
and television permit has been approved by Seminole County.

454 (7) Indemnification. Special event and outdoor sales permits shall contain
an appropriate indemnification provision to indemnify, defend, and hold the County and the
456 Seminole County Sheriff's Office harmless from certain acts and omissions of the Applicant or
any incident resulting from the special event.

458 (8) Fee waivers and refunds. Requests for fee waivers, reductions, and/or
refunds shall be submitted in writing and may be granted only by the Board of County
460 Commissioners.

(9) Enforcement. Special event or outdoor sales permit condition violations
462 may result in immediate revocation of the permit. Permit revocations may be appealed to the
Board of Adjustment in accordance with Seminole County Land Development Code Section
464 30.3.3. Additionally, any person who violates the conditions of a special event or outdoor sales
permit, this Section or fails to obtain a special event or outdoor sales permit, may be subject to

enforcement through all other applicable enforcement mechanisms available to the County including, but not limited to, the issuance of a citation pursuant to Section 53, Part 2, of the Seminole County Code; violations of this section shall be considered a Class III offense.

(b) Temporary package storage permit.

(1) Purpose and intent. This regulation allows the installation of temporary storage facilities to facilitate delivery of parcels within residential zoning districts between the hours of 8:00 a.m. and 6:00 p.m. during a period of time commencing on November 30th and terminating on December 31st of each calendar year. This activity is temporary in nature and will not adversely impact the surrounding area and land uses, and will be terminated and removed immediately upon expiration of the temporary permit.

(2) Description. This activity is characterized by its short term or seasonal nature and by the fact that permanent improvements are not made to the site. This temporary activity involves the placement of a temporary package storage facility in close proximity to residential properties. The temporary package storage facilities shall be constructed and placed in accordance with acceptable commercial standards. Parcels will be placed in the temporary package storage facility daily and delivered to specific properties within the residentially zoned areas, Monday through Saturday of each week. This temporary activity shall involve no activities other than the temporary storage of parcels and consequent delivery to specific destinations. Individual single-family garage facilities and private homes shall not be used as a temporary storage facility.

(3) Temporary activities. The Planning Manager may issue a Temporary Package Storage Permit when it is demonstrated that the public health, safety and welfare will not be impaired, and when the following enumerated conditions are met:

a. No structure of a permanent nature shall be constructed.

490 b. Removal of all temporary structures shall be guaranteed in
writing and such structures shall be subsequently removed.

492 c. Outside of residential subdivisions, the temporary structure may
be placed in commercial parking lots. Written approval of the owner of the site shall be
494 obtained and provided to the County. This approval shall identify the site address, owner's
name, owner's mailing address, owner's telephone number, owner's acknowledgment of
496 proposed activity, and dates activity is to operate.

d. Within residential areas, the temporary structure shall be located
498 only within subdivisions containing an active Homeowners Association (HOA) and may be
placed only in HOA Common Areas. Written approval from the HOA identifying the site and
500 acknowledging the proposed activity shall be obtained and provided to the County.

e. No structure shall be located in a public right-of-way.

502 f. Adequate stabilized area with a minimum of thirteen feet six inch
(13' 6") unobstructed height shall be provided for trailer off-loading of packages. This area
504 shall not block handicapped accessible areas.

g. Removal of all signs, trash, or debris from the site and the
506 immediate vicinity, upon termination of the activity shall be guaranteed in writing, and
subsequently accomplished.

508 h. A separate temporary package storage permit shall be required
for each lot or parcel to be used as a temporary storage facility.

510 i. No more than one (1) such temporary package storage permit
shall be issued for the same lot or parcel during a single calendar year.

j. The applicant shall submit a site plan of the site identifying the location with ingress and egress of the temporary storage facility. Adequate ingress and egress shall be safe and provided in such a manner that the normal traffic pattern is not disrupted.

k. Delivery of parcels via golf carts, low-speed vehicles, and utility vehicles (hereinafter "delivery vehicles") shall comply with all applicable traffic regulations and shall occur in accordance with the provisions in F.S. § 316.2126, paragraphs 3(b) and 3(c).

l. Delivery vehicles shall not travel on sidewalks or on private property other than that of a delivery recipient or on the tract or parcel of land for which a Temporary Package Storage Permit has been issued in accordance with this Section.

m. All delivery vehicles must meet the requirements of Chapter 316, Florida Statutes and must be equipped with head lamps, stop lamps, turn signal lamps, tail lamps, seat belts, rearview mirrors, and horns.

n. The rear of all trailers must be equipped with lights or reflectors.

o. During delivery, all packages must be properly secured in an enclosed lockable trailer so that they may not be accessed by the public or fall off and create a safety hazard.

p. All handcarts must be securely attached to the delivery vehicles.

q. Adequate delineated and stabilized parking for the activity must be provided on-site and shown on a site plan. Delivery vehicles shall not block traffic when loading, unloading or delivering packages.

r. The temporary storage facility shall be subject to the minimum setbacks of the zoning district in which it is located.

s. The temporary package storage facility shall not exceed twenty (20) feet in length and shall be securely placed on the ground and anchored as required by the Building Division.

t. To guard against theft, the temporary package storage facility shall remain locked at all times when not in use.

u. Fuel shall not be stored in or near the temporary package storage facility.

v. The applicant shall provide a notarized affidavit attesting that persons operating pursuant to the Temporary Storage Package Permit have received adequate driver training and have been subjected to the same background check performed on permanent employees.

w. Additional conditions may be required as deemed necessary by the Planning Manager for any temporary package storage activity.

(4) Enforcement. Violations of the provisions of this Section and/or the temporary package storage permit may result in immediate revocation of the permit. Permit revocations may be appealed to the Board of Adjustment in accordance with Seminole County Land Development Code Section 30.3.3. Additionally, each violation may be enforced through all other applicable enforcement mechanisms available to the County including, but not limited to, the issuance of a citation pursuant to Section 53, Part 2, of the Seminole County Code; violations of this Section shall be considered a Class III offense.

(5) Indemnification. The temporary package storage permit shall contain an appropriate indemnification provision to indemnify, defend, and hold the County harmless from certain acts and omissions of the applicant.

~~(a)-(c)~~ Mobile food vendors.

558 (1) Purpose and Intent. These regulations are intended to establish
requirements for the sale of prepared foods on a temporary basis from motorized vehicles,
560 trailers, carts and other movable devices, within specified commercial zoning districts unless
otherwise preempted by Section 509.102, Florida Statutes. No formal permit or approval shall
562 be issued by Seminole County for a particular property or mobile food vendor, but all required
documentation, including licenses and owner authorization, shall be in the vendor's possession
564 at all times while in operation, and shall be provided to any County official upon request.
Mobile food vendors not in compliance with Sec. 30.6.4.2 shall be prohibited unless approved
566 as part of an Outdoor Sales Special-Event Permit under Sec. 30.6.4.2.

(2) Exemptions. Specifically excluded from these regulations are the
568 following:

- a. Produce stands in agricultural zoning districts.
- 570 b. Ice cream trucks and similar vehicles operating on public streets.
- c. Food sales on active construction sites not accessible to the
572 public.
- d. Sales of non-food items in any district.

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

- 576 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
578 approved master development plan permits general retail commercial uses, and where mobile
food vendors are not specifically prohibited through a development order.

- 580 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

582 vendor at any location shall be limited to three (3) consecutive days and a total of twelve (12)
days in any calendar month.

584 c. Except as provided herein, mobile food vendors shall not occupy
any of the following:

- 586 i. Site entrances, exits, and driveway aisles.
- ii. More than ten (10) percent of parking spaces required
- 588 under Section 30.11.3.
- iii. Buffers required under Part 14, Chapter 30.
- 590 iv. Open space areas required under Part 14, Chapter 30.
- v. Stormwater retention areas, drainage easements, and
- 592 related facilities.

However, the Development Services Director may reduce or eliminate the above

594 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.

596 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

598 extended at the Director's discretion. Waivers shall be made in writing, and shall include
specific location, effective date, and expiration date.

600 d. Tents and/or canopies exceeding one hundred (100) square feet,
and electrical wiring outside of vehicles shall be prohibited.

602 e. Outdoor amplification of sound shall be prohibited.

f. Business activity shall be prohibited during the hours of 11:00

604 p.m. to 7:00 a.m.

g. Overnight parking of mobile food vendor vehicles shall be prohibited.

h. Signage is limited to information painted on or otherwise affixed to mobile food vendor vehicles; and no freestanding signs shall be permitted.

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.

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 an Outdoor Sales ~~Special-Event~~ Permit in accordance with Sec. 30.6.4.2.

(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:

a. Each vendor shall obtain an annual fire inspection from the Seminole County Fire Prevention Bureau.

b. Vendors shall maintain current inspections for NFPA 96 hoods and fire extinguishers.

c. Cooking equipment shall comply with NFPA 96.

d. Class K Fire extinguishers shall be provided for the protection of cooking appliances that use combustible cooking media.

e. A minimum of one portable fire extinguisher with a rating of not less than 2-A: 10-B: C shall be provided.

628 f. Electrical equipment and installations shall comply with NFPA
70, National Electrical Code.

630 g. Externally mounted generators, when in use, shall be isolated
from the public by either physical guards, fencing, or enclosures.

632
30.6.4.3 Temporary sales office in new subdivisions – Temporary sales offices
634 may be placed in new subdivisions, upon approval of the Planning Manager or such other
person designated by the County Manager, subject to the following conditions:

636 (a) The structure must comply with the ~~Southern~~ Florida Building Code, meet the
minimum setback requirements of the zoning district, and the parking area be landscaped in
638 accordance with the landscaping regulations.

(b) The office may not be utilized to conduct sales of any product or service other
640 than lots and/or dwellings within the specific subdivision.

(c) Approval may be granted for a period not to exceed six (6) months. Renewals
642 may be approved and the Planning Manager or such other person designated by the County
Manager and shall require a bond be posted to guarantee removal.

644 * * *

PART 7. DEVELOPMENT STANDARDS

646 * * *

30.7.3 Dimensional Standards Table.

648 30.7.3.1 Dimensional and other standards associated with conventional
residential zoning districts and select Special Zoning districts are described in the table below.

650 See Dimensional Standards Table ~~enclosed~~ below.

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

See Dimensional Standards Table ~~enclosed~~ below.

Seminole County Land Development Code (Development Standards)

	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 21,780	13,500	11,700	9,000	8,400	6,700	5,000	9,000				7,000	5,000	<u>1,500 or 2,400⁽¹⁴⁾</u>	9,000	Sq. Feet
Min. Parcel/Lot Width at Building Line	120	100	100	90	75	70	60	50	75				70	50 ⁽⁶⁾	<u>30 or 40⁽¹⁴⁾</u>	75	Feet
Min. Front Yard Requirement	35	25	25	25	25	25	20	20	25	25 ⁽¹³⁾	25 ⁽¹³⁾	25	20 ⁽⁸⁾	20	25 ⁽⁹⁾	25	Feet
Min. Side Yard Requirement	20	10	10	10	7.5	7.5	7.5	5	10	25 ⁽¹³⁾	25 ⁽¹³⁾	25 ⁽⁵⁾	10 ⁽⁸⁾	10	25 ⁽⁹⁾	10	Feet
Min. Side Yard abutting street or road	35	25	25	25	15 ⁽³⁾	15 ⁽³⁾	15 ⁽³⁾	15 ⁽³⁾	15 ⁽³⁾				20 ⁽⁸⁾	20	25 ⁽⁹⁾	25	Feet
Min. Rear Yard Requirement	35	30	30	30	30	30	25	20	30	25 ⁽¹³⁾	25 ⁽¹³⁾	25 ⁽⁵⁾	20 ⁽⁸⁾	15	25 ⁽⁹⁾	30	Feet
Open Space ⁽¹¹⁾⁽¹²⁾	-	-	-	-	-	-	-	-	-	25%	25%	35%	25%	25%	25%	25%	% of Parcel Area
Maximum Building Height	35	35	35	35	35	35	35	35	35	35	35	60 ⁽⁴⁾	35	35	35	1 Story ⁽⁷⁾	Feet
Minimum Living Area Per Unit:	700	700	700	700	700	450	450	450	450	-	-	-	-	-	-	-	Square Feet
<i>Accessory Structures⁽¹⁾</i>																	
<u>Min. Front-setback Yard Requirement</u>	(10)	(10)	(10)	(10)	(10)	(10)	(10)	(10)	(10)	(2)	(2)	(2)	(2)	(2)	(2)	(10)	Feet
Min. Side Yard Requirement	20	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	Feet
Min. Rear Yard Requirement	20	10	10	10	10	10	10	10	10	(2)	(2)	(2)	(2)	(2)	(2)	(2)	Feet

- 654
- (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.
- 656
- (3) Greater setbacks may be required on intersections with geometric restrictions or other sight limitations. If corner sight obstructions or restrictions exist due to the horizontal or vertical controls, each case shall be individually reviewed and approved by the Traffic Engineer to ensure a safe design in accordance with the A.A.S.H.T.O. requirements.
- 658
- (4) No building or structure shall exceed sixty (60) feet in height, and F.A.A. approval shall be obtained for buildings exceeding thirty-five (35) feet in height.
- (5) Increased an additional ten (10) feet for each story over one~~(2)~~(1) story.
- 660
- (6) Each mobile home residence space shall be not less than five thousand (5,000) square feet and have a minimum average width of fifty (50) feet.
- (7) For new construction only.
- 662
- (8) A setback of fifty (50) feet shall be provided from lot lines and any street right-of-way which borders the RM-1 Mobile Homes District.
- (9) The entire park, except for access and egress, shall be set back twenty-five (25) feet from any property line.
- 664
- (10) Structure shall not project forward of the front building line of the principal structure.
- (11) Natural lakes and/or conservation areas within a development site shall not be credited to a combined maximum of more than fifty (50) percent of the required open space.
- 666
- (12) Open space features and configuration shall be consistent with the requirements of Part 14, Chapter 30.
- (13) In the R-3 and R-3A Multi-Family Dwelling Districts, minimum setbacks shall be established from each dwelling structure to the overall project boundary.
- 668
- (14) Each dependent travel trailer or tent camping site shall be not less than an average width of thirty (30) feet and fifteen hundred (1,500) square feet of area. Each independent travel trailer site shall be not less than an average width of forty (40) feet and twenty-four hundred (2,400) square feet.

Seminole County Land Development Code (Development Standards)

	AGRICULTURE				COMMERCIAL						INDUSTRIAL			Other		UNIT OF MEASURE
AREA AND DIMENSION REGULATIONS	A-10	A-5	A-3	A-1	OP	CN	CS	C-1	C-2	C-3	M-1A	M-1	M-2	UC	PLI	
Min. Parcel Area Required	10 Acres	5 Acres	3 Acres	1 Acre	15,000	(7)	(7)	(7)	(7)	(7)	N/A	N/A	N/A	10,000	-	Sq. Feet
Min. Parcel Width at Building Line	150	150	150	150	100	-	-	-	-	-	-	-	-	-	-	Feet
Min. Front Yard Requirement	50	50	50	50	25	50	50	25	25	25	50 (9)	50 (9)	50 (9)	25	25	Feet
Min. Side Yard Requirement	10 (3)	10 (3)	10 (3)	10 (3)	0 (6)	0 (6)	0 (6)	0 (6)	0 (6)	0 (6)	10 (10)	10 (10)	10 (10)	25	25	Feet
Min. Side Yard abutting street or road	50	50	50	50	0 (6)	0 (6)	0 (6)	0 (6)	0 (6)	0 (6)	10 (10)	10 (10)	10 (10)	25	25	Feet
Min. Rear Yard Requirement	30 (3)	30 (3)	30 (3)	30 (3)	10	10 (8)	10 (8)	10 (8)	10 (8)	10 (8)	10	10	10	25	25	Feet
Open Space (11)	-	-	-	-	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	% of Parcel Area
Maximum Building Height	35 (1)	35 (1)	35 (1)	35 (1)	35	35	35	35	35	35	35	35	35	400	35	Feet
<i>Structures Accessory to Residences (4)</i>	-															
Min. Front-setback <u>Yard Requirement</u>	(2) (3)	(2) (3)	(2) (3)	(2) (3)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	Feet
Min. Side Yard Requirement	10 (3)	10 (3)	10 (3)	10 (3)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	Feet
Min. Rear Yard Requirement	10 (3)	10 (3)	10 (3)	10 (3)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	Feet

- (1) Silos, granaries, windmills, barns, and other structures concurrent to the operation of an agriculture enterprise may exceed the height limit.
- 672 (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.
- 674 (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 the primary structure
- 676 (6) Side yard setback may be reduced to zero (0) feet except when a side lot line abuts property assigned a residential zoning classification or land use designation.
- (7) No minimum building site area required; however, adequate space will be provided for off-street parking, loading, and landscaping requirements.
- 678 (8) Rear yard setback shall be a minimum of ten (10) feet unless a rear lot line abuts property assigned a residential zoning classification or land use designation.
- 680 (9) Front yards shall be not less than fifty (50) feet in depth as measured from the front property line to any building. The twenty-five (25) feet of such yard nearest to the front property line shall remain unpaved except for normal entrance drives, and shall be landscaped as required in Part 14. The remaining twenty-five (25) feet of such yard may be used for the parking of passenger vehicles only. Front setbacks for property located internal to an industrial park may utilize a front yard setback of not less than twenty-five feet (25’) in depth from the front property line if not less than ten feet (10’) of such yard nearest to the front property line is retained as a landscaped green area which is unpaved except for normal entrance drives, and sufficient area for the loading and unloading of vehicles is provided, consistent with generally accepted engineering practices and principles.
- 682 (10) Rear. A rear yard of not less than ten (10) feet shall be provided, except that, on a lot having a double frontage, the front yard requirements shall apply on both streets. Rear yards may be reduced to zero (0) when the rear property line coincides with a railroad siding; however, no trackage shall be located nearer than three hundred (300) feet to any residential district.
- 684 (11) Natural lakes and/or conservation areas within a development site shall not be credited to a combined maximum of more than fifty (50) percent of the required open space.

PART 8. SPECIAL ZONING DISTRICTS

* * *

30.8.3 MM Missing Middle District and Alternative Standards

* * *

30.8.3.3 Review of Development Proposals

(a) Final Development Plan Required

Prior to subdivision or site plan approval, the applicant must submit a final development plan consistent with the development criteria and limitations in the Missing Middle and Alternative standards and any conditions of approval. This plan must be reviewed and approved by the Development Services Director or designee.

~~(b)~~(b) Building Elevations Required

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.

30.8.3.4 Applicability

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

(1) MM Zoning District: Where the MM District is applied, typologies within a proposed development or development types are limited by the applicable Future Land Use District as described in Table 8.3-A. A development within the MM Zone may include single-family development consistent with R-1BB standards subject to compliance with Chapter 35.

~~(1)~~(2) PD Zoning District: Missing Middle Housing may be approved as part of a new PD application or a substantial change to an existing PD. Allowable typologies within

a PD are limited by the applicable Future Land Use District as described in the Seminole
710 County Comprehensive Plan.

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

714 (a) Missing Middle Development Types:

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

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

30.8.3.6 Allowable Typologies and Densities

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

722 **Table 8.3-A: ~~Permitting~~ Permitted Missing Housing Middle Types**

	Permitted Types:								Type of Development:	
Applicable Zoning:	Small Lot Single-Family	Cottage Court	Duplex	Triplex / Quadplex	Townhouse	Six-plex	Courtyard	Live/Work	Mixed Housing Development	Missing Middle Development
In Centers & Corridors:										
R-1, R-1A	●	●							●	●
R-1B, R-1BB	●	●	●	○*	○				●	●
In USA (Urban Service Area):										
R-2	●	●	●	○**					●	●
R-3, R-3A, R-4	●	●	●	●	●	●	●	●	●	●
C-1, C-2,				●	●	●	●	●	●	
OP								●	●	●
MUCD	●	●	●	●	●	●	●	●	●	●
MM or PD Rezoning by FLU:										
LDR	●	●	●	○	○				●	●
MDR	●	●	●	●	●	●	●		●	●
HDR	●	●	●	●	●	●	●		●	●
MXD	●	●	●	●	●	●	●	●	●	●
Commercial				●	●	●	●	●	●	●
Notes: ● Permitted ○ Permitted with a maximum of two (2) stories * Maximum Living Area per Building: 3,000 SF ** Maximum Living Area per Building: 4,000 SF										

* * *

30.8.3.8 Additional Site and Building Requirements

(a) Open Space: 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.

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

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

~~(1)-a.~~ Bordered by streets, stormwater ponds, natural lakes, or commonly accessible pedestrian pathways.

~~(2)-b.~~ A minimum of .20 contiguous acres.

~~(3)-c.~~ A minimum of forty (40) feet in width, except that open space areas adjacent 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.

~~(4)-d.~~ Open Space shall be proximate to Missing Middle units.

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

(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.

(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.

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

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

~~(d)~~(c) Minimum Parking Requirements:

(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.

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

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

~~(e)~~(d) Building Frontage:

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

(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.

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

~~(f)~~ **Residential Garages:**

~~(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.~~

(2) ~~Lots with a front loaded garage must be at least forty-five (45) feet in width 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.~~

* * *

30.8.5 PD Planned Development .

* * *

30.8.5.3 Review criteria

* * *

(g) Common Useable Open Space:

(1) ~~Commonly~~ In addition to the twenty-five (25) percent minimum open space requirements listed in Section 30.8.3.8, commonly accessible open space is required subject to the following standards:

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

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

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

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. Dog parks must contain waste disposal receptacles and appropriate signage.

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 width from the top of berm to the public right of way or lot line.

* * *

PART 10. OVERLAY DISTRICTS

* * *

30.10.8 Airports.

* * *

30.10.8.10 Supportive Screening Criteria.

* * *

(c) Landfills. There is a prohibition of new landfills: (i) within ten thousand (10,000) feet from the nearest point of any runway used or planned to be used or (ii) within the lateral limits of the civil airport imaginary surfaces defined in 14 CFR Section 77.19.

* * *

30.10.8.16 Noise.

(a) Where an airport authority or other governing body operating a public-use airport has conducted a noise study in accordance with 14 CFR Part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, incompatible uses, as established in the noise study in 14 CFR Part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, shall be prohibited except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study.

(b) Airport Avigation Easement Boundary and Noise Level Contours (DNL). In accordance, with Policy FLU 5.7 and Policy TRA 2.2.12, Seminole County Comprehensive Plan, any new residential development within the Avigation Easement Boundary, as set forth in the Seminole County Comprehensive Plan Exhibit FLU: Orlando Sanford International Airport Avigation Easement Boundary and Noise Level Contours (DNL), will be required to inform potential purchasers of the impact of aircraft overflights and potential noise via an avigation easement recorded in the Public Records of Seminole County, Florida at the expense of the applicant.

~~30.10.8.16~~ 30.10.8.17 Administration, Enforcement, Penalties and Remedies.

(a) The Seminole County Development Services Director shall be responsible for administering and enforcing airport-related land development regulations.

(b) In the event of a violation of the requirements of this Part or an order, ruling, or permit issued hereunder, the Development Services Director shall request that the code enforcement staff of the County initiate code enforcement actions in accordance with controlling law. Further, if a nonconforming use or structure interfere with the use the Airport, if the property owner neglects or refuses to comply with such order within thirty (30) calendar days after notice thereof, the County may proceed to lower, remove, reconstruct, equip, or otherwise alter the structure or use and assess the cost and expense thereof on the structure or the real property whereon it is or was located. The forgoing sentence is in addition to other code enforcement actions provided under law.

(c) Each violation of a provision of this Part shall be subject to the penalties authorized by controlling law and the County may exercise any legal remedy available under controlling law to include, but not be limited to, judicial relief. The remedies provided in this Section are cumulative in nature such that seeking civil penalty does not preclude the County

838 from seeking any alternative form of relief including, but not limited to, an order for abatement
or injunctive relief.

840 ~~30.10.8.17~~ 30.10.8.18 Powers of the Planning and Zoning Commission.

(a) The Planning and Zoning Commission is vested with and may exercise all the
842 powers permitted by the provisions of Chapter 333, Florida Statutes, and this Part; provided,
however, that, in accordance with the provisions of the Land Development Code, matters may
844 be referred to hearing officers when the Board of County Commissioners determines that such
action would be prudent and appropriate.

846 (b) Without limiting the provisions of Subsection (a), the Planning and Zoning
Commission is assigned the following powers and duties:

848 (1) To hear and decide appeals from any order, requirement, decision, or
determination made by the Development Services Director in the application or enforcement
850 of this Part, subject to the presumptions provided herein.

(2) To hear and decide petitions to declare an existing nonconforming use
852 abandoned or more than eighty (80) percent torn down, destroyed, deteriorated, or decayed.

~~30.10.8.18~~ 30.10.8.19 Appeals.

854 (a) Any applicant, property owner, or other lawful participant in such proceeding,
who is affected by any decision of the Development Services Director made in the
856 administration of this Part, or any governing body of a political subdivision, which is of the
opinion that a decision of the Development Services Director is an improper application of this
858 Part, may appeal to the Planning and Zoning Commission. Such appeals must be filed no later
than ten (10) calendar days after the date of notification of the decision appealed from by filing
860 with the Development Services Director a notice of appeal specifying the grounds therefor and
by sending a copy of the appeal by certified mail to the SAA Airspace Director at 1200 Red

Cleveland Blvd, Sanford FL 32773. The Development Services Director will transmit to the Planning and Zoning Commission copies of the record of the action appealed and ensure that the SAA Airspace Director has a copy as well. An appeal stays all proceedings in furtherance of the action appealed from, unless the Development Services Director certifies to the Planning and Zoning Commission after the notice of appeal has been filed that, by reason of facts stated in the certificate, a stay would result in imminent peril to life and property. In such case, proceedings will not be stayed other than by order by the Planning and Zoning Commission or by a court of competent jurisdiction with notice of any action being provided to the Development Services Director and the SAA Airspace Director, and only upon due cause shown.

(b) A decision of the Planning and Zoning Commission under this Part may be appealed to the Board of County Commissioners within thirty (30) days of the date of the Planning and Zoning Commission decision.

~~30.10.8.19~~ 30.10.8.20 Judicial Review.

After appeal to the Board of County Commissioners in accordance with the provisions of the Land Development Code of the County; judicial review of any decision of the Board of County Commissioners, if not reversed, will be in the manner provided by Section 333.11, Florida Statutes, and other controlling law.

~~30.10.8.20~~ 30.10.8.21 Implementing Administrative Actions; Administration; Amendment.

(a) The County Manager, or designee, is hereby authorized and directed to implement the provisions of this Part and to take any and all necessary administrative actions to bring into effect the provisions of this Part including, but not limited to, the promulgation of rules and forms.

(b) The provisions of this Part will be interpreted, administered, and enforced by the Development Services Director, with input provided by the SAA Airspace Director and other aviation experts. The duties of the Development Services Director shall include that of hearing and deciding all permits and all other matters under this Part except any of the duties or powers herein delegated to the Planning and Zoning Commission. The Development Services Director shall coordinate the administration of this Part with, at a minimum, the SAA Airspace Director, the FAA, the County and the FDOT.

(c) This Part may be amended in conformance with the interlocal agreement entered by the Sanford Airport Authority and the County, as well as Chapter 333, Florida Statutes; provided, however, that, before advertising a proposed amendment, the County shall provide notice to the other parties of the interlocal agreement, and provide public notice and hold a public hearing as provided by Section 333.05, Florida Statutes, and other controlling law.

* * *

PART 11. PARKING AND LOADING REGULATIONS

* * *

30.11.7 Miscellaneous design standards.

(a) Hours of operation. Non-residential uses with after-hour deliveries or service for late-night customers can generate noise and light during evening hours which may adversely impact adjoining residences. When these activities occur on the side of a building site adjoining residences, the hours of operation may be limited during the development approval process to any combination of hours between 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 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.

(b) Cross-access easements. All development except single-family residential and duplex uses, with parking lots or other direct access to a public road shall, as part 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.

(c) Setbacks and clearance of residential garages.

(1) Front-loaded garages on residential lots must be set back a minimum of twenty (20) feet, or the minimum setback of the applicable zoning district, from the property line that the garage door faces

(2) Garage doors facing a rear alley

a. If on-street parking is allowed, then the garage door, facing an alley, must be set back from the edge of alley pavement as follows:

i. Less than eight (8) feet or;

ii. More than twenty (20) feet.

b. If on-street parking is not allowed, then the garage door, facing an alley, must be set back more than twenty (20) feet from the edge of alley pavement

(3) Attached single-family units with garages are required to be served by an alley regardless of unit size, unless otherwise approved by the Board of County Commissioners.

* * *

PART 13. SIGN REGULATIONS

* * *

30.13.3 Sign standards.

(a) On-premise.

(1) Permanent.

a. *Point of sale.*

1. Maximum allowable copy area, unless otherwise specified, shall be a total sign area of two (2) square feet for each linear foot of building frontage, unless located within a special-outlay ~~outlay~~ overlay district.

2. The total point-of-sale copy area on any site shall be the sum of all wall signs, ground/pole signs, and window signs located on the subject property and designed to be viewed from off the premises.

3. Ground/Pole Signs.

aa. Only one ground/pole sign shall be allowed per parcel with four hundred (400) feet or less road frontage. If a parcel's road frontage exceeds four hundred (400) feet and is less than seven hundred (700) feet, then a maximum of two (2) ground signs shall be allowed, but no closer than three hundred (300) feet apart. If a road frontage of a parcel exceeds seven hundred (700) feet, then a maximum of three (3) ground/pole signs shall be allowed, but no closer than three hundred (300) feet apart. Ground/pole signs shall not be placed on lots with less than forty (40) feet of road frontage.

bb. The maximum height of the entire ground/pole sign structure shall be fifteen (15) feet above the elevation of the crown of the road that the sign is facing and intended to be viewed from including highways (e.g., Interstate 4).

cc. No ground/pole sign nor its parts shall move, rotate, use animation or flashing lights. Electronic message centers, including time and temperature displays shall not display messages that give an illusion of motion and shall maintain each displayed message for a minimum of five (5) seconds.

dd. The sign structure may be erected at the property line provided no part of the sign projects over the line and is no closer than ten (10) feet to the property line.

4. Sign lights shall be 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. Lights shall not exceed .5 foot candles at the property line.

* * *

Section 5. Chapter 35 (Subdivision Regulations) of the Land Development Code of Seminole County is hereby amended to read as follows:

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.

* * *

(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, Planning and Development Division~~ if different information than shown on the Preliminary Plat. The ~~Arbor Inspector~~ Natural Resources Officer 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.

* * *

Section 6. Chapter 60 (Arbor Regulations) of the Land Development Code of Seminole County is hereby amended to read as follows:

Chapter 60 - ARBOR REGULATIONS

PART 1. IN GENERAL

* * *

Sec. 60.3. The Board of County Commissioners designated as the Seminole County Tree Committee.

(a) The Board of County Commissioners (BCC) is hereby designated as the Seminole County Tree Committee. In that capacity the Seminole County Tree Committee may:

(1) Implement an Urban Forestry and Management Plan;

(2) Provide for designating and observing an Arbor Day, including a Proclamation relating thereto;

(3) Approve the annual certification as a Tree City USA (for unincorporated Seminole County)-~~USA~~;

(4) Coordinate activities and programs with civic and public interest groups devoted to tree care and preservation;

(5) Hear appeals by aggrieved parties from decisions made by the Planning Manager or Development Services Director, or ~~his or her~~ designee; and

(6) Direct the enforcement of all provisions of this ordinance.

(b) The Seminole County Natural Resource Officer shall have the following duties:

(1) Consider and recommend appropriate tree preservation conditions of approval for land use amendments, rezoning requests, and preliminary master plans;

(2) Consider grading, tree replacement and tree protection provisions contained in final master plans and subdivision plats;

(3) Approve Historic and Specimen Tree 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) Advise the Development Services Director regarding fund distribution of the Arbor-~~Violation~~ Trust Fund in support of these provisions.

Sec. 60.4. Permits required.

(a) It shall be unlawful for any person to cause damage to, destroy, permanently injure, or remove any protected tree as defined in this Article without first obtaining a tree removal permit or otherwise establish that the protected tree qualifies for an exception or exemption as provided

in this Article. Trees located in the Wekiva River Protection Area are also regulated by the Wekiva
1028 River Protection Area Environmental Design Standards Section 30.10.5.10(a) Arbor Protection.

(b) Nothing contained in Chapter 60 of this ~~code~~ Code shall be deemed to impose any
1030 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 the owner's property or under the owner's control
1032 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 in this Chapter 60 of this Code prevents a property owner from
1034 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.
1036

Sec. 60.5. Exemptions. The following exemptions are self-executing, but any person
1038 desiring a document attesting to such exemption may make application to the Development
Services Director, or ~~his or her~~ designee. If deemed necessary the property shall be inspected to
1040 confirm that the specified activity is, in fact, exempt. If the activity is determined to be exempt,
the Development Services Director, or ~~his or her~~ designee, shall place on record the basis for the
1042 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~~ If any tree endangers health or safety and requires
1044 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 Development Services Director, or ~~his or her~~
1046 designee, and the tree may be removed without obtaining a written permit as herein required. Such
verbal authorization shall later be confirmed in writing;
1048

(b) *Nurseries.* All state-approved, governmental and private plant or tree nurseries and
1050 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) *Agricultural uses.* Activity of a bona fide farm operation on land classified as agricultural land pursuant to Section 193.461, Florida Statutes (2003), as this statute may be amended from time to time is exempt from 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.

(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 shall be exempt from the provisions of this Chapter: and do not require a permit for removal. However, invasive exotic tree species must still be shown on tree surveys submitted as part of a development application.

(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 Development Services Director, or ~~his or her~~ designee, or the Emergency Management Director. At the earliest possible meeting of the ~~board~~ Board of County Commissioners (BCC), findings shall be presented to the ~~board~~ BCC 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;

(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. Trees located on all lots
regardless of size in the Wekiva River Protection Area are regulated by the Wekiva Protection
Area Environmental Design Standard Section 30.10.5.10(a) Arbor Protection and not exempt from
permit requirements.

(h) *Protected Trees.* Trees less than six (6) inches DBH and palm trees are exempt.

* * *

Sec. 60.7. Variance, appeal, and penalty.

(a) *Deviations from regulations.* The Development Services Director, or ~~his or her~~
designee, may grant deviations from any provision of this Chapter 60 where the strict application
of the provisions to a particular site would create a substantial economic hardship. In all cases,
reasonable efforts must be made to preserve trees as specified in this Chapter 60. The Development
Services Director, or designee, may grant deviations from any provision of this Chapter 60 only
when the applicant demonstrates that the purposes of this Chapter 60 will be or have been achieved
by other means. If the Development Services Director or designee denies a request for deviation
from this Chapter 60 because the applicant did not demonstrate that the purposes of the article will
be or have been achieved by other means, then the applicant may appeal the decision to the Board
of County Commissioners.

(b) *Variance.* Upon application by the property, the preservation of any tree identified
as a protected tree over twenty-four (24) inches may be considered as the basis for granting of a
variance from the literal application of the provision of this Chapter. Pursuant to the County's land
development regulations, a variance to site development and landscape requirements may be
granted to allow for the preservation of a healthy specimen tree as defined in this Chapter 60.

(c) *Enforcement Official.* The Development Services Director or designee, code
1100 enforcement officer, or other County designee shall be empowered to issue citations and evaluate
a site for its compliance with this Chapter and Chapter 53 of the Seminole County Code.

(d) *Appeals.* Any person adversely affected by the decision of a County official in the
1102 enforcement or interpretation of this Article may appeal such decision to the BCC within thirty
1104 (30) days. Such appeal shall be made by ~~requesting~~ requesting a hearing in writing to the
Development Services Director, or his or her designee. Such request shall include a summary for
1106 the decision being appealed and the basis for the appeal. Any person adversely affected by the
BCC's decision may file an appeal for a writ of certiorari in the Circuit Court of the County.

(e) *Penalty for violation.* Violations of this Chapter 60 are subject to the following:

(1) Where violations of this Chapter 60 have occurred, remedial action shall be
1110 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
1112 application fee, require tree replacement, and require mitigation of any other damage to the
property. Remedial action must be taken within 60 days of receipt of notice of violation or as
1114 approved by the Development Services Director, or designee.

(2) No certificate of occupancy or certificate of completion shall be issued for
1116 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
1118 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 Florida-Friendly Landscaping Plant Guide; 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(g), below.

(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 or from the Florida-Friendly Landscaping Guide. All trees must 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 will be referred to the Code Enforcement Board.

(6) If the County Code Enforcement Board finds any person in violation of any provision of this Chapter 60 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 Chapter 60 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
1146 violation of this Chapter 60.

(f) *Rules and regulations.* The BCC is hereby authorized to adopt by resolution such
1148 rules and regulations as are necessary or proper to implement this Chapter 60.

(g) *Tree replacement fees.* To cover the cost of replacing the trees, including materials
1150 and labor, fees will be paid into the Arbor Trust Fund and are established at a rate per caliper inch
of \$125.00. Trees removed without a permit or destroyed or which received major damage in
1152 violation of Chapter 60 will require a replacement fee two (2) times the fee established above.

**60.8. Tree protection and maintenance during and after development and
1154 construction.**

* * *

(h) Trees planted or retained as required by this Chapter 60 must not be trimmed or
1156 severely pruned so as to appear stunted. Trees shall be pruned as needed to maintain health and
1158 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~~
1160 American National Standards Institute (ANSI) A300 Tree Care Standards. Trees damaged or
destroyed due to improper trimming or severe pruning shall be replaced in accordance with Section
1162 60.7.

60.9. Recommended, replacement, restricted, and specimen trees.

* * *

(d) *Replacement.* Protected trees identified for removal on the tree survey, shall be
1166 replaced by trees identified as canopy trees listed in Chapter 30, Part 14, Approved Plant List Table
or species listed in the Florida-Friendly Landscaping Guide. Replacement trees may include trees
1168 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 (90) 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 subsection does 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.

(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 (25) percent 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 = 0.33 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 Chapter 60.

(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 \$125 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 Chapter 60, ~~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

Sec. 60.10. Permit application and Procedures. The following procedures shall be followed and shall govern the granting of all permits pursuant to this Chapter:

1208 (a) *Application.* Permits for removal, relocation, or replacement of trees covered by
this Chapter 60 will be obtained by making application in a form prescribed by the Development
1210 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
1212 permit shall accompany the preliminary subdivision plan of said subdivision and shall be
submitted to the Development Review Division for review. The Development Services
1214 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
1216 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;

 (2) In the case of any development which requires site plan approval by the
1218 Planning and Zoning Commission, the Board of County Commissioners, or both; permits for
removal, relocation or replacement of trees covered under this Chapter 60 shall be obtained by
1220 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
1222 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 arbor
1224 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.
1226 Staff 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
1228 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 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 under this Chapter 60 must 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 under this Chapter 60 must be accompanied by a written statement indicating the reasons for removal, relocation or replacement of trees and one (1) copy of a legible site plan drawn to the largest practicable scale with the following information;

(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, and nuisance exotic trees as defined in this Chapter 60, must 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.

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.

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.

* * *

(e) *Permit form.* Permits shall be issued in such form as may be prescribed by the 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.

* * *

Sec. 60.23 60.11. Logging.

(a) Except as to activity conducted on land classified as agricultural land pursuant to Section 193.461, Florida Statutes (2023), as this statute may be amended from time to time, no person may engage in logging operations without first obtaining a logging permit.

(b) Each application for a logging permit must comply with all applicable conditions and recommendations outlined in the Florida Department of Agriculture and Consumer Services' publication titled "Silviculture Best Management Practices". Applications must 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.

(c) 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;

(d) The Development Services Director, or designee, in granting a logging permit, may 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.

(3) Guarantee restoration of terrain to a degree necessary for the prevention of
erosion and protection of flora.

(4) Prevent pollution.

(5) ~~Insure~~ Ensure reforestation, if part of the management plan.

(6) Preserve historic trees.

(7) Otherwise promote the intents and purposes of this Chapter.

(e) 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.

Sec 60.12. Authority to impose fines and county arbor trust fund.

(a) The Code Enforcement Board, after notice and hearing, is authorized to impose
fines, in amounts not to exceed those shown in Section 60.7(e)(3), for removal of trees without
an arbor permit or removal of trees in excess of those authorized by an arbor permit.

(b) 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
tree inches removed was ninety (90) inches per acre.

(c) An Arbor Trust Fund is hereby established by the county for deposit of fines
and fees paid to the county if tree replacement requirements cannot be met with plantings due

to site constraints, as determined by the Development Services Director or designee. All monies deposited hereunder shall be deposited in the Arbor 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 county parks, right-of-way corridors, trails, natural lands, and ecosystem restoration as authorized by the Board of County Commissioners. The Arbor Trust Fund shall be self-perpetuating from year to year unless specifically terminated by the Board of County Commissioners.

Section 7. Chapter 90 (Uniform Building Numbering System) of the Land Development Code of Seminole County is hereby amended to read as follows:

Chapter 90 – UNIFORM BUILDING NUMBERING SYSTEM

* * *

Sec. 90.10. Subdivision, plaza and building names.

* * *

(e) The owners of a commercial building, plaza, apartment complex, subdivision, or persons who desire to rename their property shall ~~submit an application~~ apply to the Addressing Supervisor or designee. Said application shall include the legal description, the property appraiser Parcel identification number(s), the current name, and the proposed name of the development. The application will be subject to review and approval prior to being presented to the Board of County Commissioners adopting the name change. Upon recording the adopted resolution, notification of affected parties shall be by established procedures.

* * *

Sec. 90.12. Variance procedures to the Uniform Addressing System.

(a) Pursuant to the procedures set forth in this section, the ~~Chief Administrator~~ Director of Emergency Management or the Board of County Commissioners may grant variances to the following standards set forth in this Code.

(1) Street Designator.

(2) Standards for naming streets.

(3) Provisions for an alternative addressing grid.

~~(4) Alternate subdivision naming.~~

~~(5)~~ (4) Alternate standards for posting of numbers.

~~(6)~~ (5) Alternate standard for commercial suite numbering.

~~(7)~~ (6) Provisions for alternate Corner Lot addressing.

No variances may be applied for or granted for any other provision of this Section, including odd or even numbering requirements.

(b) Applications proposing a variance in any of the above listed addressing standards shall be submitted in writing to the Addressing Supervisor or designee and include the appropriate fee. Such applications shall be sent to the Seminole County ~~E-911~~ Addressing Advisory Committee for their review and the committee shall meet and provide written recommendation/comments to the ~~Chief Administrator~~ Director of Emergency Management within fifteen (15) business days of receipt of request by the Addressing Supervisor or designee. The ~~Chief Administrator~~ Director of Emergency Management must grant or deny the requested variance in writing, with attached findings of fact within five (5) business days after receipt of the comments and recommendations from the Seminole County ~~E-911~~ Addressing Advisory Committee. The variance process may take up to twenty (20) business days.

(c) The decision of the ~~Chief Administrator~~ Director of Emergency Management may
be appealed to the Board of County Commissioners by filing a written letter of appeal with the
Addressing Supervisor or designee within fifteen (15) days of the issuance of the ~~Chief~~
~~Administrator~~ Director of Emergency Management's grant or denial of the variance.

(d) A variance may be approved only after it is determined to be appropriate based
upon findings of fact that the alternative addressing system created by the variance:

(1) Comports with the purposes expressed in the addressing code.

(2) Constitutes a unique addressing opportunity and does not create a precedent for
other variances to the Uniform Addressing System.

(3) Can be adequately supported by the technology currently available and in use for
the emergency response systems.

(4) Does not create confusion that would cause or create a delay in response time.

(5) Otherwise provides how public safety and emergency vehicles will be able to
readily identify and serve buildings and structures located on the property.

Section 8. Conflicts. This Ordinance shall control over any County ordinances or parts
of ordinances in conflict herewith.

Section 9. Codification. It is the intention of the Board of County Commissioners that
the provisions of this Ordinance will become and be made a part of the Land Development Code
of Seminole County, and that the word “ordinance” may be changed to “section”, “article”, or
other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-
lettered to accomplish such intention; providing, however, that Sections 9, 10, 11 and 12 of this
Ordinance shall not be codified.

Section 10. Severability. If any provision of this Ordinance or the application thereof to
any person or circumstance is held invalid, it is the intent of the Board of County Commissioners

that such invalidity will not affect other provisions or applications of this Ordinance which can be
given effect without the invalid provision or application and, to this end, the provisions of this
Ordinance are declared severable.

Section 11. Effective date. This Ordinance will take effect upon filing a copy of this
Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

FIRST READING, this ____ day of _____, 20____.

UPON SECOND READING, BE IT ORDAINED by the Board of County
Commissioners of Seminole County, this ____ day of _____, 20____.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

JAY ZEMBOWER, Chairman

NJB/sjs
5/28/24

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