

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Land Development Code Update: Briefing to the BCC

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys *DM* **CONTACT:** Jeff Hopper **EXT** 7377

Agenda Date 2/28/06 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Staff seeks direction from the Board of County Commissioners on items related to the update of the Land Development Code. These are items that would be revised in the LDC per the recommendation of the consultant.

Countywide

Jeffrey Hopper, Senior Planner

BACKGROUND:

The Board of County Commissioners authorized an update of the Land Development Code in September 2002. Late in 2003, the County hired Duncan Associates of Austin, TX, to produce a draft document for the Board's consideration. Since that time, Staff members have been working with the consultant to (1) formulate proposed revisions that make the Code easier to understand, (2) remove duplicate regulations, (3) resolve conflicting regulations, and (4) generally update the regulatory process to reflect the County's current needs. The updated Code will conform to the specifications of the SCI-NET project in digital access and linking.

A component of the updated Code that is nearing completion is the Engineering Manual, a collection of appendices that bring together various technical criteria for development, such as road construction and stormwater system design. Currently distributed in various sections of the existing Code, these standards will be assembled into a single book that can be adopted and put into use in the near future. The final draft of the Engineering Manual is now under review by Public Works.

As to the remainder of the Code, Duncan representative Lee Einsweiler is scheduled to be present at the meeting to brief the Board on progress made to-date. In particular, he will focus on issues discussed in a previous briefing early in 2005. Also addressed will be new concerns arising since the Board's last look at the Code Update. These concerns include the regulation of mobile homes and a possible increase in minimum house size requirements in single-family zoning districts.

Reviewed by: _____

Co Atty:

DFS: _____

OTHER: _____

DCM: _____

CM:

File No. bpdp01

The following is a list of issues brought forward from the previous meeting as well as brief summaries of the consultant's proposals:

Issue	Proposal
Increase level of administrative authority given to Staff in zoning or site plan regulations	<p>BCC retains final authority for zoning map and text amendments.</p> <p>Development Review Manager retains final authority for most site plan approvals (excluding PCDs and PUDs).</p> <p>Other administrative approvals include:</p> <ul style="list-style-type: none"> • Preliminary Subdivision Plan (PSP) • Concurrency • Dredge and Fill permit • Minor Plat • Land Clearing Permit • LDC interpretations • Administrative Adjustments
Overlay Design Standards for County Roadways	Streamlined to eliminate redundancy; primarily addresses purpose, applicability, establishment of scenic corridors, permitted uses, and development standards
Lot Size Averaging	Under current proposal, lot area may vary from minimum by 5%, provided density does not increase and perimeter lots may not vary
Home Occupations - Provide a common sense approach to home occupations in residential districts	Proposed draft includes more detailed regulations than the existing code, addressing basic concepts of home occupations and prohibited uses/characteristics
Parking Lot Landscaping - Uniform design standards for landscaping in parking areas	Require medians at regular intervals, end islands, parking area buffers
Improve Consistency of Buffers - Use a performance standard approach for buffers	Buffer types will be reviewed and "opacity" standards implemented with higher degrees of opacity for buffers between more dissimilar uses
Reduce Monotony of Walls and Fences - Allow alternative wall or fence materials on a case-by-case basis	Could include blanket "alternative compliance" provisions for buffers (which would include walls) and for fences
Create a Land Clearing Permit Process	Administrative permit required for any land disturbance activity, with exemptions as needed for lot size or normal brush clearing

Issue	Proposal
Approach to Design Standards - Codify existing site design standards from corridor overlays and PUD/PCDs into site design standards applicable countywide, collapse overlays where applicable.	This concept is integral to the Code update. All sections work together to ensure that appropriate development standards are applied fairly and consistently.
Improve Non-Conforming Provisions	Draft language now under development
Stormwater Pond Fencing	Draft language now under development

In addition to this information, the consultant will discuss and request the Board's input on the following issues:

1. Regulation of Mobile Homes. As currently drafted, the Code update makes little or no distinction between housing units commonly referred to as "mobile homes" and conventional structures meeting requirements of the Standard Building Code. The consultant reports that modern construction standards no longer permit "mobile home" units to be built. Their successors, termed "manufactured homes", are functionally equivalent to site-built homes and should be permitted in the same locations and development settings. The proposed regulations would impose appearance requirements, such as skirting, but not distinguish according to construction technique. This issue has major implications for new single-family development in Seminole County. Specific proposals include the following:
 - Delete "mobile home" districts and establish a "manufactured home park" district. (In a related discussion, the consultant will address the issue of existing developments containing older units that are consistent with the term "mobile home.")
 - Manufactured homes in the "manufactured home park" district would be exempt from appearance-related design standards.
 - Manufactured homes and all other single-family dwelling units should be allowed in the agricultural districts (A-1, A-3, A-5, and A-10) without meeting any appearance-related design standards.
 - Both manufactured homes and conventional units in the single-family zoning districts should be subject to look-alike standards addressing skirting, roof design, and similar characteristics.
 - LDC should be very strict with any changes to manufactured home parks that do not conform to zoning district or land use.

2. Increase in Minimum House Sizes. Board members regularly express a desire to increase minimum living area requirements in single-family zones. Current regulations permit house sizes as small as 700 square feet, while developers typically exceed the minimum permitted by law. The consultant will discuss legal implications of raising this minimum standard. He will also address the issue of limiting house sizes on small lots in order to maintain the character of established

neighborhoods. This could be done through development standards such as floor area ratio (FAR) and building coverage.

3. Level of Service (LOS) Requirements for Drainage. The consultant will update the Board on proposed revisions, included in the Engineering Manual, that address level-of-service requirements for retention.

Finally, the consultant will present a proposed timeline for finishing the Code update. Completion of a draft for Staff review is expected by Spring 2006, with final adoption around the end of the year.

STAFF RECOMMENDATION:

Provide direction to Staff regarding topics related to the Land Development Code Update.