ITEM #_____

SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM

SUBJECT: Amendments to the Land Development Code, establishing a Mixed Development District and a Planned Development District

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

AUTHORIZED BY: Alison Stettner AS **CONTACT:** Jeff Hopper EXT. 7377

Agenda Date 8/5/2009 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the proposed amendments to the Land Development Code, establishing a Mixed Development District and a Planned Development District ; or
2. **RECOMMEND DENIAL** of the proposed amendments to the Land Development Code, establishing a Mixed Development District and a Planned Development District; or
3. **CONTINUE** the item to a time and date certain.

Countywide Jeff Hopper, Senior Planner

BACKGROUND:

The attached ordinance will amend the Land Development Code to make changes that implement provisions of the recently adopted Comprehensive Plan, as well as simplifying the process of reviewing and approving development.

The Future Land Use Element of the Seminole County Comprehensive Plan, adopted in December 2008, established a Mixed Development future land use designation. This designation has been assigned to properties in unincorporated areas within the US 17-92 corridor, although it may be granted in the future in other areas upon application by property owners. The Mixed Development designation is intended to encourage new types of projects which bring different uses, such as residential, office, and commercial, together within the same development site. This concept is expected to create benefits such as employment centers in proximity to homes; pedestrian-friendly, "walkable" communities with convenient access to mass transit; reduced auto traffic on major thoroughfares; and new investment in areas that are not currently reaching their economic potential.

Reviewed by:
Co Atty: KF
DFS:_____
OTHER:_____
DCM:_____
CM: _____

File No. _____

The attached ordinance implements these ideas through new regulations that set forth development criteria for mixed use projects and establish a review process that includes concept plan approval by the Board of County Commissioners. It would also enact incentives for mixed-use developers in the form of increased floor areas and building heights; these are required by the new Comprehensive Plan.

Besides creating a Mixed Development zoning district, the ordinance revises existing sections of the Code and adds new ones in a framework of supporting regulations that relate directly to MXD, but also to other types of development. These include changes relating to parking, landscaping, open space, and crime prevention.

Also included in the attached ordinance is a unified Planned Development (PD) district which replaces the existing Planned Commercial Development (PCD) and Planned Unit Development (PUD) districts. The proposed new regulations have two basic purposes. One is to clarify the County's intention that planned developments, in return for enjoying flexibility under the Code, should be innovative projects that provide greater public benefits than could be achieved with conventional zoning. The other is to modify the approval process to evaluate the most critical design and compatibility issues at an earlier stage where such concerns can be fully addressed through public hearings.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed amendments to the Land Development Code, establishing a Mixed Development District and a Planned Development District

Attachments:

Ordinance
Economic Impact Statement
Private Property Rights Statement

ORDINANCE NO. 2009- ____ **SEMINOLE COUNTY, FLORIDA**

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, FLORIDA; AMENDING CHAPTER 2, SECTION 2.3 BY ADDING DEFINITIONS FOR AREA MEDIAN INCOME, INFILL DEVELOPMENT, MIXED DEVELOPMENT, REDEVELOPMENT, WORKFORCE HOUSING, AND ZERO LOT LINE HOUSE; DELETING THE DEFINITIONS FOR PASSIVE EDGE AND PRELIMINARY MASTER PLAN; AMENDING CHAPTER 2, SECTION 2.3 BY REVISING DEFINITIONS FOR FINAL DEVELOPMENT ORDER, FINAL MASTER PLAN, GROSS ACREAGE, PLANNED UNIT DEVELOPMENT, AND PRELIMINARY DEVELOPMENT ORDER TO CORRECT TERMINOLOGY RELATED TO ADOPTION OF A "PLANNED DEVELOPMENT" DISTRICT; AMENDING CHAPTER 30, ZONING REGULATIONS, SECTION 30.21, TO DELETE A REFERENCE TO THE PCD DISTRICT, REPLACE A REFERENCE TO "PUD" WITH "PD", ADD A REFERENCE TO MIXED DEVELOPMENT DISTRICT (MXD) AND CLARIFY ALLOWABLE ZONING DISTRICTS; AMENDING SECTION 30.22(a), TO REPLACE A REFERENCE TO "PUD" WITH "PD", AND ADD A REFERENCE TO MIXED DEVELOPMENT DISTRICT (MXD); AMENDING SECTION 30.22(b) TO ADD MIXED DEVELOPMENT DISTRICT (MXD) AND PLANNED DEVELOPMENT DISTRICT (PD); AMENDING SECTION 30.246(b) TO DELETE REFERENCES TO ACTIVE/PASSIVE BUFFERS AND ADD A REFERENCE TO PART 67, CHAPTER 30; AMENDING SECTION 30.247 TO DELETE LANDSCAPING AND BUFFER REQUIREMENTS IN R-3 AND R-3A AND ADD A REFERENCE TO PART 67, CHAPTER 30; REPEALING SECTION 30.267, "SETBACK AND BUFFER REQUIREMENTS ADJACENT TO RESIDENTIAL" IN R-4; AMENDING SECTION 30.268 TO DELETE LANDSCAPING AND BUFFER REQUIREMENTS IN R-4 AND ADD A REFERENCE TO PART 67, CHAPTER 30; AMENDING SECTIONS 30.441-30.454 TO RENAME THE "PLANNED UNIT DEVELOPMENT" DISTRICT AS "PLANNED DEVELOPMENT" DISTRICT, REVISING ALLOWABLE USES AND REVIEW/APPROVAL PROCESSES FOR SUCH DEVELOPMENTS; REPEALING SECTIONS 30.461-30.469, "PLANNED COMMERCIAL DEVELOPMENT" DISTRICT; AMENDING SECTION 30.546 TO DELETE REFERENCES TO SETBACKS AND ACTIVE/PASSIVE BUFFERS IN UC DISTRICT, AND ADD A REFERENCE TO PART 67, CHAPTER 30; AMENDING SECTION 30.666 TO DELETE RESIDENTIAL SETBACK STANDARDS IN OP, ADDING A REFERENCE TO PART 67, CHAPTER 30; AMENDING SECTIONS 30.703, 30.708, 30.709, 30.724, 30.728, 30.729, 30.747, 30.748, 30.767, 30.768, 30.787, 30.788, 30.867, 30.886, 30.907, 30.1076, AND 30.1144 TO DELETE REFERENCES TO ACTIVE/PASSIVE BUFFERS, ADDING REFERENCES TO PART 67, CHAPTER 30; AMENDING SECTION 30.710, 30.730, 30.749, 30.769, 30.868, 30.887 TO DELETE A REFERENCE TO SECTION 1226, AND ADD A REFERENCE TO PART 67, CHAPTER 30; CREATING PART 43, SECTIONS 30.801-30.807, "MXD MIXED DEVELOPMENT DISTRICT"; AMENDING SECTION 30.907(a) TO DELETE A REFERENCE TO THE LANDSCAPE REQUIREMENTS OF SECTIONS 30.1226-30.1231 AND ADD A REFERENCE TO PART 67, CHAPTER 30; DELETING SECTION 30.907(f); AMENDING SECTION 30.1111(c) AND (d), 30.1204(b), 30.1222(d), 30.1359, 30.1363(g), 30.1364(a)(3), 35.43(c)(6)(E)(v) TO REVISE "PLANNED UNIT DEVELOPMENT" ,"PUD" OR"PLANNED COMMERCIAL DEVELOPMENT", "PCD" REFERENCES TO "PLANNED DEVELOPMENT" OR "PD"; AMENDING SECTION 30.1221 TO RENUMBER THE EXISTING SECTION AS PARAGRAPH (a), ADDING A SECTION (b) TO ADDRESS MOTORCYCLE PARKING; REPEALING SECTIONS 30.1226-30.1232; CREATING SECTION 30.1235, "ALTERNATIVE PARKING PLAN OPTIONS"; CREATING SECTION 30.1236, "BICYCLE

PARKING;" CREATING PART 67, "LANDSCAPING, SCREENING AND BUFFERING", SECTIONS 30.1281-30.1300; AMENDING SECTION 30.1344 TO REVISE NAME TO "OPEN SPACE", DELETING CURRENT REGULATIONS AND CREATING NEW PARAGRAPHS (a) THROUGH (e); REPEALING PART 74, SECTIONS 30.1501-30.1510; CREATING PART 75, CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN, SECTIONS 30.1601-30.1609; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners desires to update and simplify the Seminole County Land Development Code and implement the Seminole County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners desires to encourage innovative, pedestrian-friendly, and cost-effective forms of development in areas assigned the Mixed Development (MXD) future land use designation; and

WHEREAS, the Board of County Commissioners desires that all planned developments promote flexibility and creativity in responding to social, economic, and market conditions; and

WHEREAS, the Board of County Commissioners has determined that each new planned development should implement a unique development concept that represents a greater benefit to the County than could be achieved under conventional zoning classifications and development regulations; and

WHEREAS, once substantial portions of a Planned Development are transferred to multiple owners, the owner of the affected parcel seeking amendment should not be limited by multiple adjacent landowners; and

WHEREAS, an economic impact statement has been prepared and is available for public review in accordance with the provisions of the Seminole County Home Rule Charter; and

WHEREAS, the private property rights analysis relating to this Ordinance has been prepared and made available for public review in accordance with the requirements of the Seminole County Comprehensive Plan; and

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

Section 1. Amendments to Chapter 2, Definitions. Chapter 2, of the Land Development Code of Seminole County, is amended as follows (underlines are additions, strikethroughs are deletions, and remaining text is unchanged):

Sec. 2.3. Definitions.

Area median income (AMI): Median income is that income which divides the income distribution into two equal parts, with one-half of the cases falling below the median income and one-half falling above. HUD uses the median income for families in metropolitan and non-metropolitan areas to calculate income limits for eligibility in a variety of housing programs, and adjusts the median for different family sizes so that family income is expresses as a percentage of the area median income.

Final development order: The approval of a development of regional impact, a borrow pit permit, an electrical permit, a planned ~~commercial development final master plan, a planned unit~~ development final ~~master~~ development plan, a right-of-way utilization permit, a site plan, a special exception or variance, a subdivision preliminary plat, a subdivision final plat, an underground utility permit, a waiver to subdivision platting requirements, a dredge and fill permit, a written agreement with Seminole County School Board for the provision of public facilities and services as required by State law and any other development order which results in an immediate and continuing impact upon concurrency public facilities. Final development orders may address future expansions of a development and may provide for phasing. A final development order may

provide for conditions which must be met in order for subsequent approvals to be given or permits to be issued.

Final ~~master~~ development plan: The specific plan for the development of the planned ~~unit~~ development which shall include such information as required by Part 25, Chapter 30~~ or the specific plan for the development of property assigned the HIPD zoning classification~~.

Gross acreage: The total number of acres within the perimeter boundaries of a planned ~~unit~~ development.

Infill Development: Development on vacant lands located in otherwise built up urban areas where public facilities such as sewer systems, roads, schools and recreation areas are already in place or are in close proximity; the average residential density is at least four dwelling units per net buildable acre. Infill development areas may be located within residential, nonresidential or mixed use urban areas.

Mixed development: Development consisting of multiple uses on the same site, combined vertically in the same building, horizontally in multiple buildings, or a combination of the two.

~~Passive edge: Refers to a building site which contains no active uses and includes, but is not limited to, landscaping and/or stormwater detention/retention facilities and other non-vehicular areas.~~

Planned ~~unit~~ development: An area of land devoted by its owner to development as a single entity for a number of dwelling units ~~and complementary~~ and/or commercial uses in accordance with a plan which does not necessarily comply with the provisions of other zoning districts with respect to lot size, lot coverage, setbacks, off-street parking, bulk or type of dwelling, density, and other restrictions.

Preliminary development order: An amendment to the 1991 Seminole County Comprehensive Plan assigning a new land use designation to a parcel of real property, a planned ~~commercial~~ development (PD) zoning district ~~preliminary master~~ development plan, ~~a planned unit development preliminary master plan,~~ the rezoning of a parcel of real property or a subdivision development plan.

~~Preliminary master plan: The proposal for development of a planned unit development which shall include such information as required by this Code or the proposal for development for property assigned the HIPD zoning classification which includes the requirements of this Code.~~

Redevelopment: In addition to the definition of "development" provided in Section 380.04, Florida Statutes, this term shall mean a substantial or material change in the use or character of an existing developed property, including, but

not limited to alterations, expansions or renovations to structures, paved areas, and other property fixtures and features requiring a building permit.

Workforce housing: Owner- or renter occupied housing consisting of single family or multi-family units in which a minimum of 20 percent of the total units are attainable by households at or below 140 percent of Area Median Income (AMI).

Zero lot line house: A dwelling unit located on a single lot with private yards on three sides. The unit has only a single side yard comprising the equivalent of two side yards of a single family detached house.

Section 2. Amendments to Chapter 30, Zoning Regulations. Chapter 30 of the Land Development Code of Seminole County is amended as follows (underlines are additions, strikethroughs are deletions, and remaining text is unchanged):

Sec. 30.21. Establishment of districts.

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:

TABLE INSET:

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
~~PUD~~ PD	Planned ~~Unit~~ Development District
~~PCD~~	~~Planned Commercial 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	Retail Commercial District
C-3	General Commercial and Wholesale District
CS	Convenience Commercial District
M-1A	Very Light Industrial District
M-1	Industrial District
M-2	Impact--General Industrial District
MXD	Mixed Development District

Effective (date of adoption of ordinance), no properties shall be rezoned into the A-1 district.

Sec. 30.22. Definitions of groupings of various districts.

(a) Where the phrases "all residential districts," "residential districts," "zoned residentially," or "residentially zoned," or phraseology of similar intent, are used in these zoning regulations, the phrases shall be construed to include the following districts:

TABLE INSET:

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
~~PUD~~ PD	Planned ~~Unit~~ Development District
RP	Residential Professional District

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

CN	Restricted Neighborhood Commercial District
C-1	Retail Commercial District
C-2	Retail Commercial District
CS	Convenience Commercial District
MXD	Mixed Development District
PD	Planned Development

Sec. 30.246. Yard regulations.

(b) ~~Where property assigned a multi-family zoning classification is adjacent to existing single-family land uses or a property assigned a residential zoning classification or land use designation, the side and rear yards shall comply with section 30.1228, Active/Passive buffer setback design standards.~~ Developments in R-3 and R-3A shall meet the buffering requirements of Part 67, Chapter 30.

Sec. 30.247. Landscaping and buffer requirements.

~~A landscaped buffer shall be provided along rear or side lot lines, said buffer to be at least ten (10) feet wide at right angles to the lot line and established along the entire length of and contiguous to lot lines.~~ Landscaped buffers shall be provided along all lot lines according to the standards set forth in Part 67, Chapter 30. Parking shall not be permitted in the buffer area.

~~(a) *Buffer design.* The landscape buffer shall be designed, planted, and maintained as to be seventy-five (75) percent or more opaque between two~~

~~(2) feet and six (6) feet above average lot grade. Protection from vehicle encroachment by the use of curbing or wheel stops shall be provided.~~

~~(b) *Buffer plantings.* Plantings shall be of the species and of the size and type which will insure meeting of the seventy-five (75) percent opacity requirement no longer than twelve (12) months after first planting.~~

~~(c) *Substitution within buffer area.* A decorative opaque structure at least six (6) feet high may be substituted to meet the seventy-five (75) percent opacity requirement. Where a structure is utilized, a hedge not less than two and one-half (2-1/2) feet in height at time of planting shall be provided along the length of the wall.~~

~~(d) Where property assigned a multi-family zoning classification is adjacent to existing single-family land uses or property assigned a residential zoning classification or land use designation, the side and rear buffers and landscaping shall comply with section 30.1228, Active/Passive buffer setback design standards.~~

~~(e) *General provisions for all landscaped areas.* See section 30.1226.~~

~~(f) *Conflict.* Where other land development regulations impose different requirements, the more restrictive will govern.~~

Sec. 30.267. Repealed. ~~Setback and buffer requirements adjacent to residential.~~

~~As defined in section 30.1232 of the Land Development Code, Active/Passive buffer setback design standards.~~

Sec. 30.268. Landscaping and buffer requirements.

~~A landscaped buffer shall be provided along rear or side lot lines, said buffer to be at least ten (10) feet wide at right angles to the lot lines and established along the entire length of and contiguous to lot lines.~~

~~(a) *Buffer design.* The landscape buffer shall be designed, planted, and maintained as to be seventy-five (75) percent or more opaque between two (2) feet and six (6) feet above average lot grade. Protection from vehicle encroachment by the use of curbing or wheel stops shall be provided.~~

~~(b) *Buffer plantings.* Plantings shall be of the species and of the size and type which will insure meeting the seventy-five (75) percent opacity requirement no longer than twelve (12) months after first planting.~~

~~(c) *Substitution within buffer area.* A decorative opaque structure at least six (6) feet high may be substituted to meet the seventy-five (75) percent opacity~~

~~requirement. Where a structure is utilized, a hedge not less than two and one-half (2.5) feet in height at time of planting shall be provided along the length of the wall.~~

~~(d) *General provisions for all landscaped areas.* See section 30.1226.~~

~~(e) *Conflict.* Where other land development regulations impose different requirements, the more restrictive will govern.~~

See Part 67, Chapter 30.

PART 25. ~~PUD~~ PD PLANNED ~~UNIT~~ DEVELOPMENT

Sec. 30.441. ~~Intent and purpose.~~ Intent, purpose, and applicability.

~~It is the purpose of this part to permit planned unit developments which are intended to encourage the development of land as planned communities; encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas and the multiple use of wetlands; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of conventional zoning districts; provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and provide a stable environment character compatible with surrounding areas. If certain prescribed portions of dwelling units in a planned unit development are sold or rented as affordable housing units, as defined in this Code, certain conditions and modifications are permitted in accordance with section 30.453 of this Part.~~

The Planned Development (PD) district is intended to accommodate residential and/or commercial development that may be difficult to achieve under conventional zoning district standards. Planned developments shall promote flexibility and creativity in responding to changing social, economic and market conditions. A planned development should implement a unique development concept that results in greater public benefits than could be achieved using conventional zoning and development regulations. The regulations set forth in this Part shall apply to all planned development applications received after the effective date of this ordinance.

Examples of the types of development that may be appropriate for PD zoning include, but are not limited to, the following:

1. **Enhanced Protection of Natural Resource Areas**
   Developments that offer enhanced protection of natural resources and sensitive environmental features, including streams, water bodies, floodplains, wetlands, woodlands, wildlife habitats and native plant communities.

2. **Traditional Neighborhood Development**
Developments characterized by lot configurations, street patterns, streetscapes, and neighborhood amenities commonly found in neighborhoods platted or otherwise created before the 1950s.

3. **Transit Oriented Development**
Development centered around commuter rail stations, where there may be a special need for an economically viable mix of residential, commercial and parking uses to take maximum advantage of the County's mass transit facilities.

4. **Infill Development or Redevelopment**
Development or redevelopment on lands that are surrounded by existing development with infrastructure, site or other constraints that make development under conventional regulations difficult.

Sec. 30.442. Permitted uses--~~(PUD)~~ (PD).

The uses permitted within this District shall include the following:

(a) Residential units, including single-family attached and detached dwellings, apartment dwellings, dormitories, rooming apartments and mobile homes.

(b) Churches, public and private schools, community or club buildings, and similar public and semi-public facilities.

(c) Nonresidential uses, including commercial or retail uses, industrial uses, offices, clinics and professional uses. ~~provided the following criteria are met:~~

~~(1) The Planned Unit Development includes an area of at least twenty (20) acres if both residential and nonresidential uses are to be located in the Planned Unit Development.~~

~~(2) The location is in appropriate relation to other land use.~~

~~(3) Adequate economic justification studies are submitted showing the need for any proposed nonresidential uses. The proposed nonresidential uses are designed to serve primarily the residential use in the Planned Unit Development unless the economic studies indicate greater nonresidential uses are justified or there are no residential uses in the development.~~

~~(4) The nonresidential uses do not utilize more than ten (10) percent of the gross acreage of the development unless greater nonresidential uses are justified or there are not residential uses in the development.~~

~~(5) No nonresidential use, nor any building devoted primarily to a nonresidential use, shall be built or established prior to beginning construction of the residential buildings or uses it is intended to serve, if any, without the approval of the Board of County Commissioners.~~

(d) Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents. ~~Adult congregate~~

Assisted living facilities and community residential homes (group homes and foster care facilities) housing more than six (6) permanent unrelated residents shall be ~~a conditional use~~ indicated on the proposed development plan prior to rezoning.

Sec. 30.443. ~~Allowable uses within areas assigned the high intensity planned development land use designation.~~

~~The following table depicts and prescribes authorized land uses in planned unit developments on property assigned the high intensity planned development land use designation.~~

~~Table of Allowable Uses~~

~~TABLE INSET:~~

	~~Transitional~~	~~Core~~
~~RESIDENTIAL~~		
~~SF Detached~~	~~4~~	
~~Zero Lot Line~~	~~4~~	
~~Duplex~~	~~1~~	
~~Townhouse~~	~~1~~	
~~Low Rise Garden Apts. (up to 3 floors or 35 ft.) of height~~	~~3~~	
~~Apartments(over 3 floors)~~	~~3~~	~~1~~
~~COMMERCIAL~~		
~~Freestanding Light Retail~~	~~1~~	~~2~~
~~Eating and Drinking~~	~~1~~	~~2~~
~~Neighborhood Commercial Center~~	~~1~~	
~~Community Commercial Center~~	~~1~~	—
~~Regional Commercial Center~~	~~1~~	—
~~MOTEL/HOTEL~~	—	—
~~Low Rise Hotel (up to 2 floors or 35 ft.) of height~~	~~1~~	—
~~Convention Hotel~~	~~1~~	—
~~High Rise Hotel~~	~~1~~	—
~~INDUSTRIAL~~	—	—
~~Office Showroom~~	~~1~~	—
~~Light Manufacturing~~	~~3~~	—
~~Warehouse~~	~~3~~	—
~~OFFICE (Business and Professional)~~	—	—

~~Freestanding (1 floor or 15 ft.) of height~~	~~4~~	~~—~~
~~Medium (3 floors or 40 ft.) of height~~	~~1~~	~~—~~
~~Large (4–7 floors or more than 40 ft.) of height~~	~~3~~	~~1~~
~~Multi-Tenant High Rise (over 7 floors)~~	~~1~~	~~—~~
~~OTHER~~	~~—~~	~~—~~
~~Public Uses~~	~~1~~	~~1~~
~~Churches~~	~~1~~	~~—~~
~~Daycare~~	~~1~~	~~2~~
~~Public/Private Education~~	~~1~~	~~—~~
~~Remote Parking~~	~~3~~	~~—~~

~~1. Permitted uses with appropriate conditions.~~
~~2. Accessory uses to be located within a principal structure.~~
~~3. Uses requiring special consideration of compatibility with surrounding uses.~~
~~4. Located only at periphery of transitional areas as a buffer to surrounding neighborhoods.~~

Review Criteria

Each PD application shall include a written explanation from the applicant describing the benefits of the proposed development to Seminole County, and how these benefits would exceed those of a development carried out under conventional zoning district standards. In determining whether to approve, approve with conditions or deny a planned development, the applicable review bodies shall consider the following criteria:

1. The development contains a variety of housing types, employment opportunities or commercial services to achieve a balanced community; and
2. The development is consistent and compatible with the character of the surrounding area; and
3. The development contains a planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as roadways, bicycle ways and pedestrian walkways.

In considering approval of a Planned Development, the Board of County Commissioners shall affirm that the proposed development complies with the review criteria listed in this Section. In addition, PD zoning may be approved only when the Board determines that the proposed development cannot be reasonably accommodated by other available regulations of this LDC, and that a PD would result in a greater benefit to the County as a whole than would development under conventional zoning district regulations. Such greater benefit may include natural resource preservation, urban design, crime prevention, neighborhood/community amenities, or a general level of development quality.

Sec. 30.444. Planned ~~unit~~ development approval procedure.

Approval for a planned ~~unit~~ development is obtained through a two-step process. The first step is an approval of the ~~preliminary master~~ development plan and rezoning of the land by the Board of County Commissioners. The second step consists of final ~~master~~ development plan approval by the Planning & Development Director along with the recording of the developer's commitment agreement ~~form~~.

Prior to formally submitting a request for planned ~~unit~~ development zoning, the developer is encouraged to meet with ~~officials of the land management office~~ Planning & Development Department staff for comments regarding the advisability of undertaking a planned ~~unit~~ development in the proposed location.

Sec. 30.445. ~~Planned unit development zoning and preliminary master plan approval.~~

~~The applicant shall submit to the Planning and Zoning Commission a request for change to PUD zoning classification and a proposed preliminary master plan containing the following exhibits:~~

~~(a) A vicinity map showing the location of the proposed planned unit development, relationship to surrounding streets and thoroughfares, existing zoning on the site and surrounding areas, existing land use on the site and surrounding areas within five hundred (500) feet.~~

~~(b) A boundary survey and legal description of the property.~~

~~(c) A topographic survey including floodprone and wetland delineations. The most recent USGS Topographical Survey and USGS Flood Prone or FEMA Mapping may be used for topography on flood prone delineations. Seminole County wetlands maps or aerial photography interpretation may be used for wetlands delineation.~~

~~(d) A soils survey, which may be based on the most recent Seminole County Soils Survey, drawn to the same scale as the preliminary land use plan, clearly identifying all soils types especially those areas which are apparently not suitable for buildings or major structures due to soils limitations.~~

~~(e) A master plan with topography, flood prone and wetlands which clearly identifies proposed land uses, open space, and the proposed location of major streets and thoroughfares, recreation areas, and other major facilities.~~

~~(f) A table showing acreage for each category of land use including roads, wetlands, open space, and recreation, and a table of proposed maximum and average, gross and net residential densities for residential land uses.~~

~~(g) A proposed utility service concept plan, including sanitary sewers, storm drainage, potable water supply, and water supplies for fire protection, including a definitive statement regarding the disposal of sewage effluent and storm water drainage.~~

~~(h) A statement indicating that legal instruments will be created providing for the management of common areas and facilities.~~

~~(i) A statement with general information regarding provisions for fire protection.~~

~~(j) An analysis of the impact of the proposed planned unit development on roads, schools, utilities, and other public facilities.~~
~~(k) Reduced copies of the preliminary master plan, suitable for mailing, must be provided to the land development division at the time of application.~~
~~(l) A preliminary zoning classification description in sufficient detail to determine the general intent with respect to the following:~~
~~(1) The general purpose and character of the proposed development.~~
~~(2) Land use by acreage and densities.~~
~~(3) Structural concepts, including height and anticipated building type.~~
~~(4) Major landscaping concepts.~~
~~(5) Recreation and open space.~~
~~(6) Facilities commitments.~~
~~(7) Housing types, price ranges, and staging.~~
~~(m) A general indication of the perceived impact area for the commercial or industrial uses.~~
~~(n) A table showing pre- and post-development acres of wetlands by type and significance (according to the procedures found in the Seminole County Wetlands Field Guide) and a conceptual plan for the protection and multiple use of on-site wetlands.~~
~~(o) Transportation management plan.~~
~~(1) In addition to all other requirements of this section, all proposed developments which singly or in combination with all existing, approved or anticipated development abutting or within one-eighth (1/8) mile (six hundred and sixty (660) feet) of the perimeter of the proposed development, brings together five hundred (500) or more persons (employees, residents, patrons, customers, guests) at any given time and has an average minimum net residential density of twenty (20) dwelling units per acre or an average minimum non-residential FAR of 0.35 shall submit a Transportation Management Plan as provided for in Appendix A: Transportation Standards, Chapter 15 Transportation Management Plan.~~
~~(2) All proposed developments included wholly or in part within a high intensity planned development core area shall be required to submit a transportation management plan.~~
~~(3) Any requirement of this section may be waived by the Planning and Development Director if the proposed development is a part of a PUD, DRI or other development with an approved transportation management plan, the proposed development is included in an approved transportation management plan of an abutting development or the proposed development is within a transportation concurrency management area with an approved transportation management plan. Such waiver shall be limited to the extent to which the proposed development is addressed in said approved transportation management plan and may require the developer of the proposed development to become a party to said transportation management plan as a condition of approval.~~

~~(4) Nothing in this subsection shall be construed as to preclude the developer or future assignees from entering into agreements with other parties or to form associations to fulfill the requirements of this subsection or any condition of approval which results from this requirement.~~

~~(p) Pedestrian, bicycle and vehicular linkage plan. Those requirements set forth at section 35.43(c)(6) of this Code shall be applicable.~~

~~(q) If an applicant proposes to continue temporary agricultural uses within the boundaries of the planned unit development, the applicant shall provide the following information:~~

~~(1) A site plan showing the area(s) of the PUD where the temporary agricultural uses will occur, including the number of acres to be utilized at each area.~~

~~(2) Type of temporary agricultural uses to be utilized, including a detailed description of each area.~~

~~(3) Estimated duration for temporary agricultural uses.~~

~~The Planning and Zoning Commission and the Board of County Commissioners shall review, at public hearing, the exhibits presented and consider rezoning the area requested, PUD Planned Unit Development, provided the exhibits are in accordance with the standards specified in section 30.451. After rezoning, the right to develop shall be contingent upon compliance with all procedures of this article. The Planning and Zoning Commission and the Board of County Commissioners may, as deemed appropriate, impose additional restrictions not herein mentioned to protect the public interest.~~

(a) Development Plan Submittal Requirements

1. A development plan shall be submitted concurrently with a planned development application. The submittal requirements listed in this Section may be modified by the Planning & Development Director as appropriate for a specific application.
2. The development requirements for each separate planned development shall be included as a part of the development plan.
3. The applicant shall expressly set out any variation from the adopted standards of this LDC, including, but not limited to: density, lot area, lot width, yard depths and widths, building height, building elevations, parking, access, streets and circulation, utilities, screening, landscaping, accessory buildings, signs, lighting, project phasing or scheduling, management associations and other requirements as the Board of County Commissioners may deem appropriate.
4. The development plan shall include the items shown on the following table:

Required Information	Preliminary Plan	Final Plan
Vicinity map showing the location of the proposed development, relationship to surrounding streets and thoroughfares, existing zoning on the site and surrounding	X	x

Required Information	Preliminary Plan	Final Plan
areas, existing land use on the site and surrounding areas within 500 feet		
Boundary survey and valid legal description	X	x
Graphic plan showing topography, which clearly identifies proposed land uses, open space, and the proposed location of major streets and thoroughfares, recreation areas, and other major facilities	X	x
Preliminary wetlands and floodplain delineation lines	X	
List and description of all uses, including proposed housing type(s), number of units, density	X	x
Table showing acreage for each category of land use including roads, wetlands, open space, and recreation	X	x
Calculation of required and proposed open space	X	x
General buffer and landscaping concepts	X	x
Structural concepts, including setbacks and building heights	X	x
Utility service suppliers	X	x
Analysis of the impact of the proposed planned development on roads, schools, utilities, and other public facilities	X	x
Location, use, and size of all common property tracts	X	x
Topographic survey including floodplain and wetland delineations		x
Detailed landscaping plan, including plantings, fences, berms and buffer area dimensions		x
Utility service concept plan, including sanitary sewers, storm drainage, potable water supply, and water supplies for fire protection.		x
Proposed phasing or staging		x
Statement indicating that legal instruments will be created providing for the management of common areas and facilities		x
Statement with general information regarding provisions for fire protection		x
Facilities commitments		x

Required Information	Preliminary Plan	Final Plan
Earthmoving concept plan indicating proposed terrain alterations		x
Soils map and detailed soils report based on the findings of a recognized professional soils expert (depth of all muck and peat areas shall be identified)		x
Summary of approved PD Commitments, Classification, and District Description information as executed by the Chairman of the Board of County Commissioners and the Developer		x
Covenants, grants, easements, dedications, or other restrictions to be imposed on the use of the land, buildings and structures, including proposed easements for public and private utilities		x

(b) Review Procedure

A planned development application shall be reviewed as follows:

1. Prior to initiating a planned development application, a preapplication conference with Planning & Development staff may be required at the discretion of the Planning & Development Director.
2. The Development Review Committee shall evaluate the application according to the review criteria in Sec.30.443. Following this evaluation, the Planning & Development Director shall recommend to the Planning and Zoning Commission approval, approval with conditions or denial of the application.
3. The Planning and Zoning Commission shall hold a public hearing and, considering the review criteria in Sec.30.443, shall recommend to the Board of County Commissioners approval, approval with conditions or denial of the application.
4. The Board of County Commissioners shall hold a public hearing and, considering the review criteria in Sec.30.443,shall approve, approve with conditions, or deny the application.
5. All specific conditions of approval that are imposed by the Board of County Commissioners shall be listed in the development order and development plans shall be referenced as attachments.

Sec. 30.446.

~~Final master plan approval.~~
~~The applicant shall submit, within five (5) years from the date of Preliminary Master Plan approval, a Final Master Plan covering all areas of the approved Preliminary Master Plan. Failure to present the Final Master Plan within the required five (5) year period may, at the direction of the Board of County Commissioners, result in a review by the Planning and Zoning Commission to determine the appropriateness of the existing PUD zoning classification and~~

~~Preliminary Master Plan. Direction of the Board of County Commissioners will be based on their evaluation of the causes of the failure to meet the deadline.~~

~~The Final Master Plan shall include the following exhibits:~~

~~(a) A topographic map drawn to a scale of one hundred (100) feet to one (1) inch by a registered surveyor and/or engineer showing:~~

~~(1) The location of existing right-of-way lines and pavement widths, buildings, watercourses, transmission lines, sewers, bridges, culverts, drain pipes, water mains, fire hydrants, and any public easements.~~

~~(2) Wooded areas, streams, lakes, wetlands and any other physical conditions affecting the site. Ordinary and historical high-water elevations must be indicated for each water body. One hundred (100) year floodprone elevations must be clearly delineated throughout the site.~~

~~(3) Existing contours shown at a contour interval of one (1) foot.~~

~~(b) A Master Land Use Plan drawn at a scale of one hundred (100) feet to one (1) inch, or other appropriate scale as determined by the Land Management Director and showing:~~

~~(1) The boundaries of the site and the proposed topography shown at five (5) foot intervals.~~

~~(2) Width, location, and names of surrounding streets.~~

~~(3) Proposed major streets and other vehicular and pedestrian circulation systems.~~

~~(4) Specific delineation of each residential use by type, including location, acreage, maximum density, anticipated number of units, and a clear parcel designation.~~

~~(5) The use, size, and location of each proposed nonresidential land use area.~~

~~(6) Specific delineation, use, location, and size of each common open space and public or semi-public area. The amount of each open space type expressed as a percentage of the total site area.~~

~~(7) A table showing tract breakdown by land use and indicating acreages for each tract and maximum density for residential tracts.~~

~~(c) A Site Development Plan including:~~

~~(1) An earthmoving concept plan indicating proposed terrain alterations. Areas to be cut shall be shaded and areas to be filled shall be crosshatched. The altered One Hundred-Year Flood Prone Areas shall be delineated.~~

~~(2) A soils map and a detailed soils report based on the findings of a recognized professional soils expert. Depth of all muck and peat areas shall be identified.~~

~~(d) A Transportation Plan including:~~

~~(1) The layout of major roads in the project, along with traffic controls, rights-of-way, and typical cross sections.~~

~~(2) The layout of bikeways and pedestrianways with typical cross sections.~~

~~(3) An analysis of the area traffic impact.~~

~~(4) A traffic circulation plan detailing methods of handling high traffic flow areas, such as, major entrances.~~

~~(5) A Transportation Management Plan if required by any provision of this Code or of the Concurrency Management Ordinance.~~

~~(e) A Utility Service Plan including:~~
~~(1) Location, size, and specific delineation of sewage treatment plants and/or water plants.~~
~~(2) Existing drainage and sewer lines.~~
~~(3) The disposition of sanitary waste and storm water to include ultimate discharge or disposal.~~
~~(4) The source of potable water.~~
~~(5) Location and width of all major utility easements or rights-of-way.~~
~~(6) In some cases, it may be necessary to show plans for the special disposition of storm water when it appears that said drainage could substantially harm a body of surface water.~~
~~(7) Any supporting documentation necessary to clearly establish the feasibility of the proposed water, sewage, and storm drainage concepts, including special safeguards to prevent public health hazards or environmental degradation.~~
~~(f) A Fire Protection Plan including:~~
~~(1) Water main size, type of pipe material, hydrant spacing, water plant pumping and storage capacities, minimum daily consumption (calculated) fire flow estimates.~~
~~(2) A statement of adequacy of fire protection service in compliance with all adopted Fire Protection Standards in Seminole County.~~
~~(g) A Landscaping Plan showing:~~
~~(1) Landscaped areas, including berms, fences, and buffers.~~
~~(2) Location, height and material for walks, fences, walkways, and other man-made landscape features.~~
~~(3) Any special landscape features, such as, but not limited to, manmade lakes, land sculpture, and waterfalls.~~
~~(h) A Recreation Concept Plan including the location of major facilities by type and areas by use.~~
~~(i) Detailed economic justification studies showing the proposed service areas for commercial uses and the employment base and market for industrial uses.~~
~~(j) The substance of covenants, grants, easements, dedications, or other restrictions to be imposed on the use of the land, buildings and structures, including proposed easements for public and private utilities.~~
~~(k) A completed summary of the PUD Commitments, Classification, and District Description according to format provided by the Land Management Office and executed by the Chairman of the Board of County Commissioners and the Developer.~~
~~(l) A written outline and justification of any changes from the approved Preliminary Master Plan.~~
~~(m) A colored aerial photograph of the site as it currently exists with a transparent overlay showing major roads and tracts.~~

Final Development Plan

Upon receiving approval of the development plan described in Sec. 30.445, the applicant shall submit a final development plan implementing the approved

development order, incorporating any and all changes approved by the Board of County Commissioners and/or staff.

Sec. 30.447. Plat or site plan approval for each section.

(a) After approval of the final ~~master~~ development plan by the ~~Board of County Commissioners~~ Planning & Development Director, the developer must submit either a preliminary and final plat, according to the procedure outlined in the Subdivision Regulations, or must submit a site plan, according to Chapter 40 for all other areas, including residential, commercial, industrial, recreational, or any other area where structures or roads are to be constructed, or major terrain alterations are to be made. At the applicant's option, a site plan complying with the technical requirements of Chapter 40 may serve as the final development plan if it contains sufficient information to verify compliance with the PD development plan approved by the Board of County Commissioners under Section 30.444 After review and final approval by the designated officials of either the final subdivision plat or site plan, the developer may request building permits for the approved section.

(b) If an applicant so elects and pays the fees for both final ~~master~~ development plan review and preliminary subdivision plan review and provides all information necessary for both reviews at the time of application; the ~~master~~ final development plan review and the preliminary subdivision plan review may be accomplished simultaneously if the Development Review Manager approves such request considering the size and complexity of the development, the number and complexity of development phases, the proposed duration of the development, environmental issues, interagency and/or intergovernmental issues or any other matter set forth as ~~a~~ an objective, goal or policy in the Seminole County Comprehensive Plan.

Sec. 30.448. Revision of ~~planned unit~~ development ~~final master~~ plan.
Any proposed major or substantial change in the approved ~~PUD~~ PD exceeding the criteria listed in this section, such as those affecting the intent and character of the development, land use pattern, the location or dimensions of major streets, or similar substantial changes, or changes beyond minor modifications, shall be ~~reviewed and approved by the Board of County Commissioners upon receipt of the recommendation of the Planning and Zoning Commission~~ considered in public hearings before the Planning & Zoning Commission and Board of County Commissioners. ~~If the requested changes are deemed to have a substantial effect on adjacent property owners, residents of the PUD or the general public, or involves an increase in density, the Board of County Commissioners shall cause a public hearing to be held prior to official action on said requested change.~~ A request for a revision of the ~~final master~~ development plan shall be supported by a written statement demonstrating the reasons the revisions are necessary or desirable. ~~Minor changes which do not affect the intent or character of the development may be approved by the Planning Manager~~.

Although flexible in concept, PD becomes rigid in application. Individual property owners within a planned development may not make substantial changes to an approved development plan in a piecemeal fashion that adversely affects prior purchasers. Where modifications are allowed under this section, such modifications must remain compatible with the balance of the project and consistent with the overall concept(s) under which the development was approved.

Minor modifications meeting the criteria below may be approved by the Planning & Development Director. Multiple criteria may be cumulative to amount to a major modification at the discretion of the Director. All other modifications shall require resubmittal of the development plan to the Planning & Zoning Commission and Board of County Commissioners for approval.

1. Additions to structures shall not exceed 10 percent of the total gross floor area of the project provided that overall density or intensity of the project does not increase.
2. Changes in building position or layout shall be less than ten feet or ten percent of the total gross floor area of the project.
3. Accessory structures may be added if the location does not interfere with existing site layout (e.g. circulation, parking, loading, storm water management facilities, open space, landscaping or buffering).
4. Additions to parking areas shall comprise no more than 10 percent of the original number of parking spaces required.
5. Additional clearing shall not exceed 5,000 square feet in area or 10 percent of the site.
6. Property lines, setback lines, realignment of internal roads and driveways may be adjusted provided the original total project acreage is not exceeded.

No land may be added to the development that was not included in the specific legal description of the original approval. Land shall not be subtracted from the development as a minor modification.

Sec. 30.449. Planned ~~unit~~ development time limitations.

~~If substantial development, as determined by the Board of County Commissioners, has not begun within one (1) year after approval of the final master plan of the PUD, the approval of the planned unit development will be reviewed by the Planning and Zoning Commission to determine the appropriateness of the planned unit development zoning classification for the subject property. The Board of County Commissioners shall consider the recommendations of the Planning and Zoning Commission and shall move to rezone the property to a more appropriate zoning classification or shall extend the deadline for the start of construction. If an extended deadline granted by the Board is not met, the foregoing procedures shall reapply.~~

If substantial development, as determined by the Planning & Development Director, has not begun within 5 years after approval of the final development plan, the approval of the planned development shall be reviewed by Planning Division staff to determine whether an updated development plan is needed to comply with applicable provisions of this Code. Updated development plans shall comply with Section 30.448.

Sec. 30.450. Binding Nature of Approved Development Plan

~~Deviation from the final master plan or the final section approval.~~
~~Any unapproved deviation from the accepted final master plan or final section shall cause the Board of County Commissioners to immediately revoke the final master plan or final section approval until such time as the deviations are corrected or revisions are approved by the Board of County Commissioners.~~
An approved development plan along with any conditions made of approval shall be binding upon the applicant or any successors in interest in the planned development through a Development Order. Deviations from an approved development plan not in accordance with Sec. 30.448 below shall constitute a violation of this LDC.

Sec. 30.451. Development standards for planned ~~unit~~ development.

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

(a) *Size of planned ~~unit~~ developments.* ~~If the planned unit development is to include a combination of non-residential uses and residential uses, the parcel must contain a minimum of ten (10) acres.~~ If the proposed Planned Development includes residential uses, the gross site area shall be a minimum of 10 acres.

(b) *Relation to zoning districts.* An approved ~~PUD~~ PD shall be considered to be a separate zoning district in which the ~~final master~~ development plan, as approved, establishes the restrictions, regulations, and district description

according to which the development shall occur. Upon approval, the official zoning map will be changed to indicate the area as ~~PUD~~ PD and the ~~final master~~ development plan, as approved by the Board of County Commissioners, shall be filed with the clerk and a copy to the Planning Division.

(c) *Density and Intensity.* The density based on net residential acreage permitted in each ~~PUD~~ PD development shall be established by the Board of County Commissioners, upon recommendation of the Planning and Zoning Commission. The criteria for establishing the appropriate density includes ~~existing~~ surrounding density of existing and approved development, ~~density permitted by the existing zoning classification,~~ adequacy of existing and proposed public facilities and services, conformance with the adopted County comprehensive plan, and site characteristics. Densities approved in the ~~final master~~ development plan for a given tract may be shifted within that tract subject to the approval of the Board of County Commissioners. Densities may not be shifted from tract to tract.

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

(d) *Dimensional, bulk and height restrictions.* The location of all proposed building sites shall be as shown on the ~~final section plat or site~~ development plan subject to the minimum lot sizes, setback lines, lot coverage, or floor area, specified in the ~~master~~ plan and/or Development Order, as approved by the Board of County Commissioners.

~~No buildings shall exceed thirty-five (35) feet in height unless otherwise allowed by the Board of County Commissioners.~~

(e) *Open space.* ~~At least twenty-five (25) percent of the area covered by a final master plan shall be usable open space and recreation areas dedicated to a homeowner association or similar group, or the County subject to its acceptance.~~ Open space area requirements for planned developments shall be as follows:

1. Residential Planned Developments

A minimum percentage of the site area of a residential planned development shall be designated open space as specified in the table below:

Density (units per net buildable acre)	Required Open Space (percent of gross site area)
Less than 2.0	10
2.0-3.99	15
4.0-9.99	25
10.0 or greater	35

2. Nonresidential Planned Developments

Planned developments consisting of commercial and/or industrial uses, including those with less than 20 dwelling units, shall provide a minimum of 20 percent open space.

Sec. 30.452. Control of area following completion.

(a) After completion of a planned ~~unit~~ development, the use, modification or alteration of any buildings, structures, or land areas within the ~~planned unit~~ development shall be in accordance with the approved final ~~master~~ development plan.

(b) ~~Changes may be made in the approved final master plan or the final section as provided below:~~

~~(1) Minor extensions, alterations, or modifications of existing buildings or structures may be permitted after review and approval by the land development manager, provided they are substantially consistent with the purposes and intent of the final master plan or section approval.~~

~~(2) Substantial change in permitted uses, location of buildings, or other specifications of the development plan may be permitted following approval by the Board of County Commissioners upon receipt of the recommendation of the Planning and Zoning Commission. If the requested changes are deemed to have a substantial effect on adjacent property owners, residents of the PUD, or the general public, or involves an increase in density, the Board of County Commissioners shall cause a public hearing to be held prior to official action on said requested change~~. Notwithstanding subsequent platting or other forms of dividing ownership of the planned development, the entire site shall be subject to the approved final development plan.

(c) Modifications of the approved final development plan shall be in accordance with Sec. 30.448. An amendment to the development order or other relevant document(s) associated with the planned development must be in a writing of equal dignity and shall not conflict with the severability clause.

Owners of tracts within an amended planned development shall execute owner consent as follows:

1. In the case of a minor amendment, the consent shall be executed by the owner or successor of the tract(s) to which the amendment is applied.

Owners of other tracts need not consent. The amendment is done by way of an addendum to the development order.

2. In the case of a major amendment, a consent shall be executed by an owner of each tract within the planned development. In the event that a tract has been further subdivided and sold to three or more owners, the consent shall be executed by an officer of the homeowner's or property owner's association, or if there is no association, then a majority of the owners within the tract. A major amendment shall be a rezoning from PD to PD, changing specifics of the PD zoning. A change to or new development order shall be executed.
3. The owner's consent shall be returned to the Planning Division for recording within 60 days. By signing the consent, the owner acknowledges the amendments to the planned development. The owner's signature shall not have any authority to rezone or otherwise affect the action taken by the Board of County Commissioners.
4. The failure of any or all of the owners to sign or return the consent in a timely manner shall not affect the validity of the action rendered by the Board of County Commissioners.
   a. At the expiration of the 60-day period, the Board may consider the application null and void and the property shall revert to the original zoning; or
   b. After a period of 5 years, the Board of County Commissioners may reevaluate the zoning and determine that circumstances have changed such that after proper notice and hearing, the land shall revert to the original zoning or such other zoning as the Board deems in the best interest of the citizens of Seminole County. Such applications may be brought to the attention of the Board by staff or at the request of the district commissioner.

Sec. 30.453. ~~Development standards for planned unit~~ **Planned developments located in areas assigned the high intensity planned development core area land use designation.**

~~(a) *Relation to zoning classifications.* An approved PUD located on property assigned the high intensity planned development land use designation shall be a separate zoning classification in which the final master plan, as approved, establishes the restrictions, regulations and district description according to which the development shall occur. Upon approval, the official zoning map will be changed to indicate the area as PUD and the final master plan, as approved by the Board of County Commissioners, shall be filed with the clerk and a copy shall be provided to the Planning and Development Director.~~

~~(b) *Density.* The density based on net residential acreage permitted in each such PUD development shall be established by the Board with consideration given to recommendations of the Planning and Zoning Commission. The criteria for establishing the appropriate density includes existing surrounding density, density permitted by the existing zoning classification, adequacy of existing and~~

~~proposed public facilities and services, consistency with the Seminole County Comprehensive Plan and site characteristics. Densities approved in the final master plan for a given tract may be shifted within that tract subject to the approval of the Board. Densities may not be shifted from tract to tract.~~

~~(c) *Dimensional, bulk and height restrictions.* The location of all proposed building sites shall be as shown on the final section plat or site plan subject to the minimum lot sizes, setback lines, lot coverage or floor area specified in the master plan, as approved by the Board.~~

~~(d) *Access and parking.* All streets, thoroughfares and accessways shall be designed to effectively relate to the major thoroughfare plan as shown in the Seminole County Comprehensive Plan. Off-street parking shall be provided as established by the off-street parking regulations of this Code. Any deviation from parking standards shall be accompanied by a proposed justification of the proposal. Vehicular access from individual lots or dwelling units onto arterial or collector streets within or adjacent to the development are discouraged.~~

~~(e) *Perimeter requirements.* The Board, with consideration given to the recommendations of the Planning and Zoning Commission, may impose one (1) or both of the following requirements in order to protect the privacy of existing adjoining uses:~~

~~(1) Structures, buildings and streets located at the perimeter of the development shall be permanently screened in a manner which sufficiently protects the privacy and amenities of the adjacent existing uses.~~

~~(2) Increased setbacks from perimeter line may be imposed to protect privacy of adjacent existing uses.~~

~~(f) Development proposals shall comply with the land use intensity and density standards provided in the table below.~~

~~Table of District Intensity and Density Standards~~
~~TABLE INSET:~~

~~Use Category~~	~~Transitional Areas Maximum~~	~~Core Areas Minimum~~	~~Core Areas Maximum~~
~~Residential~~	~~20 du/ac~~	~~20 du/ac~~	~~50 du/ac~~
~~Non-Residential~~	~~0.35 FAR~~	~~0.5 FAR~~	~~1.0 FAR~~
~~Target Industry~~	~~—~~	~~—~~	~~—~~
~~Tracts Abutting Residential Districts:~~			
~~Residential~~	~~—~~	~~—~~	~~20 du/ac~~
~~Non-Residential~~	~~0.35 FAR~~	~~—~~	~~—~~
~~All Other Tracts:~~	~~—~~	~~—~~	~~—~~

~~Residential~~	—	—	~~50 du/ac~~
~~Non-Residential~~	~~1.0 FAR~~	—	—

~~du/ac = dwelling units per net buildable acre~~
~~FAR = Floor Area Ratio~~

~~(g)~~ The Board, after considering the recommendations of the Planning and Zoning Commission, may permit or require the phasing or staging of the proposed development over a specific period of time in order to satisfy the minimum intensity and density standards for HIP core areas as designated on the future land use map of the Seminole County Comprehensive Plan. Permission to phase or stage development shall be based upon and subject to a specific plan, which shall be a component of the approved development plan, which indicates how and when minimum standards will be met. This plan may include such proposals as the conversion of surface parking facilities to ~~structures~~ structured parking facilities with a concurrent increase in gross floor area of use, additional building phases and/or phased development of one (1) or more buildings.

Sec. 30.454. Affordable housing planned ~~unit~~ developments.

(a) ~~[*Generally.*]~~ Planned ~~unit~~ developments setting aside a portion of dwelling units for affordable housing are subject to certain prescribed conditions and modified standards and administrative procedures. These conditions vary depending upon whether the development sets aside one-third (1/3) or three-fourths (3/4) of all housing units for affordable housing for low and moderate income households. Where any housing units are set aside for low and moderate income households, a minimum of forty (40) percent of the low/moderate income set aside units must be set aside solely for low income households. When planned ~~unit~~ developments set aside a minimum number of residential dwelling units for low and moderate income households, the following conditions and modifications are permitted:

(b) *Expedited review.* All planned ~~unit~~ developments will be given expedited review if at least one-third (1/3) of the dwelling units in the development plan consist of affordable housing and are made available to low and moderate income households through an affordability agreement.

(c) *Open space.* ~~At least twenty-five (25) percent of the area covered by a final master plan shall be usable open space and recreation areas dedicated to a homeowner association or similar group, or the County, subject to its acceptance. This requirement may be reduced to~~ Required open space in a planned development shall be a minimum of fifteen (15) percent if at least one-third (1/3) of the dwelling units in the planned development ~~plan~~ consist of affordable housing and are made available to low and moderate income households through an affordability agreement. An affordability agreement, consistent with format acceptable to the County, shall be used to guarantee that the required number of dwelling units will be provided.

(d) *Subdivision standards.* The subdivision standards relating to properties assigned the R-AH zoning classification ~~and~~ shall apply to all planned ~~unit~~

developments where at least three-fourths (3/4) of the dwelling units in the district consist of affordable housing and are made available to low and moderate income households through an affordability agreement.

(e) *Submittals.* Prior to processing an application for a ~~PUD plan~~ planned development containing affordable housing the submittal required with regard to R-AH zoning applications must be submitted by the applicant.

(f) *Administrative standards.* Planned ~~unit~~ developments that set aside a minimum of three-fourths (3/4) of total dwelling units to be affordable and available to low and moderate income households through an executed affordability agreement shall be eligible to receive the same treatment with regard to waiver of permit and inspection fees and payment of sewer reservation fees as properties assigned the R-AH zoning classification.

PART 26. ~~PCD PLANNED COMMERCIAL DEVELOPMENT DISTRICT.~~ Reserved.

Secs. 30.461-30.469. Reserved.

~~Sec. 30.461. Intent and purpose.~~

~~It is the intent of this part to permit planned commercial developments which are intended to encourage the development of land as planned commercial sites; encourage flexible and creative concepts of site planning; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of conventional commercial zoning districts and to provide a stable environment and use which is compatible with the character of surrounding areas. Multifamily units such ascondominiums, apartments and townhouses and above-store "flat" housing units are also permitted to provide affordable housing in close proximity to employment centers. The provision of multifamily uses shall be limited to ten (10) percent of the total number of areas of developable acres assigned the PCD zoning classification to preserve the commercial character of the district and to maintain adequate commercial uses to serve surrounding residential districts.~~

~~Sec. 30.462. Permitted uses.~~

~~Any non-residential use, including commercial or retail uses, industrial uses, offices, clinics and professional uses, provided that any use proposed for the site will be approved by the Board of County Commissioners at time of zoning approval. Also permitted are multifamily units such as condominiums, apartments and townhouses of medium to high density, and above-store or above-office flats to provide affordable housing in close proximity to employment centers, up to ten (10) percent of the total number of developable acres district.~~

~~Sec. 30.463. Allowable uses within areas assigned the high intensity planned development land use designation.~~

~~The following table depicts and prescribes authorized land uses in planned commercial developments on property assigned the high intensity planned development land use designation.~~

~~Table of Allowable Uses~~

~~TABLE INSET:~~

	~~Transitional~~	~~Core~~
~~RESIDENTIAL~~	—	—
~~Low Rise Garden Apartments (up to 3 floors or 35 ft.) of height~~	~~3~~	—
~~Apartments (over 3 floors)~~	~~3~~	~~1~~
~~COMMERCIAL~~	—	—
~~Freestanding Light Retail~~	~~1~~	~~2~~
~~Eating and Drinking~~	~~1~~	~~2~~
~~Neighborhood Commercial Center~~	~~1~~	—
~~Community Commercial Center~~	~~1~~	—
~~Regional Commercial Center~~	~~1~~	—
~~MOTEL/HOTEL~~	—	—
~~Low Rise Hotel (up to 2 floors or 35 ft.) of height~~	~~1~~	—
~~Convention Hotel~~	~~1~~	—
~~High Rise Hotel~~	~~1~~	—
~~INDUSTRIAL~~	—	—
~~Office Showroom~~	~~1~~	—
~~Light Manufacturing~~	~~3~~	—
~~Warehouse~~	~~3~~	—
~~OFFICE (Business and Professional)~~	—	—
~~Free-standing (1 floor or 15 ft.) of height~~	~~4~~	—
~~Medium (3 floors or 40 ft.) of height~~	~~1~~	—
~~Large (4–7 floors or more than 40 ft.) of height~~	~~3~~	~~1~~
~~Multi-Tenant High Rise (over 7 floors)~~	~~1~~	—
~~OTHER~~	—	—
~~Public Uses~~	~~1~~	~~1~~
~~Churches~~	~~1~~	—
~~Daycare~~	~~1~~	~~2~~
~~Public/Private Education~~	~~1~~	—
~~Remote Parking~~	~~3~~	—

~~1. Permitted uses with appropriate conditions.~~
~~2. Accessory uses to be located within a principal structure.~~
~~3. Uses requiring special consideration of compatibility with surrounding uses.~~
~~4. Located only at periphery of transitional areas as a buffer to surrounding neighborhoods.~~

~~Sec. 30.464. Planned commercial development approval procedure.~~
~~Approval for a planned commercial development is obtained through a two-step process. The first step is an approval of the preliminary site plan, including use or uses of the site, and rezoning of the land. The second step consists of final site plan approval along with the recording of the developer's commitment agreement.~~
~~Prior to formally submitting a request for planned commercial development zoning, the developer is encouraged to meet with officials of the current planning office for comments.~~

~~Sec. 30.465. Planned commercial development zoning and preliminary site plan approval.~~
~~(a) The applicant shall submit to the Planning Division a request for a change to PCD Zoning Classification and a Preliminary Site Plan containing the following exhibits:~~
~~(1) A vicinity map showing the location of the proposed development and the relationship to surrounding streets and driveways.~~
~~(2) A site plan indicating location of all proposed structures, buffer areas, wetlands, parking areas, driveway locations and landscaping concepts.~~
~~(3) Detailed explanation of the proposed use of the property.~~
~~(4) Transportation Management Plan. The provisions of section 30.445(o) relating to requirement of a Transportation Management Plan shall be applicable.~~
~~(b) If an applicant so elects and pays the fees for both preliminary site plan and final PCD site plan review and the Planning Manager finds it appropriate based on the size and complexity of the development, the number and complexity of development phases, the proposed duration of the development, environmental issues, interagency issues, intergovernmental issues or any other matter set forth as an objective, goal or policy in the Seminole County Comprehensive Plan, the preliminary site plan may also serve as the final PCD site plan if the following conditions are met:~~
~~(1) The applicant has filed an executed statement with the Planning Division at the time of application for the rezoning process which states that the applicant is requesting that the preliminary site plan serve as the final PCD site plan; and~~
~~(2) The preliminary site plan/final PCD site plan shall contain all of the required submittals in accordance with section 40.52; and~~
~~(3) The applicant has submitted a proposed developer's commitment agreement at the time of application on a form acceptable to the Planning Manager.~~
~~(c) The Planning and Zoning Commission shall hold a public hearing on the request and forward its recommendations to the Board of County Commissioners.~~
~~(d) The Board of County Commissioners, in approving any PCD rezoning, may impose special conditions or safeguards so as to ensure the proposed development will not have an adverse impact on the public interest.~~

~~Sec. 30.466. Final site plan approval.~~
~~The applicant shall submit, within five (5) years from the date of Preliminary Site Plan approval, the following:~~
~~(a) A Final Site Plan containing all the required submittals in accordance with section 40.52 of the Land Development Code.~~
~~(b) A completed Developer's Commitment Agreement containing all conditions imposed during Preliminary Site Plan approval and in accordance with the format provided by the Current Planning Office.~~
~~The Final Site Plan and the Developer's Commitment Agreement will be reviewed by the Development Review Committee and approval by the Board of County Commissioners prior to the issuance of any building permit.~~
~~Failure to present the Final Site Plan and Developer's Commitment Agreement within the required five (5) year period may, at the direction of the Board of County Commissioners, result in a review by the Planning and Zoning Commission to determine the appropriateness of the existing PCD Zoning Classification. The Board of County Commissioners shall consider the recommendations of the Planning and Zoning Commission and shall move to rezone the property to a more appropriate zoning classification or shall extend the deadline to undertaking construction. These procedures shall also be followed when such extended deadlines are not met.~~

~~Sec. 30.467. Revision of planned commercial development final site plan.~~
~~Any major or substantial change in the approved PCD, which affects the intent and character of the development or permitted uses shall be reviewed and approved by the Board of County Commissioners. If the requested changes are deemed to have a substantial effect on adjacent property owners, the Board of County Commissioners shall cause a public hearing to be held prior to official action on said requested change. Minor changes that do not affect the intent or character of the development may be approved bythe Planning Manager.~~

~~Sec. 30.468. Development standards for planned commercial development.~~
~~The following standards are the minimum that apply as to any property assigned the PCD zoning classification. The Board of County Commissioners, in approving any PCD rezoning application, may impose more restrictive standards when necessary to protect the health, safety and welfare of the public or adjacent property owners:~~
~~(a) *Building setback requirements.*~~
~~(1) *Front.* A minimum distance of twenty-five (25) feet shall be provided from the front lot line and all street rights-of-way.~~
~~(2) *Side.* Side yard setback may be reduced to zero (0) feet unless side line abuts property assigned a residential zoning classification or land use designation.~~

~~(3) *Rear.* Rear yard setback shall be a minimum of ten (10) feet unless rear lot line abuts property assigned a residential zoning classification or land use designation.~~
~~(b) *Setback and buffer requirements adjacent to residential.* See section 30.1228, Active/passive buffer setback design standards.~~
~~(c) *General provisions for all landscaped areas.* See section 30.1226.~~
~~(d) Open space requirements. Notwithstanding the provisions of section 30.1344(c), the required open space ratio is twenty-five (25) percent of the parcel.~~
~~(e) *Height restrictions.* No building or structure shall exceed thirty-five (35) feet in height unless otherwise provided herein.~~
~~(f) *Off-street parking.* The provisions of the off-street parking, loading and landscaping regulations, Part 64, Chapter 30, shall apply.~~
~~(g) *Signs.* The provisions of the sign regulations, Part 65, Chapter 30, shall apply.~~

~~Sec. 30.469. Development standards for planned commercial developments in areas assigned the high intensity planned development land use designation.~~
~~(a) Development proposals for planned commercial developments on properties assigned the high intensity planned development land use designation shall comply with section 30.468 and the land use intensity and density standards provided in the table below.~~
~~Table of District Intensity and Density Standards~~

~~TABLE INSET:~~

~~Use Category~~	~~Transitional Areas Maximum~~	~~Core Areas Minimum~~	~~Core Areas Maximum~~
~~Residential~~	~~20 du/ac~~	~~20 du/ac~~	~~50 du/ac~~
~~Non-Residential~~	~~0.35 FAR~~	~~0.5 FAR~~	~~1.0 FAR~~

~~du/ac = dwelling units per net buildable acre~~
~~FAR = Floor Area Ratio~~

~~(b) The Board, after considering the recommendations of the Planning and Zoning Commission, may permit or require the phasing or staging of the proposed development over a specific period of time in order to satisfy the minimum intensity and density standards for core areas. Permission to phase or stage development shall be based upon and subject to a specific plan which indicates how and when minimum standards will be met. This plan may include such proposals as the conversion of surface parking facilities tostructured parking facilities with a concurrent increase in gross floor area of use, additional building phases and/or phased development of one (1) or more buildings.~~
~~(c) Regional commercial centers shall be excluded from the minimum floor area ratio requirement within designated core areas.~~

Secs. 30-461-30.469. Reserved.

Sec. 30.546. Site regulations, permitted uses.

(e) ~~*Setback*~~ *Buffer requirements.* ~~See section 30.1228, Active/Passive buffer setback design standards~~ Part 67, Chapter 30 shall apply.

Sec. 30.666. Building setback requirements.

The following setback requirements shall apply:

(d) ~~*Adjacent to residential.* See section 30.1228, Active/Passive buffer setback design standards~~. Where required buffer widths under Part 67, Chapter 30, exceed the setback requirements of paragraphs (a), (b), and (c) above, the more restrictive standard shall apply.

Sec. 30.703. Special restrictions.

(c) ~~Compliance with section 30.1228, Active/Passive buffer setback design standards, is required when property assigned the CN zoning classification abuts property assigned a residential zoning classification or land use designation.~~ Buffering and landscaping shall comply with Part 67, Chapter 30. Incandescent lighting may be used for illuminating the parking area, advertising signs, or any portion of the property as long as the direct light is not visible to drivers on the highways and no red or green illumination will be permitted within one hundred (100) feet of any street intersection.

Sec. 30.708. Front, side and rear yard requirements.

(d) ~~Adjacent to residential. See section 30.1228, Active/Passive buffer setback design standards~~. Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.709. Landscaping and buffer requirements.

~~See section 30.1228, Active/Passive buffer setback design standards~~ Part 67, Chapter 30 shall apply.

Sec. 30.710. General provisions for all landscaped areas.

~~See section 30.1226~~ Part 67, Chapter 30 shall apply.

Sec. 30.724. Special restrictions.

(c) ~~Compliance with section 30.1228, Active/Passive buffer setback design standards, is required when property assigned the CS zoning classification abuts property assigned a residential zoning classification or land use designation.~~ Buffering and landscaping shall comply with Part 67, Chapter 30. Incandescent lighting may be used for illuminating the parking area, advertising signs, or any portion of the property as long as the direct light is

not visible to drivers on the highways and no red or green illumination will be permitted within one hundred (100) feet of any street intersection.

Sec. 30.728. Front, side and rear yard requirements.

(d) ~~Adjacent to residential. See section 30.1228, Active/Passive buffer setback design standards~~. Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.729. Landscaping and buffer requirements.

~~See section 30.1228, Active/Passive buffer setback design standards~~ Part 67, Chapter 30 shall apply.

Sec. 30.730. General provisions for all landscaped areas.

~~See section 30.1226~~ Part 67, Chapter 30 shall apply.

Sec. 30.747. Front, side and rear yard requirements.

(d) ~~Adjacent to residential. See section 30.1228, Active/Passive buffer setback design standards~~. Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.748. Landscaping and buffer requirements.

~~See section 30.1228, Active/Passive buffer setback design standards~~ Part 67, Chapter 30 shall apply.

Sec. 30.749. General provisions for all landscaped areas.

~~See section 30.1226.~~ Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.767. Front, side and rear yard requirements.

(d) ~~Adjacent to residential. See section 30.1228, Active/Passive buffer setback design standards~~. Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.768. Landscaping and buffer requirements.

~~See section 30.1228, Active/Passive buffer setback design standards~~ Part 67, Chapter 30 shall apply.

Sec. 30.769. General provisions for all landscaped areas.

~~See section 30.1226~~ Part 67, Chapter 30 shall apply.

Sec. 30.787. Front, side and rear yard requirements.

(d) ~~Adjacent to residential. See section 30.1228, Active/Passive buffer setback design standards~~. Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.788. Landscaping and buffer requirements.

~~See section 30.1228, Active/Passive buffer setback design standards~~ Part 67, Chapter 30 shall apply.

PART 43. MXD MIXED DEVELOPMENT DISTRICT

Reserving Sections 30.808-30.820

Sec. 30.801. Intent and Purpose

The Mixed Development District provides for a mix of uses within a development site to encourage flexible and creative design, protect residential neighborhoods from adverse impacts, and reduce the cost of public infrastructure. The district is intended to encourage and promote well-planned and appropriate mixed use development or redevelopment that allows a blend of various uses including retail commercial, residential, institutional, and limited heavy commercial in a single project. As contemplated in the MXD zoning classification, "mixed" development consists of multiple uses on the same site, combined vertically in the same building, horizontally in multiple buildings, or a combination of the two.

Sec. 30.802. Applicability

(a) Location

The Mixed Development District shall be permitted only on properties designated MXD on the Future Land Use map of the Comprehensive Plan.

(b) Concept Plan

An application for a zoning map amendment to MXD shall be accompanied by a concept plan containing the following information:

- Proposed uses and their general locations on the site
- Density and intensity of the proposed development and component uses
- Existing residential uses in proximity to the development
- Setbacks, height limits, buffering, transitioning, architectural features, or other techniques proposed for maintaining compatibility with adjoining land uses
- Access points to external roadways

The proposed concept plan shall be evaluated by the Planning & Zoning Commission, with final approval by the Board of County Commissioners, and shall set limits and conditions for development within the subject property.

Subsequent to rezoning, the applicant shall submit a detailed site plan consistent with the development criteria and limitations approved through the concept plan, which shall be reviewed and approved under the process set forth in Chapter 40.

After rezoning of the subject property, any substantial change to the approved concept plan shall be evaluated by the Board of County Commissioners through the same review process as the original application. The determination of "substantial" change shall be made by the Planning & Development Director based on criteria such as, but not limited to, the following:

- Additional use(s) not included in the original proposal
- Increase in density/intensity of any approved use
- Reconfiguration of uses such that neighboring residents and/or property owners within the development or on adjacent properties may be adversely affected
- Site design modifications that reduce compatibility with adjacent uses
- Changes in open space and recreational amenities that may reduce the development's appeal to residents and other users
- Any change potentially creating off-site impacts such as traffic, noise, stormwater drainage, and public facility demand
- Deviation(s) from standard LDC requirements
- Change(s) in number or location of access points

Sec. 30.803. Allowable Uses

(a) Except as provided in paragraph (d) of this Section, all developments in MXD shall include one or more uses from at least two of the following use categories as defined below:

Residential uses:	Single family (including zero lot-line units), duplex, townhouse, multiple-family units (including condominiums, accessory dwelling units, and upper-story apartments). Also group living uses including community residential homes, assisted living facilities, dormitory, fraternity/sorority, nursing homes.
Public and civic uses	Schools, day care facilities, government offices, medical facilities, places of worship. Also community service uses including but not limited to libraries, museums, community centers, convention centers, etc.

Commercial uses	Retail sales, professional offices, restaurants, indoor recreation, hotels/motels, self-storage, water-oriented recreational uses (only on sites adjoining natural water bodies).
Industrial uses	Uses listed as "permitted" in the M-1A district under Section 30.862, excluding the following: truck terminals public and private utility plants, stations and other facilities communication towers

(b) No use category shall exceed 80 percent of the total gross floor area of a development of 6 acres or greater in the MXD zoning classification.

(c) Distinct uses or components of an MXD development shall make joint use of all site amenities and facilities, such as open space, landscaping, parking, and stormwater management. They shall not be separated into functionally separate development sites. Subdivided parcels within a mixed use development shall be subject to all development criteria and conditions established in the overall concept plan. Such plan may not be altered without the consent of all impacted property owners, as identified by the Planning & Development Director.

(d) Single use developments in MXD shall be limited to residential use, and shall be permitted only on sites of less than 6 acres in gross area.

Sec. 30.804. MXD Density and Intensity Standards

Development in MXD shall be consistent with the following standards:

Type	Maximum	Maximum with Bonus
Residential	30 units/acre*	40 units/acre* if 20% of units qualify as workforce housing
Commercial	0.60 FAR**	• Additional 0.20 FAR if project qualifies as a workforce housing development • Additional 0.20 FAR if project meets minimum green certification levels per Policy FLU 5.15 of the Seminole County Comprehensive Plan • In no case shall FAR exceed 1.0
Industrial		
*Net Density **Floor Area Ratio		

Sec. 30.805. Site Design

(a) Building Placement

Criteria for the location of buildings within a particular mixed use development shall be a written component of the concept plan as required under Section 30.802(b). All such developments shall meet the standards described herein.

(1) Setbacks. Except as provided in (b) below, structures abutting external streets shall maintain a minimum setback of 25 feet. This setback shall be the same for all public street frontages unless stated otherwise on the approved concept plan. No setback or separation shall be required between adjacent buildings within the development. Minimum setback from internal streets shall be 12 feet.

For buildings not exceeding 35 feet in height, setbacks from adjacent properties outside the development shall be equal to the width of required buffers under Paragraph (2) below, or the following, whichever distance is greater:

Type of Adjacent Development	*Setback*
Single family residential zoning district	equal to building height
All others	equal to ½ building height
NOTE: See Sec. 30.806(4) below for requirements on buildings exceeding 35' in height.	

(2) Build-To Lines. The standard 25-foot setback may be reduced to zero in locations where the applicant proposes a pedestrian-oriented arrangement of buildings and uses adjacent to a public street, including retail storefronts and sidewalks. In such situations, the Planning & Development Director may approve a "build-to" line at an intermediate distance subject to appropriate safety considerations, including but not limited to sight visibility at intersections, vehicular access, and speed of vehicular traffic. Structures adjacent to a build-to line shall be located a distance of 0-5 feet behind it. The following features may extend forward of the build-to line provided they do not encroach into public right-of-way and/or utility easements:

- outdoor cafes with seating directly in front of the primary building façade
- awnings and canopies
- balconies, arches, or other projections that do not obstruct pedestrian movement at street level

(b) Buffering and Compatibility

(1) Perimeter buffers for a mixed use development shall be in accordance with Part 67, and in particular Section 30.1290 where constrained site conditions apply.

However, on road frontages where a build-to line is in effect under the approved concept plan, the buffer shall consist of potted plants at a rate of 1 per 20 feet of building frontage. Minimum pot size shall be 36" in diameter and 24" in height. Each pot shall contain a plant species which will grow to a height of at least 3 feet, as well as low growing plants to cover the soil at the base of the larger species. The Planning & Development Director shall evaluate the suitability of all plant species.

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

- vehicle loading zones
- storage areas for equipment or merchandise
- mechanical units
- solid waste receptacles
- electrical substations and similar facilities
- restaurant coolers and freezers

(c) Open Space and Related Amenities

Open space consistent with Sections 30.1344(d) and (e) shall constitute 25 percent of the mixed use development. No less than 15 percent of the development site shall be open space comprised of outdoor land area (or water surface area as limited by Sec. 30.1344(d), while the remaining 10 percent may be made up of recreational facilities inside or on top of structures, including but not limited to:

- rooftop gardens, swimming pools or other facilities
- indoor fitness centers
- plant conservatories
- sculpture gardens
- curated art museums/galleries

Indoor and rooftop facilities shall be counted toward the open space area requirement on a square footage basis.

(d) Parking

An MXD project may vary from normal parking requirements only through an Alternative Parking Plan approved by the Planning & Development Director under Section 30.1235. In all cases, bicycle and motorcycle parking shall be provided consistent with Sections 30.1237 and 30.1221(b), respectively.

(e) Loading Zones

Loading zones or spaces shall be provided for all nonresidential uses as provided in Section 30.1224. However, variations from these requirements may be approved by the Planning & Development Director as part of an Alternative Parking Plan under Section 30.1235.

(f) Crime Prevention Through Environmental Design

All development in MXD shall be designed to implement the concepts of Crime Prevention through Environmental Design (CPTED) by incorporating the principles of natural surveillance, natural access control, and territorial reinforcement as presented in Part 75.

Sec. 30.806. Building Design

(a) General Appearance

The following components shall be incorporated into all buildings:

(1) Awnings, canopies or arcades shall be required over all doors, windows and other transparent elements. The height of the awnings, canopies or arcades shall be between 8 and 12 feet, and shall be a minimum of 4 feet in depth. Such elements may not encroach into the setback.

(2) A cornice shall be provided on the side of a building facing a residential use and/or an external public roadway at a minimum of 12 feet above the sidewalk or at a height similar to the cornice on an abutting property, but in no case shall the cornice exceed 35 feet.

(3) Non-residential buildings shall have a front entrance for pedestrians from the street-side of the building. Buildings shall incorporate lighting and changes in mass, surface or finish to emphasize their front entrances.

(4) Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 to 16 feet above ground level, whichever applies to the proposed development. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street.

All buildings shall use at least three of the following design features along all elevations of the building:

divisions or breaks in materials chosen from a common palette
window bays
separate entrances and entry treatments, porticoes
variation in roof lines
awnings
dormers
gables
recessed entries
covered porch entries
cupolas

(b) Storefront Character

Buildings shall provide the following architectural features on the building frontage exterior:

(1) Corner lots shall contain corner building entrances.

(2) Regularly spaced and similar-shaped windows with window hoods or trim for each story within a building.

(3) Blank walls shall not occupy over 30% of any building side and shall not exceed 20 linear feet without being interrupted by a window, entry, or other fenestration element.

(c) Windows and Transparency

The following provisions shall be met for all non-residential buildings:

(1) The ground floor of all street-facing, park-facing, and plaza-facing structures, and façades facing a residential use, shall have windows covering a minimum of 50% and a maximum 80% of the ground floor of each storefront's linear frontage. Mirrored glass, obscured glass, and glass block cannot be used in meeting this requirement, although energy-saving window tinting with a minimum of 40% light transmittance shall be permitted. Display windows may be used to meet this requirement, but the window glass must be transparent and the display structure(s) shall be convertible to result in regular windows.

(2) Opaque materials behind displays that hide the interiors of buildings are prohibited unless the window display volume is filled with changeable display merchandise.

(3) Display windows shall be lit at night.

(4) The lower edge of a ground floor window shall be no more than 2.5 feet above finished floor level. The upper edge shall be no more than 6.5 feet above finished floor level. Reflective glass shall be prohibited.

(d) Building Height

(1) No specific maximum height shall be established in MXD, but height shall be in scale with property size and limited by the building setbacks identified in (c) below.

(2) The following ratios of building height to setback shall apply to residential uses in MXD:

Adjacent Development Type	*Height/Setback Ratio*
Single Family Detached	1/1
All other residential	2/1
NOTE: Setback shall not be less than required buffer width per Part 67.	

The required setback from an adjacent nonresidential use shall be equal to required buffer width under Part 67.

(3) Buildings exceeding 35 feet in height shall have one or more stepbacks in any wall facing a street. Stepbacks are a measure of the horizontal distance between a wall at a specified elevation and its position at street level. Where stepback requirements apply, buildings shall comply with the following table:

Building Height	*Stepback Distance**	*Maximum Stepback Elevation*
36-45'	10'	35'
46-55'	15'	45'
greater than 55'	20'	55'
*Distance behind main façade at street level		

(4) On parcels of 2 acres or greater which front on a lake, each building exceeding 35 feet in height shall have a maximum footprint of 20,000 square feet. Multiple buildings exceeding 35 feet shall be separated by a distance equal to the average height of all such buildings on the property.

The area(s) between buildings shall provide a clear and unobstructed view between the water and the road right-of-way adjacent to the buildings. Facilities or equipment, including but not limited to pool enclosures, mechanical equipment, and service areas shall not be located between the buildings.

(e) Exterior Lighting on Buildings

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

(f) Massing

Buildings taller than 45 feet in height shall display at least one of the following designs for the top of the building: a stepback at the top floor; a prominent projecting cornice; or a roof with a form such as a curve, slope, or peak. The Planning & Development Director may approve alternative designs for the top of the building.

(g) Parking Garages

Structured parking decks and surface parking shall be located on portions of the site not abutting residential-zoned property. Perimeter landscaping for parking garages shall be the same as for surface parking lots. However, no perimeter landscaping shall be required for any portion of the parking garage frontage that incorporates other ground floor uses. Interior landscaping requirements for surface parking lots may be met in parking garages by providing hanging baskets, landscape planters and/or flower boxes around the exterior of the first 3 levels of the parking garage structure, such that the amount of landscaping shall be approximately equal to that required for interior landscaping for a surface parking lot of equal capacity.

Parking structures shall also comply with the following requirements:

(1) Direct pedestrian access from parking garages to each adjacent street shall be provided.

(2) Except for vehicle entrances as described below, the ground floor shall be developed with enclosed commercial or office floor space to a minimum building depth of 30 feet along the entire length of the structure on each adjacent street, unless separated from the street by another building, parking lot and/or landscaped open space with a minimum depth of 30 feet.

(3) Vehicle entrances to parking structures shall be a maximum of 48 feet in width and shall be separated from other vehicle access to and from the structure or other parking structures on the same side of the block by a minimum distance of 400 feet.

(h) Outdoor Seating for Café or Restaurant

Where outdoor seating is provided adjacent to a street, the following requirements shall be met:

(1) A public sidewalk shall be provided along the street.

(2) Tables shall not encroach into the sidewalk.

(3) There shall be an open and accessible area, not blocked by tables, connecting the sidewalk to the front door.

(i) Building Color

The dominant color of the exterior of proposed buildings shall be an earthtone color. The following colors are prohibited: aquamarine, bright or hunters orange, chartreuse, cherry or "fire engine" red, chrome yellow, all day-glow colors, purple, turquoise, fluorescent colors. Permitted earthtone colors shall include, but are not limited to the following: almond, bluegrass, brick, burgundy, cedar beige, chamois, cobblestone, cordovan, cream, driftwood gray, Monterey pine, peacock green, puce, rose quartz, topaz. Other colors within the above earthtone color scheme may also approved by the Planning & Development Director.

Sec. 30.807. Circulation and Access

(a) Internal Circulation

Internal circulation shall accommodate pedestrians, bicycles, and public transit in a safe and convenient manner. Pedestrian walkways and bicycle paths within the development shall link to adjacent external sidewalks and public roads. All structures shall be directly accessible to foot traffic, with pedestrian walkways connecting parking areas to building entrances. Grade separated pedestrian and bicycle pathways shall be provided to connect all buildings within a development.

The development shall include at least one sheltered transit stop, which shall be connected to the nearest principal structure with a covered and lighted pedestrian walkway. Walls of transit shelters and walkway shelters shall be constructed of transparent materials.

(b) Cross Access Easements

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

(1) A continuous service drive or cross access extending the entire length of each frontage to provide for driveway separation consistent with access management classification systems and standards.

(2) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive.

(3) A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

(c) Internal Street Design

Large scale development having internal streets intended to encourage pedestrian use shall be designed to the following standards:

(1) Existing or new streets, whether public or private, shall divide the site into blocks. In general, block lengths shall be between 200 and 500 feet. For blocks longer than 500 feet, pedestrian midblock crossings are required.

(2) New internal streets shall be designed as outlined in the following chart:

Required Elements of Internal Street Design	
Number of Travel Lanes	2, two-way
Width of Travel Lanes	12'
Parking Lane	Both sides, every block
Parking Lane Width	7'
Sidewalks	Both sides, every block
Sidewalk Width	11'
Sidewalk Uses	Furniture*, foot travel
Planting Strip Width	None (wide sidewalk adjacent to parking lane)
Urban Landscape	At a minimum, a 36" diameter pot by 24" high shall be provided for every 20 feet of building frontage. The potted plant shall be twice as high as the height of the pot. Low growing, flowering annuals shall also be planted at the top of the pot.
Landscaping	Street trees in wells
Traffic Calming	Bulb-outs, pavement texture, raised crosswalks
* Furniture includes those features associated with a street that are intended to enhance the street's physical character and use by pedestrians, including benches, bus shelters, trash receptacles, planting containers, pedestrian lighting, and kiosks.	

Secs. 30.808-30.820. Reserved.

Sec. 30.867. Front, side and rear yard requirements.

(d) ~~*Adjacent to residential.* See section 30.1228, Active/Passive buffer setback design standards.~~ Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.868. General provisions for buffering and all landscaped areas.

~~See section 30.1228~~ Part 67, Chapter 30 shall apply.

Sec. 30.886. Front, side and rear yard requirements; setbacks for outdoor advertising signs.

(d) ~~*Adjacent to residential.* See section 30.1228, Active/Passive buffer setback design standards~~. Buffering and landscaping shall comply with Part 67, Chapter 30.

Sec. 30.887. General provisions for buffering and all landscaped areas.

~~See section 30.1226~~ Part 67, Chapter 30 shall apply.

Sec. 30.907. Landscaping and buffer requirements.

(a) *Landscaping.* As required by ~~sections 30.1226 through 30.1231 of the Land Development Code~~ Part 67, Chapter 30.

~~(f) *Adjacent to residential buffer.* See section 30.1228, Active/Passive buffer setback design standards.~~

Sec. 30.1076. ~~Active passive/buffer~~ General buffering requirements.

The provisions of ~~section 30.1232 is~~ Part 67, Chapter 30 are specifically included among the general Code requirements applicable to properties in the gateway corridor.

Sec. 30.1111. Wekiva River Protection Area Environmental Design Standards.

(c) *Clustering and the Planned ~~Unit~~ Development (~~PUD~~ PD).* On property having the Suburban Estates land use designation, the use of Planned ~~Unit~~ Development ("~~PUD~~" "PD") zoning may only be permitted if the Planning ~~Manager~~ and Development Director and the Natural Resources Officer verify that a greater protection of wetlands, rare upland habitat, greenways, or wildlife corridors can be achieved by clustering. Natural features that may be protected using ~~PUD~~ PD zoning include, but are not limited to, floodprone areas, karst features, most effective recharge areas, or other environmentally sensitive natural habitat.

(d) *Protection of Listed Species.*

(1) As a condition for development approval or ~~PUD~~ PD rezoning, applicants shall be required to complete a survey of plants and wildlife including those species designated as endangered, threatened, or species of special concern pursuant to Rules 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code, utilizing the most current wildlife methodology guidelines published by the Florida Fish and Wildlife Conservation Commission ("FFWCC") and current information from the Florida Natural Areas Inventory.

Sec. 30.1144. Fences and entrance features.

(c) In the case of nonresidential property abutting residential property, compliance with ~~section 30.1232, "Active /passive buffer setback design standards"~~ Part 67, Chapter 30 shall be required. If a wall is required, it shall be in accordance with the color scheme of the principal structure.

Sec. 30.1204. Building height.

(b) Buildings in excess of thirty-five (35) feet in height may be permitted on parcels of property that are part of a planned ~~unit~~ development ~~or a planned commercial development~~ and which are assigned the higher intensity planned development land use designation as approved by the Board of County Commissioners.

Sec. 30.1221. Off-street parking requirements.

The existing section shall be renumbered as Paragraph (a). The following language shall be added as Paragraph (b):

(b) Motorcycle parking shall be provided for any development required by Sec. 30.1221(a) to have 30 or more parking spaces, and shall constitute 3 percent of the total required parking for the site. Motorcycle parking spaces in excess of 3 percent shall be considered optional and shall be provided in addition to parking required under Sec. 30.1221(a). Parking for motorcycles may substitute for required full-size parking spaces subject to the following criteria:

(1) The development is subject to motorcycle parking requirements under Paragraph (b) above.

(2) In computing the number of spaces required, a fractional calculation shall be rounded to the nearest whole number.

(3) Motorcycle spaces shall be clearly marked, with minimum dimensions of 4 feet by 8 feet. They shall be well-lighted and located within 50 feet of a building entrance.

(4) Regardless of surfacing material(s) used in the balance of the site's parking facilities, motorcycle spaces shall be paved in asphalt, concrete, or other hard surface suitable to support kickstands or similar mechanisms without damage.

(5) Motorcycle parking shall be separated from other parking areas by one or more physical barriers, such as bollards, curbs, wheel stops, etc.

Sec. 30.1222. Location of off-street parking spaces.

(d) Off-street parking provided for above-store or above-office flats on property assigned either the C-1, C-2 or ~~PCD~~ PD zoning classification shall be clearly defined and separated from all commercial parking.

Secs. 30.1226-1232. Reserved.

~~Sec. 30.1226. Purpose and intent of water-efficient landscaping regulations.~~

~~(a) The purpose of these land development regulations is to establish minimum standards for the development, installation and maintenance of all landscaped areas required by this Code without inhibiting creative landscape design. Specific water conservation measures are required such as the preservation of existing natural vegetation when appropriate. The establishment of these minimum requirements and the encouragement of resourceful planning are intended to protect and preserve the appearance, environmental quality, character and value of surrounding neighborhoods and thereby promote the public health, safety and general welfare of the citizens of Seminole County.~~

~~(b) Creative site development concepts shall be used in order to promote water conservation. Water conservation requirements may be reduced by providing for:~~

~~(1) The preservation of existing plant communities;~~
~~(2) The use of native plant species;~~
~~(3) The re-establishment of native plant communities;~~
~~(4) The use of drought tolerant plant species;~~
~~(5) The use of site specific plant materials;~~
~~(6) The design, installation and maintenance of irrigation systems which eliminate the waste of water due to over application or loss from damage;~~
~~(7) The use of shade trees to reduce transpiration rates of lower story plant materials;~~
~~(8) Placement of vegetation in such a way that promotes energy conservation through shading;~~
~~(9) The use of pervious paving materials;~~
~~(10) The use of water efficiency in landscaping; and~~
~~(11) Other environmentally sensitive site development concepts.~~

~~(c) Vegetation protection and preservation objectives are:~~

~~(1) To reduce the use of irrigation water in open space areas by promoting the preservation of existing plant communities;~~
~~(2) To prevent the removal of existing vegetation in advance of the approval of land development plans; and~~
~~(3) To prevent the removal of existing vegetation when no replacement vegetation plan has been prepared for the site.~~

~~(d) To achieve the objectives of these land development regulations, this Code incorporates six (6) basic principles of water-efficient landscaping. These principles are set forth below for the purpose of giving guidance and direction for administration and enforcement:~~

~~(1) Planning and design;~~
~~(2) Appropriate plant selection;~~

~~(3) Practical turf areas;~~
~~(4) Efficient irrigation;~~
~~(5) Use of mulches;~~
~~(6) Appropriate maintenance.~~

~~Sec. 30.1227. Application of water-efficient landscaping regulations.~~

~~The provisions of this part shall apply to all real property situated within the unincorporated areas of Seminole County that are required to be landscaped by this Code.~~

~~Sec. 30.1228. General provisions for all landscaped areas.~~

~~(a) *Quality of plant material.* All plant materials shall be Florida No. 1 grade, or better, according to the current "Grades and Standards for Nursery Plants," published by the State of Florida, Department of Agriculture, except when the Planning Manager finds that, the existing native vegetation will provide the necessary visual screening. Existing trees situated in the required buffer may be used to satisfy the buffer tree requirement.~~

~~(b) *Tree planting standards.* Trees shall have a minimum height of eight (8) feet and minimum caliper of two and one-half (2 1/2) inches with an overall average of three (3) inches, measured one (1) foot above ground, immediately after planting. Trees shall not be placed where they interfere with site drainage. Where utility lines are present, canopy trees shall be placed at the edge of the required buffer area farthest from the utility lines.~~

~~(c) *Required mix of tree species.* When ten (10) or more trees are required to be planted to meet the requirements of this chapter, a mix of tree species shall be provided, at least one (1) of which shall be native to the Central Florida region. The minimum number of species to be planted are indicated below.~~

~~REQUIRED MIX OF TREE SPECIES~~
~~TABLE INSET:~~

~~Required Number of Trees Planted~~	~~Minimum Number of Species~~
~~10–20~~	~~2~~
~~21–30~~	~~3~~
~~31–40~~	~~4~~
~~41±~~	~~5~~

~~(d) *Shrubs and hedges.* Shrubs shall be a minimum of two feet (2') in height immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous and unbroken visual screen within a maximum of one (1) year after the time of planting.~~

~~(e) *Ground cover.* Ground cover plants include plant materials which reach a maximum height of not more than twenty-four (24) inches and may be used in lieu of grass. Ground cover plants must present a reasonably complete~~

~~coverage at time of planting. Ground cover plants shall be a minimum of one (1) gallon size when planted and spaced a maximum of two (2) feet on center.~~

~~(f) *Turfgrass.* Grass areas shall be planted in species normally grown as permanent lawns in Seminole County. Grass areas may be sodded, plugged, sprigged or seeded; provided, however, that solid sod shall be used in swales or other areas that are found, by the Planning Manager, to be subject to erosion. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Turfgrass areas should be consolidated and limited to those areas on the site that receive pedestrian traffic, provide for recreationaluses, provide soil erosion control such as on slopes or in swales; or where turfgrass is used as a design unifer, or other similar practical use.~~

~~(g) *Mulch.* Mulch shall be installed and maintained at a minimum depth of two (2) inches on all planting areas except annual beds. Organic mulches such as wood chips, pine needles or oaks leaves are preferred.~~

~~(h) *Installation.* All landscaping shall be installed in accordance with professionally and generally accepted commercial planting procedures. Soil which is free of limerock, pebbles and other construction debris shall be used. Installation of landscape materials shall be accomplished in accordance with the approved Landscape Plan.~~

~~Sec. 30.1229. Water-efficient landscaping design requirements.~~

~~(a) *Required techniques.* When the construction upon or the development of a new site or the redevelopment, reconstruction, upgrading, expansion or change in use of a previously developed site is such that a landscape plan is required, the provisions of this section shall be applied to all landscaped areas required by this chapter consistent with the water-efficient landscaping standards established herein and submitted in compliance with the requirements of state law.~~

~~(1) *Water use zones.* Installed trees and plant materials shall be grouped together into zones according to their water use needs. The water use zones shall correlate to the water use zone designations identified in the approved plant species list set forth in Figure 1 to this part. Plants with similar cultural (soil, climate, sun and light) requirements should be grouped together and irrigated according to their water requirements. Turfgrass shall be irrigated on a separate zone from trees, shrubs and groundcover beds. The proposed water use zones shall be shown on the landscape plan and the irrigation system plan.~~

~~(2) *Design standards.* Low water use zone plant material shall comprise at least twenty (20) percent of the total regulated landscaped areas. High water use zone plant material which includes most turf grasses shall comprise no more than forty (40) percent of the total regulated landscape area.~~

~~(3) *Use of drought-resistant plant material.* All new or replacement plantings required for any off-street parking area or landscape buffer shall use, to the maximum extent possible, native plant material or other species with equivalent drought-resistant properties. The intent of this requirement is to promote and conserve the County's water resources.~~

~~(4) *Preservation of existing native plants and material.* Every reasonable effort shall be made in the design and construction of all site improvements and alterations to save existing healthy trees and native vegetation and maintain the existing topography. The Planning Manager may require alternate designs and construction techniques to better achieve tree and native vegetation preservation while still allowing the permitted use of the property. Every reasonable effort shall be made to preserve trees and native vegetation to act as visual and noise buffers along the perimeters of single-family subdivisions and all other developments. Existing native vegetation specified to remain shall be preserved in its entirety, with all trees, understory and ground cover left intact. Areas of existing natural vegetation should not be irrigated.~~

~~(5) *Mulch.* In order to preserve soil moisture, all planting areas shall be mulched with no less than two (2) inches of organic mulch, such as wood chips, pine needles or oak leaves. Mulch shall be placed directly on the soil or landscaping fabric and planting areas shall be properly edged to retain mulch.~~

~~(6) *Irrigation.* Irrigation systems, when required, shall be designed to correlate to the organization of plants into zones as described in subsection (1) above. The water use zones shall be depicted on the irrigation plan and landscape plan. A temporary aboveground irrigation system may be used in areas where low water use zone trees and plant material are proposed. All permanent underground irrigation systems shall be automatic with cycling capacity and shall be designed to avoid irrigation of impervious surfaces. Irrigation systems shall be maintained to eliminate waste of water due to loss from damaged, missing or improperly operating sprinkler heads, valves, pipes, or controllers.~~

~~(7) *Approved plant species list.* All plant material proposed to be installed on a site to meet the requirements of this Code shall be site appropriate and selected from the Approved Plant Species List set forth in Figure 1 to this Part. Use of any other species shall require prior approval by the Planning Manager. The plants listed in Figure 1 to this part have demonstrated ability to grow and thrive in the Central Florida Area.~~

~~(b) *Prohibited plant species.* The exotic and nuisance plant species set forth in Figure 2 to this part shall not be planted.~~

~~Sec. 30.1230. Landscaping of parking areas.~~

~~(a) *General landscaping requirements for parking areas.* All parking areas, excluding those required for single-family or duplex dwelling units, shall meet or exceed the following general landscaping requirements which shall be considered supplemental to the landscaping provisions of any other provision of this Code:~~

~~(1) *Internal landscaping regulations.* All parking areas shall have sufficient internal landscaping, as determined by the Planning Manager, to provide visual and climatic relief from broad expanses of pavement and to channelize and define logical areas for pedestrian and vehicular circulation. Interior landscaping shall cover a minimum of ten (10) percent of parking areas. One (1) canopy tree shall be planted for every two hundred (200) square feet of required interior landscaping. Internal tree islands shall be used to subdivide parking areasinto parking bays with not more than forty (40) spaces; provided, however, that no more than twenty (20) spaces shall be in an uninterrupted row. Tree islands shall be a minimum of one hundred (100) square feet in size and a minimum of eight (8) feet in width.~~

~~(2) *Landscape buffer along public rights-of-way.* If consistent with sound engineering practices and permitted by federal and state law, a landscape buffer shall be provided along the entire length of, and contiguous to, any property line adjacent to streets or public rights-of-way. The landscape buffer shall be a minimum of five (5) feet in width with an overall average width of ten (10) feet. To provide design flexibility for planting trees away from overhead utility lines and to provide adequate space for meandering landscape berms, variations in the width of the buffer are encouraged.~~

~~(3) *Planting requirements along public rights-of-way.* If consistent with sound engineering practices and permitted by federal and state law, a screen of landscaping, composed of natural and/or man-made materials, shall be arranged or planted in the designated landscape buffer in order that a height of at least three (3) feet shall be attained within one (1) year after planting and shall screen a minimum of seventy-five (75) percent of the parking areas to that height, as viewed from the right-of-way line. Four (4) canopy trees shall be planted for every one hundred (100) linear feet, or fraction thereof, of frontage along a street or other public rights-of-way. Existing trees located in the landscape buffer may be used to meet this requirement. The trees shall be spaced evenly; provided, however, that an administrative variance to this requirement may be granted by the Planning Manager in order to allow a reasonable and beneficial use to the property. Trees shall be no closer to the roadway than allowed by federal, state or County adopted safety or engineeringstandards. If the roadway is subject to a special corridor protection ordinance, the more stringent development standards shall apply. See Figure 3 to this part for a landscaping diagram example.~~

~~(4) *Wheel stops/curbing.* All landscaped areas shall be protected from vehicle encroachment by wheel stops or curbing. If curbing is raised above abutting landscaped areas, it shall be perforated to permit drainage from the paved ground surface area onto the landscaped area. Where a wheelstop or curb is utilized, the paved area between the curb and the end of the parking spaces may be omitted if the area is landscaped in addition to the required landscaping herein with a material such as ground cover, rock, or gravel, requiring minimal maintenance.~~

~~(5) *Landscaping between building and parking lots.* A landscape buffer of at least ten (10) feet in width should normally be located between each building and parking lot.~~

~~(b) *Required landscaping adjacent to other properties.* Landscaping shall be installed to screen parking areas from adjacent and proximate properties as provided below:~~

~~(1) Where parking areas are adjacent to properties assigned a zoning classification which allows only residential uses or properties assigned a residential land use designation, the provisions of section 30.1232, Active/passive buffer and setback design standards, shall apply.~~

~~(2) Where parking areas are located adjacent to property which is assigned a non-residential zoning classification, all land between the parking area and the property line shall be landscaped. Said landscaping shall include a bufferyard at least five (5) feet in width containing a screen of landscaping, composed of natural and/or planted material, arranged or planted so that a height of at least three (3) feet shall be attained within (1) year after planting, so as to screen a minimum of seventy-five (75) percent of the parking area, to that height, as viewed from the adjacent property. One (1) tree shall be planted for each twenty-five (25) linear feet, or fraction thereof. Where the adjacent property contains a conforming hedge, wall, or other durable landscape feature and the Planning Manager makes a finding that the intent of this section is furthered, he or she may grant a variance as to the landscape screening requirements with regard to the rear or side lot lines, except that no variance may be granted asto the tree planting requirements set forth therein. Said trees shall be installed in the buffer area adjacent to each of the adjoining properties.~~

~~(3) *Joint driveways.* Whenever a joint driveway or cross access easement configuration is required by the County or otherwise installed, the Planning Manager may adjust the location and design of landscape areas required on the building site(s).~~

~~(c) *Intersection visibility.* When an accessway intersects a public right-of-way, landscaping shall be used to define the intersection; provided, however, that all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between two (2) feet and six (6) feet. Trees may be trimmed if they create a traffic hazard. Landscaping, except~~

~~grass and ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement. The aforementioned triangular areas aredescribed as follows:~~

~~(1) The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right-of-way pavement line with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the other two (2) sides.~~

~~(2) The area of property located at a corner formed by the intersection of two (2) or more public streets with two (2) sides of the triangular area being measured thirty (30) feet in length along the abutting edges of pavement, from their point of intersection, and the third being a line connecting the ends of the other two (2) lines.~~

~~Sec. 30.1231. Landscape plan and irrigation plan submittal requirements.~~

~~(a) A landscape plan and irrigation plan, when required, shall be submitted by the applicant. The landscape plan shall graphically portray the layout of all landscape plant materials, turf areas, walls, fences and buffers, pavement and parking areas, curbing, structures, signs, easements, existing or proposed utility service lines and all other site improvements. The landscape plan shall list the common and botanical name, size, quantity and spacing of each item. The landscape plan and irrigation plan shall indicate the total regulated landscape area and size of each water use zone by square feet. In addition, the landscape plan shall clearly indicate the location of existing vegetation which shall remain undisturbed. Any existing trees three (3) inches in diameter or larger proposed for removal shall be clearly indicated. Groups of trees in close proximity may be designated as "clumps" of trees on the plan.~~

~~(b) The irrigation plan shall be submitted showing a detailed layout and description of a permanent underground irrigation system providing one hundred (100) percent coverage of all landscaped areas. The irrigation plan shall include information such as sprinkler head type, pipe size, radius of throw, valve and backflow preventer and rain sensor device locations.~~

~~(c) All water use zones shall be indicated on the landscape plan and irrigation plan. Turf areas shall be irrigated on separate zones from trees, shrubs and ground cover beds. A rain sensor device or switch shall be required on any newly installed automatic irrigation system to prevent irrigation during periods of sufficient rainfall. The use of low volume, emitter or target irrigation is preferred for trees, shrubs and ground cover. Significant irrigation overthrow onto impervious surfaces is prohibited. The use of irrigation systems shall comply with all water use restrictions imposed by law.~~

~~(d) The Planning Manager may permit the use of a temporary above-ground irrigation system in areas where drought tolerant/low water use zone plant~~

~~material is proposed to be planted for the entire landscaped area. An irrigation plan shall not be required in such circumstances.~~

~~(e) When an effluent reuse system is available to serve the premises and sufficient capacity exists, reclaimed water shall be used to irrigate any area required to be landscaped. The landscape and irrigation plan shall be exempt from the requirements of subsections 30.1229(a)(1), (a)(2) and (a)(3).~~

~~(f) The landscape plan and irrigation plan shall be reviewed by the Planning Manager and building permits shall not be issued until a landscape plan and irrigation plan is approved. Irrigation systems shall be installed according to manufacturer's specifications and the Florida Irrigation Society Standards and Specifications for Turf and Landscape Irrigation Systems.~~

~~(g) *More restrictive landscaping requirements.* When landscaping requirements are included as part of the regulations for any zoning classification, the more restrictive requirements shall govern. It is intended that these regulations be used in conjunction with other landscaping regulations.~~

~~(h) *Enforcement.* All landscaping required by this section shall be installed prior to issuance of a certificate of occupancy by the building official.~~

~~(i) *Maintenance.* The property owner, tenant and any agent of an owner or tenant shall be jointly and severally responsible for the proper maintenance of irrigation systems and of all landscaping in good condition so as to present a healthy and orderly appearance, free of refuse and debris and to provide proper maintenance of the plant material in order that it will, at all times, conform to the provisions of this Code. This requirement includes, but is not limited to, the replacement of plants damaged by insects, diseases,vehicular traffic, acts of God and vandalism. Necessary replacements shall be made within forty-five (45) days after notification by the Planning Manager of a violation of this section. Shrubs required by this chapter as part of a hedge or durable landscape screen shall be maintained at the minimum required height or greater. Irrigation systems installed to meet the requirements of this code shall be maintained in proper operating condition at all times to prevent waste of irrigation water.~~

~~(j) *Waiver.* The Board of County Commissioners, or their designee, may grant a waiver from the provisions of this section when such waiver is found to not be contrary to the public interest and furthers the intent and purposes of this chapter.~~

~~(k) *Administrative variances.* The Planning Manager may approve a maximum reduction of up to twenty (20) percent of the required minimum yard setbacks for principal and accessory buildings and vehicular use areas upon making a finding that the variance will protect and encourage the preservation of large canopy, specimen, or historic trees if the preservation of existing trees and vegetation can be assured during and after site development.~~

~~Sec. 30.1232. Active/passive buffer setback design standards.~~

~~(a) Unless otherwise specified, the following active/passive design standards shall apply to all commercial, office, industrial and multi-family development adjacent to properties assigned a residential zoning classification or a residential land use designation. Buffers and setbacks required by this section are intended to separate incompatible land uses and eliminate or minimize adverse impacts such as light, noise, glare and building mass on adjacent residential uses. The Planning Division Manager shall make the final determination of active and passive edge(s) during the site plan review process.~~

~~(b) *Building setback regulations.* Front setbacks shall comply with the requirements of the applicable zoning classification for the parcel under development. Side and rear setbacks shall comply with Table 1 of this section.~~

~~(c) *Passive buffers.* The use of passive buffers may occur only on the passive edge(s) of a building site. In using passive buffers, the following requirements shall be met:~~

~~(1) *Buffer width:* A minimum of fifteen (15) feet in width. Bufferyards shall be located at the perimeter of the building site for any given use and not in any portion of a public or proposed right-of-way.~~

~~(2) Buffer components shall include the following:~~

~~a. A perimeter brick or masonry wall six (6) feet in height located within the buffer, as determined by the Planning Manager, to maximize compatibility with surrounding uses. A landscaped earthen berm or a combination of brick or masonry wall and earthen berm may be used in lieu of the wall if the height of landscaping reaches six (6) feet with approximately one hundred (100) percent opacity within one (1) year after planting.~~

~~b. Landscaping shall consist of four (4) canopy trees a minimum of two and one half (2 1/2) inches in diameter, with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every one hundred (100) linear feet of buffer. Trees may be planted at regular intervals or clustered into groups if the Planning Division Manager finds that groupings provide a better visual/noise screen for adjacent residential uses.~~

~~c. Existing natural vegetation may be used in lieu of a wall and landscaping under the following circumstances:~~

~~1. The existing vegetation consists of canopy and sub-canopy trees which meet the minimum buffer component requirements and is of sufficient density to provide one hundred (100) percent opacity to a height of six (6) feet.~~

~~2. The landscape plan contains sufficient measures to ensure the viability of the natural buffer during and after site development.~~

d. Stormwater retention/detention facilities in landscape buffers. The Planning Division Manager may allow stormwater retention/detention facilities to encroach into designated landscape buffers to a maximum of fifty (50) percent upon finding that all planting and structural requirements of the landscaping provisions of this Code are met and the visual screen provided by the bufferyard will be fully achieved and maintained. Retention areas shall be designed to be dry within twenty-four (24) hours of a twenty-five (25) year storm event and to not require fencing around such areas.

e. Pedestrian access. Pedestrian access through the perimeter wall and buffer may be provided at the abutting resident's or homeowners association's option to provide convenient pedestrian access to non-residential uses such as commercial areas or schools.

(d) *Active buffer.* In using active buffers, the following requirements shall be met:

(1) *Buffer width:*

a. A minimum of twenty-five (25) feet in width for buildings and uses up to one (1) story.

b. A minimum of fifty (50) feet in width for buildings and uses two (2) stories and over.

c. Bufferyards shall be located at the perimeter of the building site for any given use and not in a public or proposed right-of-way. Parking areas shall not be permitted in the buffer.

(2) Buffer components shall include the following:

a. A brick or masonry wall six (6) feet in height located within the buffer, as determined by the Planning Manager, to maximize compatibility with surrounding uses. A landscaped earthen berm or a combination of brick or masonry wall and earthen berm may be used in lieu of the wall if the height of landscaping reaches six (6) feet with approximately one hundred (100) percent opacity one (1) year after planting.

b. Landscaping shall consist of eight (8) canopy trees a minimum of two and one-half (2 1/2) inches in diameter, with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every one hundred (100) linear feet of buffer. Trees may be planted at regular intervals, in double rows or clustered into groupings if the Planning Division Manager finds that groupings provide a better visual/noise screen for adjacent residential uses.

c. Existing natural vegetation may be used in lieu of a wall and landscaping under the following circumstances:

1. The existing vegetation consists of canopy and sub-canopy trees which meet the minimum buffer component requirements and are

~~of sufficient density to provide one hundred (100) percent opacity to a height of six (6) feet.~~

~~2. The landscape plan contains sufficient measures to ensure the viability of the natural buffer during and after site development.~~

~~d. Stormwater retention/detention facilities in landscape buffers. The Planning Division Manager may allow stormwater retention/detention facilities to encroach into designated landscape buffers to a maximum of fifty (50) percent upon making a finding that all planting and structural requirements of the landscaping provisions of this Code are met and the visual screen provided by the bufferyard will be fully achieved and maintained. Retention areas shall be designed to be dry within twenty four (24) hours of atwenty five (25) year storm event and not to require fencing around such areas.~~

~~(3) *Pedestrian access.* Pedestrian access through the perimeter wall and buffer may be provided at the abutting resident's or homeowners association's option to provide convenient pedestrian access to non-residential uses such as commercial areas or schools.~~

~~(4) The following table prescribes the landscape buffer and setback requirements relating to the height of buildings when the following uses are adjacent to existing residential land uses and/or property assigned a residential zoning classification or land use designation.~~

~~Table 1~~
~~PASSIVE/ACTIVE~~
~~LANDSCAPE BUFFER AND SIDE AND REAR SETBACK REQUIREMENTS~~
~~TABLE INSET:~~

~~Building Height and Use~~	~~Passive Side of Building Buffer/Setback~~		~~Active Side of Building Buffer/Setback~~	
~~One (1) Story~~	—	—	—	—
~~Office~~	~~15~~	~~25~~	~~25~~	~~50~~
~~Commercial~~	~~15~~	~~25~~	~~25~~	~~50~~
~~Multi-Family~~	~~15~~	~~25~~	~~25~~	~~50~~
~~Light Industrial~~	~~15~~	~~25~~	~~25~~	~~100~~
~~Industrial~~	~~15~~	~~25~~	~~25~~	~~150~~
~~Two (2) or More Stories~~	—	—	—	—
~~Office~~	~~15~~	~~50~~	~~50~~	~~100~~
~~Commercial~~	~~15~~	~~50~~	~~50~~	~~100~~
~~Multi-Family~~	~~15~~	~~100~~	~~50~~	~~100~~
~~Industrial~~	~~15~~	~~150~~	~~50~~	~~150~~

~~(e) The active/passive buffer requirements set forth in Table 1 shall not be applied to a parcel if the parcel has received site plan approval or preliminary plat approval pursuant to the provisions of this Code prior to the abutting parcel being assigned a residential land use designation if construction has commenced within one (1) year of the site plan approval or if a bona fide final plat application has been submitted within one (1) year of preliminary plat approval.~~

~~(f) The active/passive buffer requirements set forth in Table 1 shall additionally not be applied to a parcel if (1) the parcel has existed adjacent to a parcel that would not have required active/passive buffers and (2) the adjacent parcel has received a residential land use or zoning approval after March 1, 2000 that would otherwise require the enforcement of the active/passive buffer requirements.~~

Sec. 30.1235. Alternative Parking Plan Options

The Planning & Development Director may approve alternative plans for providing off-street parking spaces required by this Section in accordance with the provisions below.

(a) *Procedure.* Alternative parking plans may be approved, approved with conditions, or denied by the Planning & Development Director in accordance with the following criteria:

(1) the requested adjustment in standard parking requirements is the minimum needed for reasonable use of the site under the provisions of the applicable zoning classification and/or approved concept plan for the site;

(2) the proposed parking plan will not have an adverse impact on land use compatibility in the area due to noise, traffic impacts, inadequate buffering/setbacks, or other elements of development design; and

(3) approval of the parking plan is consistent with the purpose and intent of the zoning classification.

(b) *Applicant-Submitted Parking Data.* Data submitted by the applicant may be used to determine the appropriate ratio for the specific proposed use. Such data may include site studies from similar uses, generally accepted engineering standards (for example, Institute of Transportation Engineers trip rates), or independent engineering calculations based on the nature of the proposed use.

(c) *On-Street Parking.* If on-street parking is allowed on the street abutting the subject parcel, then any legal on-street parking spaces located on the abutting street entirely within the extension of the subject parcel's side lot lines may be counted toward meeting off-street parking requirements.

(d) *Off-Site Parking.* Off-site parking spaces may be located on a separate lot from the lot on which the principal use is located if approved by the Planning & Development Director and in accordance with all of the following standards.

(1) *Ineligible Activities*

Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located off-site.

(2) *Location*

All off-site parking spaces shall be located within 750 feet of the primary entrance of the use served. Off-site parking may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet or any road classified as an arterial or collector.

(3) *Zoning Classification*

Off-site parking areas serving uses located in nonresidential zoning districts shall be located in nonresidential zoning districts. Off-site parking areas serving uses located in residential zoning districts may be located in residential or nonresidential zoning districts. Off-site parking serving mixed use developments may be located in residential or nonresidential zoning districts if the development has a residential component.

Off-site parking for uses located within a Mixed Development (MXD) District shall not be permitted. For the purpose of this Section, "site" shall mean the outer boundary of the MXD concept plan.

(e) *Shared Parking*

(1) *Location*

Shared parking spaces shall be located within 750 feet of the primary entrance of all uses served. No portion of a development site containing shared parking shall be sold, subdivided, or otherwise separated from the uses it serves without the approval of the Planning & Development Director.

(2) *Zoning Classification*

Shared parking areas serving uses located in nonresidential zoning districts shall be located in nonresidential zoning districts. Shared parking areas serving uses located in residential zoning districts may be located in residential or nonresidential zoning districts. Shared parking areas shall require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the shared parking

area. Uses located within a Mixed Development (MXD) District shall not share parking with any use(s) located outside the subject development.

(3) *Shared Parking Study*

Applicants wishing to use shared parking as a means of satisfying off-street parking requirements shall submit a shared parking analysis to the Planning & Development Director. The study shall be provided in a form established by the Planning & Development Director and made available to the public. It shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(f) *Parking Agreements*

Prior to receiving approval of shared or off-site parking, the applicant shall submit to the Planning & Development Director a parking agreement signed by all affected property owners. The agreement shall be in a form established by the Planning & Development Director, shall be recorded in the official records of Seminole County, and shall include the following information, as applicable:

- Addresses, business names, legal descriptions, and/or other indications of participating uses;
- Number and location of parking spaces to be shared, as indicated on a site plan or drawing included in the agreement;
- Number and location of off-site parking spaces to be used by a proposed development, as indicated on a site plan or drawing included in the agreement;
- Statement acknowledging that parking provided under this Section shall remain available to agreement participants in perpetuity, or until other adequate parking is provided in accordance with this LDC.

An off-site or shared parking agreement may be revised or rescinded only if all required off-street parking spaces will be provided for all affected properties in accordance with Section 30.1221(a).

Sec. 30.1236. Bicycle Parking

(a) *Purpose.* Bicycle parking facilities shall be provided for all commercial, office, multi-family residential, and/or institutional developments except as exempted by the Planning & Development Director based on one or more of the following factors:

- the development has no convenient or safe access to a wider network of streets or trails suitable for bicycle travel;

- the use or facility would principally operate during hours of darkness;
- the facility is not designed or intended to accommodate pedestrians or bicycle users (e.g., mini-storage facility, carwash); or
- the facility will not be open to access by the public.

Bicycle parking facilities may be shared between adjacent developments through the use of an easement, recorded agreement between property owners, or other form of documentation that ensures joint access for an indefinite period. Residential developments shall include bicycle parking for swimming pools, clubhouses, playgrounds, or other recreation facilities located in common areas.

(b) *Required Number of Spaces.* The minimum number of bicycle parking spaces provided for any use shall be 5 percent of the vehicular parking spaces required for such use, or 3 spaces, whichever is greater. If 8 or more spaces are required, at least 50 percent of such spaces shall be covered by a building overhang, awning or other sheltering structure with a minimum clearance of 7 feet above grade.

(c) *Parking Standards.*

(1) *Location.*

a. Bicycle parking facilities shall be located so as to prevent damage to bicycles by motor vehicles.

b. Parking facilities shall be at the same grade as the sidewalk and/or accessible by ramp from adjacent sidewalks, driveways, and/or streets.

c. For buildings with one primary building entrance, bicycle parking must be located within 50 feet of such entrance, as measured along the most direct pedestrian access route. Where more than one primary building entrance is provided, bicycle parking shall be located within 50 feet of at least one such entrance on each side of the building.

d. Bicycle parking shall be located on a paved or otherwise stabilized surface. Approaches to the parking facilities shall be paved with asphalt or concrete.

e. Bicycle parking shall not be located inside an occupied building.

(2) *Design*

a. Each required parking space shall be at least 2 feet by 6 feet.

b. Where located within motor vehicle parking areas, bicycle parking facilities shall be separated by physical barriers to protect bicycles from

damage by moving vehicles. Such barriers may include, but are not limited to, curbs, tire stops, bollards, fences or walls.

c. Bicycle racks or similar facilities shall be permanently anchored to the ground, shall be capable of supporting all bicycles parked in it, and shall be designed to allow the frame and wheels of each bicycle to be secured against theft.

(3) *Signs*

a. If required bicycle parking is not visible from the street or main building entrance, a sign shall be posted at the primary building entrance to indicate the location of the parking facilities.

b. If the development site includes a public transit stop located on private property, a sign shall be posted at the facility indicating the location of the bicycle parking area.

Secs. 30.1237-30.1240. Reserved.

PART 67. LANDSCAPING, SCREENING AND BUFFERING

Sec. 30. 1281. Purpose.

The purpose of this Part is to provide for quality community character, to shade impervious surfaces, to protect against potential land use conflicts, and to channelize and define logical areas for pedestrian and vehicular circulation.

Sec. 30. 1282. Plant Units.

Different types of landscaping require a diversity of landscape material, canopy trees, evergreens, understory trees and shrubs. The plant unit is a grouping of various types of such plants that is intended to provide a volume of landscaping from ground level to the top of the canopy. When closely planted, a dense barrier is created. The following table shows the various plant units that may be used. Each has the same screening potential in terms of total plant mass; however, some have limits on where they may be used.

Plant Unit Options	Number	Size	Plant Type
Plant Unit A (Basic)	1	3" caliper	Canopy
	1	1½" caliper/6' tall	Understory
	1	8' tall	Evergreen
	11	3' tall	Shrubs
Plant Unit B (Basic)	1	3" caliper	Canopy
	2	1½" caliper/6' tall	Understory
	17	3' tall	Shrubs

Plant Unit Options	Number	Size	Plant Type
Plant Unit C (Height Restricted)	5	1½" caliper/6' tall	Understory
	16	3' tall	Shrubs
Plant Unit D (Basic)	3	8' tall	Evergreen
	1	1½" caliper/6' tall	Understory
	13	3' tall	Shrubs
Plant Unit E (Low Level Visibility)	2	3" caliper	Canopy
	4	3' tall	Shrubs

Sec. 30.1283. Bufferyard Requirements in General

(a) Bufferyards are described in terms of required opacity, or the degree to which one can see an adjoining use or activity. An opacity of 0.1 screens 10 percent of an object, while an opacity of 1.0 completely obscures the object from view during summer months after all required plants have reached maturity.

(b) Bufferyards shall be located on the outer perimeter of a development site, but entirely within such site, and shall not include public or private right-of-way, or areas that will be dedicated as right-of-way. Bufferyards may include utility easements, subject to verification that the dedicated use of the easement does not conflict with the function of the bufferyard. The owner of the property shall be responsible for replacement of landscape materials damaged or removed by utilities within such easements.

(c) Required bufferyards shall not contain parking, including vehicle overhang areas in adjacent parking spaces. Driveways and other vehicular maneuvering areas shall not be permitted in a bufferyard, except that access points to adjacent roads may cross a bufferyard with the minimum possible interference with the buffering function, as determined by the Planning & Development Director.

(d) Buffers are required for the following situations:

(1) For new development adjacent to existing development, required buffers shall be determined according to the land use intensity of the proposed use(s) as compared to the land use intensity of the adjacent use(s). Required opacities are shown in Sec. 30.1286(a). Development on small or irregular sites, resource limited sites, or infill sites shall be developed according to the criteria of Sec. 30.1290.

(2) For new development adjacent to vacant land, required buffers shall be

determined according to the land use intensity of the proposed use(s) as compared to the Future Land Use designation of the adjacent property as established by the Seminole County Comprehensive Plan. Required opacities are shown in Sec.30.1286(b). Development on small or irregular sites, resource limited sites, or infill sites shall be developed according to the criteria of Sec. 30.1290.

(3) For new development adjacent to roads and right-of-way, required buffers shall be determined according to the land use intensity of the proposed use(s) as compared to the functional classification of the road or right-of-way. An unimproved right-of-way shall be assumed to contain the most intense road classification for which it was designed. Required opacities are shown in Sec. 30.1286(c). Development on small or irregular sites, resource limited sites, or infill sites shall be developed according to the criteria of Sec. 30.1290.

(4) Landscape buffers shall be provided for parking lots in accordance with Sec.30.1283(c).

(5) Landscape buffers shall be provided for storage or loading areas that represent a special nuisance in accordance with Sec. 30.1288.

Sec. 30.1284. Standard Bufferyards and Permitted Adjustments

(a) The criteria in the table below shall achieve required opacity levels for bufferyards specified in Sec. 30.1286(a), Sec. 30.1286(b) and Sec. 30.1286(c).

Opacity	Standard Bufferyard Width (ft.)	Number of Plant Units per 100 feet	Structure Required	Eligible for Adjustments**
0.1	10	0.95	none	No
0.2	10	1.85	none	No
0.2 (parking buffer)	10	1.05	3' masonry wall	No
0.3	15	2.60	none	Yes
0.4	15	2.25	3' hedge	Yes
0.5	25	2.70	6' stockade fence	Yes
0.6	25	3.50	6' stockade fence	Yes
0.7	40	2.90	6' stockade fence	Yes
0.8	50	3.20	6' masonry wall	No
0.9*	50	3.20	6' masonry wall	No
1.0*	50	3.80	6' masonry wall	No

* These buffers only occur where nuisance buffers are required by Section 30.1288.
** Subject to approval by the Planning & Development Director

(b) Required bufferyards may be adjusted to add or subtract land area, or to modify specific requirements for structures or landscape plantings. Such adjustments, where permitted, shall be assumed to maintain the required opacities pursuant to Sec. 30.1286(a), Sec. 30.1286(b) and Sec. 30.1286(c).

These adjustments may be made at the option of the applicant in order to make more efficient use of available land or to address other site design issues requiring greater flexibility in Code requirements. However, the Planning & Development Director may disapprove any proposed bufferyard adjustment upon a finding that it would significantly impair the screening function of the required bufferyard.

Permitted bufferyard adjustments shall be as follows:

(1) Bufferyards exceeding the standard widths established in paragraph (a) above shall be permitted a 5 percent reduction in landscape planting requirements for each 5 feet added to the required buffer width. This reduction shall be applied equally to all plant types specified within the formula for the applicable plant unit (see Sec. 30.1282), and shall not exceed 15 percent of the total required landscaping for the buffer. In certain cases, the structure requirement shall be reduced as a result of increased buffer width. Permitted reductions in structure requirements are as shown below:

Opacity	Increase in Buffer Width (ft.)	Structure Required
0.4	5	None
0.5	10	3' hedge
0.6	10	3' hedge
0.7	15	3' hedge

(2) Bufferyards having less than the standard widths established in paragraph (a) above shall be subject to an increased landscape planting requirement of 10 percent for each 5 foot reduction in buffer width. This increase shall be applied equally to all plant types specified within the formula for the applicable plant unit (see Sec. 30.1282). An upgrade in structure shall also be required. Maximum allowable buffer width reductions are as shown below:

Opacity	Width Reduction (ft.)	Structure Required
0.3	5	3' hedge
0.4	5	6' stockade fence
0.5	10	6' masonry wall
0.6	10	6' masonry wall
0.7	15	6' masonry wall

Sec. 30.1285. Determination of Land Use Intensities

(a) All land uses permitted by this Code have been or shall be assigned a land use intensity class designation for the purpose of determining required buffers. This classification system separates uses on the basis of the type and degree of "nuisance" or negative impact they are likely to impose on adjacent properties.

(b) Bufferyards are required to protect a lower intensity use from the adverse impacts of a higher intensity use. Each land use is listed in one or more use

intensity classes. A use must meet all the standards specified for that use in the table provided in this Section. The standards that apply to the highest intensity class for a use shall be the maximum intensity permitted for that use. The standards set for a given use category are those most appropriate for that category, including maximum density, impervious surface ratio, floor area, and building height.

(c) This Section classifies uses according to their respective impacts. All uses within a use class are considered to have an equal impact on neighboring uses. A developer may develop at an intensity that will minimize nuisances to neighbors or provide a denser bufferyard, if the land is developed at greater intensities. The impacts of greater intensity may include greater impervious surface coverage causing increased stormwater runoff and reduced open space. Other impacts include increased bulk and height of buildings, increased traffic with associated noise and congestion, signs and exterior lighting visible from neighboring property, late hours of operation, and other nuisances. Thus, for example, an office use on any lot may meet the standards of Intensity Classes V, VI, VII, VIII, or IX. The range of intensity classes open to a use does not affect whether it can locate on a site, but only how it can develop on that site. Performance standards are specified for each intensity class. Exceeding any single standard in an intensity class moves a use to the next higher intensity class. In the event that a use does not appear in the next higher intensity class, it may not exceed any single criterion in the highest intensity class in which it is listed.

(d) Intensities shall be established according to the following table:

	Land Use Intensity Rating									
Land Use Category	I	II	III	IV	V	VI	VII	VIII	IX	X
Rural/Agricultural										
Gross Density	0.33									
FAR	0.35									
Required Site Design Standard*	R									
Low Density Residential										
Gross Density		2.00	3.00	4.00	5.00					
Required Site Design Standard*		R	R	R	R					
Medium Density Residential										
Gross Density						6.00	8.00	10.00		
Height (# stories)						2	3	4		
Angle of Light Exposure Factor						1.0	0.5	< 0.5		
Required Site Design Standard*						R	R	R		
High Density Residential										
Gross Density								10.00	12.00	12.00+
Height (# stories)								5	6	6+
Angle of Light Exposure Factor								0.5	< 0.5	

	Land Use Intensity Rating									
Land Use Category	I	II	III	IV	V	VI	VII	VIII	IX	X
Required Site Design Standard*								R	R	R
Office										
FAR					0.20	0.25	0.50	0.75	1.00	
Height (feet)					15	25	35	50	50+	
Angle of Light Exposure Factor					1.5	1.0	0.5		< 0.5	
Required Site Design Standard*					A	B	C	D	E	
General Commercial										
FAR					0.15	0.20	0.25	0.35	0.50	1.00
Height (feet)					15	20	25	35	50	50+
Hours of Operation					7 a.m.-9 p.m.			unlimited		
Angle of Light Exposure Factor					2.0	1.5	1.0	0.5		
Required Site Design Standard*					A	B	C	D	E	E
Heavy Commercial										
FAR							0.25	0.35	0.50	1.00
Height (feet)							25	35	50	50+
Hours of Operation							7 a.m.-9 p.m.	unlimited		
Angle of Light Exposure Factor							1.0		< 1.0	
Required Site Design Standard*							B	C	D	E
Light Industrial										
ISR								0.5	0.75	0.75
Height (feet)								35	50	50+
Hours of Operation								7 a.m.-9 p.m.		unlimited
Angle of Light Exposure Factor								1.5	1.0	0.5
Required Site Design Standard								C	D	E
Heavy Industrial										
ISR										0.75
Height (feet)										50
Required Site Design Standard*										E
Outdoor Recreation										
ISR		0.20	0.35	0.50	0.60	0.70	0.75	0.75		
Height (feet)		15	20	25	35	45	50	50+		
Required Site Design Standard*		A	A	A	A	B	C	D		
Institutional & Group Living										
ISR				0.20	0.30	0.45	0.60	0.75		
FAR				0.10	0.15	0.20	0.25	0.35		
Height (feet)				15	25	35	45	50		
Angle of Light Exposure Factor				2.0	1.5	1.0	0.5	< 0.5		
Required Site Design Standard*				A	A	B	C	D		
Public Service										
ISR					0.20	0.35	0.50	0.60	0.65	0.75
FAR					0.10	0.25	0.40	0.60	0.75	1.00
Height (feet)					15	25	35	45	60	60+
Required Site Design Standard*					A	B	C	D	E	E

* See Section 6.3.15

Sec. 30.1286. Required Bufferyards

(a) *Buffers Adjacent to Developed Property.* The standards in the table below address the opacity of the bufferyard required between proposed and existing uses. The rows show the proposed land use intensity of the subject property, while the columns contain the land use intensity of existing development on adjoining parcel(s). Cells with asterisks indicate that no buffer is required.

Required opacity shall be reduced by 50% where existing adjacent land use is a single family home in a HIP, Industrial, Commercial, or Office future land use designation.

Required Opacity of Buffers Adjacent to Developed Sites

LUI Proposed	LUI Existing I	II	III	IV	V	VI	VII	VIII	IX	X
I	*	*	*	*	*	*	*	*	*	*
II	0.2	*	0.1	0.2	0.3	0.4	0.4	0.6	0.7	0.8
III	0.2	0.1	*	0.1	0.2	0.3	0.4	0.4	0.6	0.7
IV	0.3	0.2	0.1	*	0.1	0.2	0.3	0.4	0.4	0.6
V	0.3	0.3	0.2	0.1	*	0.1	0.2	0.3	0.4	0.5
VI	0.4	0.3	0.3	0.2	0.1	*	0.1	0.2	0.3	0.4
VII	0.5	0.4	0.3	0.3	0.2	0.1	*	0.1	0.2	0.3
VIII	0.6	0.5	0.4	0.3	0.3	0.2	0.1	*	0.1	0.2
IX	0.7	0.6	0.5	0.4	0.3	0.3	0.2	0.1	*	*
X	0.8	0.7	0.6	0.5	0.4	0.3	0.3	0.2	*	*

* - No buffer required

(b) *Buffers Adjacent to Vacant Land.* The standards in the table below address the opacity of the bufferyard required between proposed uses and vacant land. The rows show the proposed land use intensity of the subject property, while the columns contain the future land use designation on adjoining parcel(s).

Vacant sites having approved development plans shall be evaluated as developed sites.

Required Opacity of Buffers Adjacent to Vacant Land

LUI Proposed	FLU Designation of Vacant Land R-10	R-5	R-3	SE	LDR	MDR	HDR	COM	OFF	HIP	MXD	IND	REC	PUB	PD [1]
I	*	*	*	*	*	*	*	*	*	*	*	*	*	*	na
II	0.2	0.2	0.2	0.2	*	*	*	*	*	*	*	*	*	*	na
III	0.2	0.2	0.2	0.2	*	*	*	*	*	*	*	*	*	*	na
IV	0.3	0.3	0.3	0.3	*	*	*	*	*	*	*	*	*	*	na
V	0.3	0.3	0.3	0.3	0.2	*	*	*	*	*	*	*	*	*	na
VI	0.4	0.4	0.4	0.4	0.3	*	*	*	*	*	*	*	*	*	na
VII	0.5	0.5	0.5	0.5	0.4	*	*	*	*	*	*	*	*	*	na
VIII	0.6	0.6	0.6	0.6	0.5	*	*	0.2	0.2	*	*	*	*	*	na
IX	0.7	0.7	0.7	0.7	0.6	0.2	0.3	0.2	0.3	*	*	*	0.2	*	na
X	0.8	0.8	0.8	0.8	0.7	0.3	0.4	0.3	0.4	*	*	*	0.3	*	na

* No buffer required

(c) *Buffers Adjacent to Streets.*

(3) *Chuluota Overlay Area Buffers.* Nonresidential uses adjacent to County Road 419 within the Chuluota Overlay Area, as established in Sec. 30.1127, shall meet the buffering requirements of Section 30.1138(a). Residential uses within the Overlay area shall be consistent with Paragraph (2) below.

(4) *Other Street Buffers.* The standards in the table below address the opacity of the bufferyard that is required along arterial, collector and local streets or railroads.

Required Opacity of Buffers Adjacent to Roads				
	Arterial	Collector	Perimeter Local	Railroad
LUI Proposed I	*	*	*	*
II	-	-	-	-
III	0.1	*	*	0.6
IV	0.1	0.1	0.1	0.6
V	0.2	0.1	0.1	0.5
VI	0.3	0.2	0.1	0.4
VII	0.3	0.3	0.1	0.2
VIII	0.4	0.3	0.1	0.1
IX	0.4	0.4	0.2	*
X	0.5	0.5	0.4	-
	0.5	0.5	0.5	*

(5) *Landscape Materials.* Plant unit "C," as described in Sec. 30.1282, shall be used on all street buffers adjacent to overhead power lines.

Sec. 30.1287. Parking Bufferyards

A parking buffer in compliance with the table in Sec. 30.1284(a) shall be required where a parking lot or parking structure is located within 25 feet of the boundary of a residential district or future land use designation. Such buffer shall be in addition to any buffer required under Sections 30.1286(a) or 30.1286(b). However, landscape plantings provided under Section 30.1293(b) may be included in the required parking buffer where they are installed between parking and the residential property.

Sec. 30.1288. Nuisance Bufferyards

Additional buffering in excess of that required in the tables above shall be required for the following.

(a) *Loading and Refuse Disposal.* Where loading or refuse disposal abuts a residential district or is visible from the public right-of-way, an increase in opacity by 0.2 and a minimum six foot wall shall be required as part of the applicable district boundary or street bufferyard.

(b) Outdoor Storage, Equipment Operation or Material Handling. Where outdoor storage, exterior equipment operation, or material handling abuts a residential district or is visible from the public right-of-way, an increase in opacity by 0.2 and a fence, berm or evergreen hedge of sufficient height to insure that stored material is not visible shall be required as part of the applicable district boundary or street bufferyard.

Sec. 30.1289. Calculating the Buffer Planting

(a) The table below provides the plant material for a sample bufferyard. To calculate a bufferyard on a site, take the actual length of the bufferyard and divide by 100. Then multiply the result by the number of plant units per 100 feet required by the table in Sec. 30.1282. A sample calculation is shown in the table below.

Total Linear Feet			Hundreds of Linear Feet		Plant Units Per 100'		Total Plant Units		Standard Plant Unit	Plant Type		Total Plants Required
									1	Canopy Tree	=	(5.83) 6
315	Divide by 100	=	3.15	x	1.85	=	5.83	x	1	Understory	=	(5.83) 6
									1	Evergreen	=	(5.83) 6
									11	Shrub	=	(64.13) 65

(b) The width of roads, driveways or cross access easements that interrupt a bufferyard shall not be counted in determining the total linear feet of the parcel. In some cases, detention facilities may be required to be located in the bufferyard and in other instances pedestrian or bicycle trails may be required in the bufferyard rather than in the right-of-way. The Planning & Development Director may adjust the location and design of the bufferyard using the buffer model in order to meet the access needs of the parcel.

Sec. 30.1290. Constrained Site Bufferyards

Small or irregularly shaped sites where the application of the standard bufferyards would greatly reduce the buildable area of the site may be permitted to have a reduced bufferyard.

(a) The site shall meet one of the criteria listed below:

Constraint	Criteria
Small or Irregular Site	The site is small enough that the installation of the standard bufferyard in the table in Sec. 30.1286(a) would reduce the area available for development by ten percent.
Resource Limited Site	The site has natural resources that constrain development and the use of a standard buffer would reduce the remaining area of the site by ten percent, excluding any isolated areas that cannot be reached.
Infill Site	The site is adjoined by developed sites, in the same zoning district, which did not meet the bufferyard standards of this LDC because they were built before the County adopted such standards.

(b) Based on required opacity, each buffer shall meet the applicable standard listed below:

Required Opacity	Bufferyard Width (ft.)	Number of Plant Units per 100 ft.	Type of Structure Required
Parking Buffer (0.2)	5	1.15	3' masonry wall – 100% opaque
0.1	5	1.00	none
0.2	5	1.50	3 ft. deciduous hedge
0.3	5	1.40	5 ft. masonry wall – 100% opaque
0.4	10	2.15	6 ft. masonry wall – 100% opaque
0.5	15	2.15	8 ft. masonry wall – 100% opaque
0.6	15	2.45	10 ft. masonry wall – 100% opaque
0.7	25	3.65	4 ft. berm with 5 ft. deciduous hedge on top.
0.8	30	4.35	5 ft. berm
0.9*	40	4.20	6 ft. berm
1.0*	40	4.85	6 ft. berm

* These buffers only occur where nuisance buffers are required by Sec. 30.1288.

Sec. 30.1291. Maximum Feasible Buffer

In cases of redevelopment or expansion of existing structures or uses in which adequate site area for either the standard or constrained bufferyards is not available, the Planning & Development Director shall be authorized to require that the maximum feasible buffer be installed on any property line that adjoins a residential district. The maximum feasible buffer shall be developed during site plan review in accordance with Chapter 40 with the selection of plants and structures intended to provide the maximum protection, up to the required opacity. The amount of land area available shall control the location of plants and the amount of material that may be provided.

Sec. 30.1292. Interactive Buffer Model.

The applicant may use a computerized interactive model to design a bufferyard to meet the opacity standards using a variety of widths, plant material, berms, or walls, provided that such model accurately depicts the regulations established in this LDC. Using the model, the applicant may create and test a buffer to ensure that it meets the standards of this LDC.

The Planning & Development Director shall determine the accuracy of any methodology used to calculate buffering requirements.

Sec. 30.1293. Site Design Standards.

This section addresses portions of a development site outside specified buffer areas, requiring landscape plantings to be installed generally throughout the site, and also in planting beds within and adjacent to parking lots. Site design standards R, A, B, C, D, and E implement landscape requirements appropriate for the size and intensity of a proposed development.

(a) *General Landscaping.* Landscaping required herein shall be widely distributed throughout the development site, although flexibility is permitted to allow clumping and other arrangements of plantings for aesthetic purposes. Existing canopy trees, understory trees, and shrubs may count toward calculated requirements where such plants are on the approved species list [Part 64, Figure 1] and meet minimum size criteria. However, no more than half the required plants in any category shall be located behind the front building line of the principal structure(s) closest to the street.

General landscaping shall be proportional to the quantity of development on a site. For each respective site design standard, prescribed landscaping shall be applied proportionately on the basis of the following measurement units:

300 linear feet of building perimeter for nonresidential structures
10 dwelling units for residential structures

Where a proposed structure contains both nonresidential uses and residential dwelling units, the nonresidential standard shall be used to calculate required general landscaping. The following table summarizes general landscaping requirements per measurement unit for each site design standard:

Standard	Canopy	Understory	Shrubs
R	5	5	0
A	5	5	25
B	3	3	15
C	2	2	10
D	1	1	5
E	0	0	0

Sample calculations are shown in the table below.

Commercial Development, Site Design Standard 'A'								
Total Linear Feet of building perimeter	Divide by 300		Measure-ment units		Plant Type	Plants per measurement unit		Total Plants Required
900	/ 300	=	3.0	x	Canopy Tree	5	=	(3.0) 5 = 15
					Understory	5	=	(3.0) 5 = 15
					Shrub	25	=	(3.0)25 = 75
Residential Development, Site Design Standard 'R'								
Total Number of Dwelling Units	Divide by 10		Measure-ment units		Plant Type	Plants per measurement unit		Total Plants Required
75	/ 10	=	7.5	x	Canopy Tree	5	=	(7.5) 5 = 38
					Understory	5	=	(7.5) 5 = 38

(b) *Parking Lot Landscaping.* Landscaping required under this Paragraph shall be installed in planting islands within a parking lot or in adjacent planting areas not more than 8 feet from the edge of parking spaces or driveway

aisles. All such planting areas shall be shown on required site plan(s) for the site. The following table specifies required plants and planting area per 24 parking spaces for each site design standard:

Standard	Canopy	Understory	Shrubs	Planting Area (s.f.)
R	2	3	0	240
A	5	3	10	1080
B	3	2	6	720
C	2	1	4	360
D	1	0	3	240
E	0	0	0	0

These requirements are applicable to any parking area exceeding 5 spaces and shall be applied proportionally to any number of spaces on a development site. Except in site design standard E, there shall be no more than 24 contiguous parking spaces without one or more planting areas as required under this Paragraph.

Sec. 30.1294. Existing Vegetation.

The following standards shall govern the preservation of existing vegetation on a site.

(a) Trees

Removal and replacement of any existing trees a minimum of 3 inches in diameter at breast height (DBH) shall be in accordance with Chapter 60. In the event that compliance with Chapter 60 reduces by 20 percent or more the density (dwelling units per net buildable acre) or intensity (Floor Area Ratio or other appropriate measure) that would otherwise be allowed, the site shall be considered constrained and shall be eligible for the bufferyard standards in Sec. 30.1290.

(b) Bufferyards

All existing, noninvasive vegetation shall be preserved in the required bufferyards. Invasive species should be removed (or, if very large, replaced by larger scale natives.) Walls or fences shall be substituted for berms in bufferyards to protect existing trees.

Sec. 30.1295. Water-Efficient Landscaping Approaches

Landscaping shall be designed to conserve water. The following are approaches to be used to achieve water conservation.

(a) *Native Vegetation.* The preservation and or re-establishment of existing native plant species and communities that, in upland areas, are drought tolerant.

(b) Irrigation Systems. The design, installation, and maintenance of irrigation systems that are designed to deliver water with minimal waste due to poor dispersal, over application or damage.

(c) *Shade and Conservation.* The use of landscaping to conserve energy and water by shading buildings, streets and parking areas or by reducing transpiration rates of lower story plants and groundcovers.

(d) *Stormwater.* The use of pervious pavements and the design of storm water systems that irrigate plant material.

Sec. 30.1296. Water-Efficient Landscape Design Requirements

The following are design requirements that are to be employed in all landscaping and bufferyard designs.

(a) *Water Use Zones.* Installed trees and plant materials shall be grouped together into zones according to their water use needs. The water use zones shall correlate to the water use zone designations identified in the approved plant species list set forth in Part 64, Figure 1. Plants with similar cultural (soil, climate, sun, and light) requirements should be grouped together and irrigated according to their water requirements. Turfgrass shall be irrigated in a separate zone from trees, shrubs and groundcover beds. The proposed water use zones shall be shown on the landscape plan and the irrigation system plan.

(b) *Use Standards.* A minimum of 20 percent of all landscaped areas shall consist of low water-use plants. A maximum of 40 percent of the landscaped area shall consist of high water-use plants, including most turfgrasses.

(c) *Drought-Resistant Plant Material.* All new or replacement plantings required for any off-street parking area or bufferyards shall, to the maximum extent possible, use native plant material or other species with equivalent drought-resistant properties.

(d) *Irrigation.*

(1) Irrigation systems, when required, shall be designed to correlate to the organization of plants into zones as described in Paragraph (a) above. The irrigation system shall provide 100 percent coverage of all landscaped areas. The water use zones, sprinkler head type, pipe size, radius of throw, valve and backflow preventer and rain sensor device locations shall be depicted on the irrigation plan and landscape plan. A temporary above-ground irrigation system may be used in areas where low water use zone trees and plant material are proposed. All permanent underground irrigation systems shall be automatic with cycling capacity and shall be designed to avoid irrigation of impervious surfaces. Irrigation systems shall be maintained to eliminate waste of water due to loss from damaged,

missing or improperly operating sprinkler heads, valves, pipes or controllers.

(2) The Planning & Development Director may permit the use of a temporary above-ground irrigation system in areas where drought-tolerant or low water use zone plant material is proposed to be planted for the entire landscaped area. An irrigation plan shall not be required in such circumstances.

(3) A rain sensor device or switch shall be required on any newly installed automatic irrigation system to prevent irrigation during periods of sufficient rainfall. Irrigation overthrow onto impervious surfaces shall be prohibited.

(4) When an effluent reuse system is available to serve the premises and sufficient capacity exists, reclaimed water shall be used to irrigate any area required to be landscaped. The landscape and irrigation plan shall be exempt from the requirements for water usage based on the amount of reuse water that can be provided.

Sec. 30.1297. Landscape Materials

All landscaped areas shall be landscaped with the appropriate number of required plant units. The areas shall have a groundcover of grass or forbs. The following additional standards shall apply to all types of landscaping.

(a) *Species.* All required plants shall be matched to the appropriate water zone on the plant list in Part 64, Figure 1. No plants designated as Invasive in the Seminole County Plant List shall be planted. In addition, no plants considered invasive by the US Department of Agriculture, Florida Department of Agriculture or the Florida Exotic Pest Plant Council shall be planted.

(b) *Quality of Plant Material.* All new plant material shall be Florida Number 1 grade or better according to the current "Grades and Standards for Nursery Plants" published by the State of Florida, Department of Agriculture. Existing plants shall be retained to the maximum extent possible, and quality shall be determined from the tree survey described in Sec. 30.1294(d).

(c) *Tree Planting Standards.* Where more than 100 trees are required on a site, ten percent shall be one inch larger than the minimum requirement for canopy and understory trees and 4 feet higher than the minimum required for evergreens. Trees shall not be placed where they interfere with site drainage. Where utility lines are present, the Type C plant unit described in Sec. 30.1282 shall be required. Any additional required canopy trees shall be placed at the edge of the required buffer area farthest from the utility lines.

(d) *Required Mix of Tree Species.* When 10 or more trees are required to be planted on a site, a mix of tree species shall be provided, at least one of

which shall be native to the Central Florida region. The minimum number of species to be planted is indicated in the table below.

Required Number of Trees Planted	Minimum Number of Species
10-20	2
21-30	3
31-40	4
41+	5

(e) Shrubs and Hedges. Shrubs shall be planted and maintained at a minimum of two feet in height. Hedges, where required, shall be planted and maintained so as to form a continuous and unbroken visual screen within a maximum of one year after the time of planting.

(f) *Groundcover.* Groundcover plants include plant materials that reach a maximum height of not more than 24 inches and may be used in lieu of grass. Groundcover plants shall present a reasonably complete coverage at time of planting. Groundcover plants shall be a minimum of one gallon size when planted and spaced a maximum of two feet on center.

(g) Turfgrass. Grass areas shall be planted in species normally grown as permanent lawns in Seminole County. Grass areas may be sodded, plugged, sprigged, or seeded, provided, however, that solid sod shall be used in swales or other areas that are found, by the Planning & Development Director, to be subject to erosion. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Turfgrass areas shall be consolidated and limited to those areas on the site that receive pedestrian traffic, provide for recreational uses, provide soil erosion control, such as on slopes or in sales, or where turfgrass is used as a design unifier, or other similar practical use.

(h) *Mulch.* In order to preserve soil moisture, all planting areas shall be mulched with no less than two inches of organic mulch such as wood chips, pine needles or oak leaves. Mulch shall be placed directly on the soil or landscaping fabric and planting areas shall be properly edged to retain mulch.

(i) *Installation.* All landscaping shall be installed in accordance with professionally and generally accepted commercial planting procedures. Soil that is free of limerock, pebbles and construction debris shall be used. When installation is in planting islands in parking lots or planters in paved areas, the area shall be excavated to a depth of two feet and new soil installed. Installation of landscape materials shall be accomplished in accordance with the approved landscape plan.

(j) *Maintenance and Warranty.* All landscape plans shall be bonded and a maintenance agreement provided with a two-year warranty for the maintenance of the material during that time period. Maintenance shall include watering, fertilizing, and other maintenance to ensure the plant material lives and thrives on the property.

(k) *Surety.* All landscaping shall be subject to surety to ensure that there are funds for its installation.

(l) *Conflicts.* The landscape plans shall identify overhead wiring or underground utilities and be designed in such a manner that the maturing plants do not grow into the lines and installation does not threaten the underground utilities with damage. The County may require wider buffers, rights-of-way or other means to ensure the plant material is installed and that there is adequate room for the plants.

Sec. 30.1298. Pedestrian Access

Pedestrian access to nonresidential uses through the perimeter wall and buffer may be provided at the option of the abutting resident or homeowners association.

Sec. 30.1299. Screening

The following provisions shall apply to mechanical equipment, refuse areas, and utilities visible from residential properties or public rights-of-way.

(a) *Mechanical Equipment.*

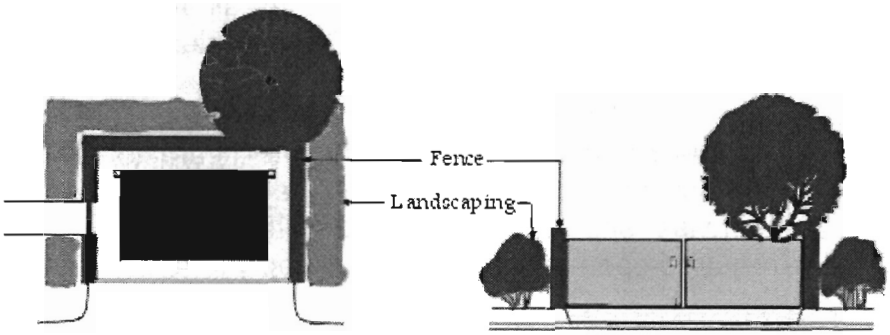
(1) All roof, ground and wall mounted mechanical equipment (e.g. air conditioning condensers, heating units, electric meters, irrigation pumps, ice machines and dispensers, outdoor vending machines, propane tanks, displays and refilling areas) shall be screened from view from residential properties or public rights-of-way at ground level of the property line.

(2) Roof-mounted mechanical equipment shall be shielded from view on all sides. Screening shall consist of materials consistent with the primary building materials, and may include decorative metal screening or louvers that are galvanized or painted to blend with the principal structure.

(3) Wall or ground-mounted equipment screening shall be constructed of:

Planting screens;
Brick, stone, reinforced concrete, or other similar masonry materials; or
Redwood, cedar, preservative pressure treated wood, or other similar materials.

(b) *Screening of Refuse Facilities.* Refuse facilities shall be fully enclosed with a masonry wall (or other durable, low-maintenance materials approved by the



Planning & Development Director) or berms. Masonry walls shall have a finished surface on the exterior side. The screening wall shall be two feet higher than the refuse facility or five feet in total height, whichever is greater. Refuse container enclosures shall have gates with spring-loaded hinges or the equivalent and fasteners to keep them closed at all times except during refuse pick-up. The area shall be landscaped as indicated below and shall be oriented so that the landscaping faces adjoining properties or streets.

(c) *Utilities*. Above-ground utilities and appurtenances to underground utilities which require above-ground installation shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the structure, up to eight feet. Required accessways to these utilities are exempt from the screening provisions.

Sec. 30.1300. Large-Scale Projects

When a development is to be phased over a period in excess of six years, it shall be deemed a large-scale project. The appropriate development review body may permit smaller plant material for bufferyards, provided such bufferyards are in phases that will not be developed for a minimum of four years. The appropriate development review body may permit substitutions for size as indicated in the table below provided the developer makes arrangements to bond and plant the bufferyard in the first planting season. The plant material used shall be bag or container grown and shall be certified by the landscape contractor as being in excellent condition and not root bound.

Plant Type	Min. Diameter	Min. Height
Canopy Tree	1½"	N/A
Understory Tree	1"	4 feet
Evergreen Trees		4-5 feet
Shrubs		2 foot bare root

Sec. 30.1344. Open space ~~ratios and design guidelines~~.

~~(a) Use of an open space ratio requires that all new development, unless otherwise specifically set forth in this Code, include a minimum amount of urban, suburban or rural open space.~~

~~(b) The amount and character of the required open space varies with the character of the proposed development, the character of land uses in the vicinity of the proposed development and the type of open space provided.~~

~~(c) Unless otherwise specifically provided within a zoning classification, the following required open space ratios shall apply to residential development:~~

~~TABLE INSET:~~

~~(1)~~	~~Less than or equal to 2 Dwelling Units/Acre~~	~~20% of Parcel~~
~~(2)~~	~~Greater than 2 but less than or equal to 4 Dwelling Units/Acre~~	~~25% of Parcel~~
~~(3)~~	~~Greater than 4 but less than or equal to 8 Dwelling Units/Acre~~	~~30% of Parcel~~
~~(4)~~	~~Greater than 8 but less than or equal to 12 Dwelling Units/Acre~~	~~35% of Parcel~~
~~(5)~~	~~More than 12 Dwelling Units/Acre~~	~~40% of Parcel~~

~~(d) Non-residential uses located within conventional commercial or conventional industrial zoning classifications shall have a common open space ratio that is a minimum of twenty-five (25) percent of the parcel.~~

~~(e) The following design guidelines are provided to encourage proper design, location and use of open space. For facilities that serve a primary purpose other than open space, performance standards are established for use in obtaining open space credits for these areas.~~

~~(1) Location. Common Open space should be located within the boundaries of the project to enhance its functions as follows:~~

~~a. Landscape buffers should be located on the perimeters of the project and along major collectors and arterials to provide maximum screening from adjacent land uses.~~

~~b. Recreational open space should be accessible to all residents and employees.~~

~~c. Open space areas that provide natural resource protection should be located to preserve floodplains, wetlands, aquifer recharge areas, wildlife habitat and other natural resources.~~

~~(2) Ownership and maintenance. Maintenance of common open space areas shall be the responsibility of the owner, a mandatory property owners' association or an alternative method acceptable to the Development Review Manager for assuring the maintenance of and access to all common open space areas.~~

~~(3) Open Space Credits. All of the uses below shall be credited towards open space if all performance standards are met. The amount of credits depends on the category of open space, but in no case shall category A open space constitute less than fifty (50) percent of the total open space required:~~

~~a. Category A open space. All of the uses listed below shall count one hundred (100) percent towards meeting the total open space required:~~

~~i. Common buffer zones and greenbelts;~~

~~ii. Recreational areas (active and passive), including property that is a part of the Seminole County Trail System;~~

~~iii. Common landscaped areas:~~

~~iv. Stormwater management ponds that meet the following requirements:~~

~~1. Sodded or equivalent ground cover;~~

~~2. At least five (5) percent of the area above the 25 year/24 hour storm (design storm elevation) must be landscaped with at least fifty (50) percent of the required area landscaped with plant materials other than ground cover (the use of native plant species is encouraged); and~~

~~3. Landscaped and shaped as a visual amenity for the site including, but not necessarily limited to, providing trail facilities as an access, boardwalks, picnic tables, fountains, etc.~~

~~b. Category B open space. All of the uses listed below shall count towards meeting the total open space required as set forth herein:~~

~~i. Easements that are used for pedestrian connection and meet the following requirements:~~

~~1. Accessible for general use by the residents/tenants of the project; and~~

~~2. Written verification from the easement holder authorizing access (recorded in public records).~~

~~ii. Natural lakes that meet the following requirements:~~

~~1. Only that portion of lakes which are within the legal description of the project; and~~

~~2. Must be accessible to all residents/employees and may include other visual amenities appropriate to the use that would provide adequate enjoyment of the facility including, but not necessarily limited to, trail facilities, boardwalks, fountains, picnic tables, etc.~~

~~c. Category C open space. Areas within a project, phase or tract that are classified as conservation areas shall be identified at the time of plan submission. Conservation areas shall qualify as open space. No more than twenty five (25) percent of the total open space required may be Category C open space.~~

~~d. Aggregate Total of Open Space categories B and C. No more than fifty percent (50%) of the total open space required for the project, phase or tract shall be category B and C open space; provided, however, that the Planning Manager, or designee, may allow up to thirty percent (30%) of the total open space to be Category C open space if the open space is usable and accessible for passive recreational uses.~~

(a) Purpose and Applicability

(1) The purpose of this Section is to provide clear standards for the establishment, function, and maintenance of open space areas within all developments.

(2) This section shall not apply to residential development in RC-1, R-1BB, R-1B, R-1, R-1A, R-1AA, R-1AAA, R-1AAAA, and R-2. Development in A-1, A-3, A-5, and A-10 is also exempt except as provided in Section 30.109.

(3) The character of required open space shall be determined by development type. Open space within non-residential developments shall meet the requirements of Paragraph (b), while open space within residential developments shall meet the requirements of Paragraph (c). Open space in redevelopment, infill, or mixed use developments shall meet the requirements of Paragraph (d).

(4) The amount of open space required for a development shall be determined by the zoning district, development order, or other provisions of this LDC applicable to the subject property. If not otherwise specified, minimum open space shall be 25 percent of gross site area.

(b) Non-Residential Open Space

(1) The purpose of open space in non-residential developments is to set aside areas for landscaping, buffering, stormwater retention (subject to Paragraph 3 below), recreation, aquifer recharge, and/or preservation of natural resources.

(2) Open space shall be located entirely within the boundaries of the project and may include landscaped areas and buffers as required under Part 67, Chapter 30; recreational lands and facilities accessible to employees and visitors to a site; and areas providing natural resource protection for floodplains, wetlands, aquifer recharge areas, wildlife habitat and other natural features.

(3) Within a single-ownership development, open space shall be maintained to preserve its required function(s) by the property owner. Within a subdivision or other form of multiple-ownership configuration, open space shall be in common area tracts and maintained by a property owners association.

(4) Stormwater retention ponds may be counted toward the minimum area requirement subject to the following criteria:

a. The pond shall be sodded or provided with equivalent ground cover; and

b. The pond shall be landscaped and shaped as a visual amenity for the site with aesthetic features such as benches and/or picnic tables.

(5) Natural lakes may be counted toward the minimum area requirement subject to the following criteria:

a. Only that portion of a lake which lies within the legal description of the project may count toward required open space; and

b. The lake shall be accessible to all employees or visitors, and may include other visual amenities including, but not limited to, trail facilities, boardwalks, fountains, and picnic tables; and

c. The area of a natural lake that may be counted as open space shall be limited as specified in Paragraph (6) below.

(6) Conservation areas, defined for the purposes of this Section as 100-year floodplain and wetlands as delineated by the St. Johns River Water Management District, may be counted toward the minimum area requirement subject to limitations specified in Paragraph (6) below.

(7) Natural lakes and/or conservation areas within a development site shall be credited to a combined maximum of 50 percent of the required open space.

(8) Site features that may be counted as open space are shown in Paragraph (c).

(c) Residential Open Space

(1) Required open space in residential developments shall provide green space to serve as a site amenity and set aside areas for landscaping, stormwater retention (subject to Paragraph 8 below), aquifer recharge, and/or preservation of natural resources. Furthermore, residential open space shall be available for the use and enjoyment of all residents of a development, and shall have either an aesthetic or recreational function which shall not conflict with other site features required by this LDC.

(2) Open space shall be located entirely within the boundaries of the project and shall not include landscaped areas and buffers required under Part 67, Chapter 30.

(3) Types and locations of open space, including recreational lands and facilities and natural resource protection areas, shall be clearly shown on a development plan prior to project approval by Seminole County.

(4) No dwelling unit shall be located more than 750 feet from designated open space. The Planning and Development Director may waive this distance requirement where the developer proposes a major recreational facility which will occupy at least 50 percent of the required open space for the development. No more than 10 percent of the dwelling units in the development may be occupied before this facility is completed and available for use.

(5) Where intervening properties separate a dwelling unit from an open space area, the Planning and Development Director may require an easement or other means of access for non-motorized traffic, to minimize the need for pedestrians to cross or travel on roads carrying motorized vehicles.

(6) No parcel of property, or portion thereof, less than 40 feet wide and 7,500 square feet in size shall be counted toward the designated open space requirement. Open space areas containing paved or stabilized paths for pedestrians and/or bicycles shall be exempt from this requirement if such paths are part of a comprehensive circulation system serving the entire development.

(7) Required open space within a subdivision shall be platted as common area and shall be the property of a homeowners' association. In no case shall required open space occupy any portion of a privately owned residential lot.

(8) Stormwater retention ponds may be counted toward the minimum area requirement subject to the following criteria:

a. The pond shall be sodded or provided with equivalent ground cover; and

b. The pond shall be landscaped and shaped as a visual amenity for the site. Required features shall include a trail adjacent to the pond and one or more of the following features:

boardwalks
picnic tables
fountains
pavilions
gazebos

Other features in addition to or substituting for those named above may be approved by the Planning & Development Director consistent with the intent of this Section.

(9) Natural lakes may be counted toward the minimum area requirement subject to the following criteria:

a. Only that portion of a lake which lies within the legal description of the project may count toward required open space; and

b. The lakeshore shall be accessible to all residents, and shall include one or more visual or recreational amenities including, but not limited to, trail facilities, boardwalks, fountains and picnic tables; and

c. The area of a natural lake that may be counted as open space shall be limited as specified in Paragraph (11) below.

(10) Conservation areas, defined for the purposes of this Section as 100-year floodplain and wetlands as delineated by the St. Johns River Water Management District, may be counted toward the minimum area requirement subject to limitations specified in Paragraph (11) below.

(11) Natural lakes and/or conservation areas within a development site shall be credited to a combined maximum of 50 percent of the required open space.

(12) Site features that may be counted as open space are shown in Paragraph (e).

(d) Infill, Redevelopment, and Mixed Use Open Space

(1) The purpose of open space in infill, redevelopment, and mixed use developments is to set aside areas for landscaping, buffering, recreational or aesthetic amenities, stormwater retention, recreation, aquifer recharge, and/or preservation of natural resources.

(2) Open space shall be located entirely within the boundaries of the project. Open space may include landscaping and buffers, recreational facilities and amenities accessible to all users of the site, recreational facilities and amenities accessible only to residents, and areas providing for natural resource protection.

(3) Types and locations of open space shall be clearly shown on a development plan prior to approval by Seminole County.

(4) No dwelling unit shall be located more than 750 feet from designated open space. The Planning and Development Director may waive this requirement where the developer proposes a major recreational facility that will provide at least 50 percent of the required open space for development.

(5) Open space areas shall not be fenced and shall not contain mechanical units and equipment, storage areas, or other service-related functions.

(6) Stormwater retention ponds may be counted toward the minimum area requirement subject to the following criteria:

a. The pond shall be sodded or provided with equivalent ground cover; and

b. The pond shall be landscaped and shaped as a visual amenity for the site. Required features shall include a trail adjacent to the pond and one or more of the following features:

boardwalks
picnic tables
fountains
pavilions
gazebos

Other features in addition to or substituting for those named above may be approved by the Planning & Development Director consistent with the intent of this Section.

(7) Required open space within an infill, redevelopment, or mixed use development which serves primarily the residential portion of a

development shall be platted as common area and shall be the property of a homeowner association or other entity which is capable of maintaining the function of the open space, as determined by the Planning & Development Director. Required open space within an infill, redevelopment or mixed use development which serves primarily the nonresidential portion of the development shall be maintained by either the management company of the nonresidential property or a tenants association.

(8) Natural lakes and/or conservation areas within a development site shall be credited to a combined maximum of 50 percent of the required open space.

(9) Open space shall be continuous wherever possible, shall be accessible to all uses within a development, shall contain pedestrian amenities (including lighted, accessible walkways with shade trees) and shall include lighted public plazas serving structures that contain retail and/or office uses. Public plazas shall contain benches with shade trees or permanent coverings.

(10) Selected facilities located indoors or on rooftops may be permitted where they serve as amenities available for use and enjoyment by all residents or users of a development. Excluded from eligibility are theaters, restaurants, museums, religious facilities, and retail commercial uses.

(11) Site features that may be counted as open space are shown in Paragraph (e).

(e) Permitted Open Space Features

	NON-RESIDENTIAL OPEN SPACE	RESIDENTIAL OPEN SPACE	MIXED USE, TI, INFILL,REDEVELOPMENT
100-year floodplain	Y*	Y*	Y*
Borrow pits	Y**	Y**	Y**
Clubhouse/admin. offices	N	Y	N
Curated art museums/galleries	N	N	Y
Decorative fountain, Interactive fountain	Y	Y	Y
Fitness center internal to the residential portion of a development	N	N	Y
Lakes	Y*	Y*	Y*
Outdoor exercise trail	Y	Y	Y
Outdoor dining/seating areas not limited to patrons of a single business	N	N	Y
Outdoor recreation facilities	Y	Y	Y
Outdoor sculpture garden	Y	Y	Y
Outparcels	N	N	N
Parking lots	N	N	N
Paved jogging and bicycling path	Y	Y	Y

	NON-RESIDENTIAL OPEN SPACE	RESIDENTIAL OPEN SPACE	MIXED USE, TI, INFILL,REDEVELOPMENT
Plant conservatory	N	N	Y
Platted residential lots	–	N	N
Power line easements	Y	N	Y
Power line easements or R/W containing trails or similar rec. amenities	Y	Y	Y
Private roads	N	N	N
Public plazas with benches and shade trees	Y	Y	Y
Public road R/W	N	N	N
Required buffer areas	Y	N	Y
Retention (amenitized per Code)	Y	Y	Y
Retention (not amenitized)	N	N	N
'Green roof' or rooftop garden with pedestrian access, rooftop recreational features such as swimming pools	Y	N	Y
Upland common areas 15' or less in width	Y	N	Y
Upland common areas 15' or less in width developed with pedestrian, bicycle, or horse trails	Y	Y	Y
Upland common areas exceeding 15' in width	Y	Y	Y
Utility easements	Y	Y	Y
Wetlands	Y*	Y*	Y*

Y = PERMITTED TO BE COUNTED TOWARD AREA REQUIREMENTS N = NOT PERMITTED TO BE COUNTED TOWARD AREA REQUIREMENTS

* Floodplains, wetlands, and lakes, together or separately, shall be limited to 50% of total open space requirement for any development.

**Borrow pits may count as open space only if sodded, landscaped, and/or configured as a water feature.

Sec. 30.1359. Procedures for determining net residential density.

The following procedures will be used for the purpose of determining net residential density at the time of rezoning for the ~~PUD~~ PD, R-3 and R-3A Zoning Districts:

(a) Net buildable acreage which can be devoted to residential units shall be calculated by subtracting FP-1 and W-1 acreage from the total site acreage and multiplying the remaining acres by 0.8. (This 0.8 efficiency figure assumes that approximately twenty (20) percent of the site will be devoted to retention areas and streets.) Net residential density shall be calculated by dividing the number of residential units by the net buildable acreage.

(b) More detailed information may be submitted by the applicant to determine net residential density. This information shall include at a minimum, the following:

1. A preliminary plat, site or tract plan showing the location of power line easements, retention/detention areas and road rights-of-way.
2. A tract table showing total tract acres for: FP-1 areas, W-1 areas, retention/detention areas, acres in streets, and number of dwelling units.

3. If transmission power line easements are to be used for stormwater management or other uses, the acreage of retention/ detention areas and other uses within the easement shall be shown on the tract table.

Sec. 30.1363. Applicability/administration

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

Sec. 30.1364. Performance standards.

(a) *Setbacks.*

(3) For towers located on properties assigned the ~~PUD or PCD~~ PD zoning classification, the setback requirements for the parcel outlined in the ~~PUD/PCD~~ PD approval shall apply.

~~PART 74. US 17-92 COMMUNITY REDEVELOPMENT AREA TARGET ZONE HEIGHT ALTERNATIVE STANDARDS~~

~~Sec. 30.1501. Purpose and intent.~~

~~In order to promote redevelopment and revitalization of the US 17-92 Community Redevelopment Area (CRA), the intent of the US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards is to allow changes to height standards in specific target zones within the CRA where specified design criteria are met.~~

~~The alternative height allowances established for each zone, as depicted in Exhibit A and described herein, were developed based on an analysis of the distance between the subject parcels within a target zone from existing adjacent single-family residential land uses.~~

~~Sec. 30.1502. Applicability.~~

~~The US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards is not a separate zoning classification, but establishes standards by which additional building heights are permitted within the established target zones where specified design criteria are met.~~

~~The provisions of this part apply only where a building height of greater than 35 feet is proposed upon a parcel included within the CRA legal description where such parcel is depicted as within a target zone in the attached Exhibit A and is located within unincorporated Seminole County, Florida.~~

~~Sec. 30.1503. Application review and approval procedure.~~

~~The provisions of Chapter 40, Site Plan Approval shall govern.~~

~~The applicant shall submit architectural renderings of the proposed building and a color palette for the exterior of the proposed building simultaneously with the site plan.~~

~~Underlying PUD or PCD zoning districts, and/or Developments of Regional Impact (DRIs) may require additional procedures as required by the Land Development Code of Seminole County and State Law.~~

~~(Ord. No. 06-77, 11-7-06).~~

~~Sec. 30.1504. Building height limits.~~

~~Building heights exceeding thirty-five (35) feet shall be permitted subject to the limitations shown in Exhibit A and the provisions of this Part.~~

~~Sec. 30.1505. Setbacks.~~

~~1. (a) Except as provided in (b) below, structures abutting US 17-92 shall be set back a minimum of twenty-five (25) feet. Where a corner lot is adjacent to US 17-92, the setback from a side street shall also be a minimum of twenty-five (25) feet. However, where a lesser setback from US 17-92 is permitted pursuant to (b) below, the minimum setback from the side street shall be equal to the setback from US 17-92.~~
~~(b) Buildings fronting a public or private street, including but not limited to US 17-92, may be permitted with no minimum setback with the approval of the Planning Manager. Such approval shall be based on sight visibility at intersections, vehicular access, stormwater management, public safety, and efficient use of public facilities. Where the proposed setback is between zero (0) and twenty-five (25) feet, the following features are permitted within the setback area provided they do not overhang or encroach into the public right-of-way:~~
~~(a) Outdoor cafes where seating is located in front of the primary building facade;~~
~~(b) Awnings;~~
~~(c) Canopies;~~
~~(d) Arcades.~~
~~2. The following setbacks from single family residential uses apply for buildings of greater than thirty-five (35) feet in height:~~
~~TABLE INSET:~~

~~Height (feet)~~	~~Setback~~
~~36--45~~	~~50'~~
~~46--55~~	~~80'~~
~~greater than 55~~	~~110'~~

~~For purposes of this section, incremental measurements between feet will be rounded to the nearest whole number.~~

~~The required setback for a building greater than thirty-five (35) feet in height from a single family residential use shall be measured from the common property line.~~
~~(Ord. No. 06-77, 11-7-06).~~

~~Sec. 30.1506. Lakefront development.~~

~~1. *Building Separation.* On parcels of two (2) acres or greater which front on a lake, each building shall have a maximum footprint of twenty thousand (20,000) square feet. Separate buildings on a single parcel shall be separated by a distance equal to the average height of all buildings on the property.~~

~~The area(s) between buildings shall provide a clear and unobstructed view between the water and the US 17-92 right-of-way. Facilities or equipment, including but~~

~~not limited to pool enclosures, mechanical equipment, and service areas shall not be located between the buildings.~~
~~2. *Setbacks*. Structures on property adjacent to a lake shall be located outside of 100-year floodplain or wetland areas. In addition, the following setbacks from the ordinary high water elevation on any lake shall apply:~~

~~TABLE INSET:~~

~~Height (feet)~~	~~Setback~~
~~36–45~~	~~50'~~
~~46–55~~	~~80'~~
~~greater than 55~~	~~110'~~

~~For purposes of this section, incremental measurements between feet will be rounded to the nearest whole number.~~
~~(Ord. No. 06-77, 11-7-06).~~

~~Sec. 30.1507. Buffering.~~

~~For properties abutting an existing single family residential use, or abutting property in a single family residential zoning classification or residential land use designation; Section 30.1232. Active/passive buffer setback design standards shall apply. However, the Planning Manager has authority to waive up to fifty (50) percent of such standard, if she or he determines that the adjacent residential properties are adequately protected.~~
~~(Ord. No. 06-77, 11-7-06).~~

~~Sec. 30.1508. Open space.~~

~~The following standards apply, except as provided for in Section 30.1230, landscaping of parking areas.~~
~~1. Parcels of less than five (5) acres shall not be required to provide open space.~~
~~2. For parcels of five (5) acres or greater, minimum open space shall be fifteen (15) percent of the gross site area.~~
~~3. Open space areas shall be accessible for use as active/passive recreation.~~
~~4. Open space area shall not be fenced and shall not contain mechanical units and equipment, storage areas, or other service-related functions.~~
~~5. Open space areas may include stormwater retention ponds subject to Section 30.1344, and shall include at least two (2) of the following features:~~
~~(a) Outdoor patio/cafe seating areas;~~
~~(b) Pedestrian plazas/kiosk areas;~~
~~(c) Water features with sitting areas;~~
~~(d) Continuous walkways linking buildings to one another.~~
~~(Ord. No. 06-77, 11-7-06).~~

~~Sec. 30.1509. Building design.~~

~~Buildings shall be compatible with existing buildings on the parcel and abutting parcels, and shall include common design elements as follows:~~

~~1. *Building Details.* The following components shall be incorporated within all building facades facing residential uses:~~

~~(a) *Awnings, canopies, arcades.* Awnings, canopies or arcades shall be required over all doors, windows and other transparent elements. The height of the awnings, canopies or arcades shall be between eight (8) feet and twelve (12) feet, and shall be a minimum of four (4) feet in depth. Such elements may not encroach into the setback.~~

~~(b) *Cornices.* A cornice shall be provided on the side of a building facing a residential use and/or US 17-92 at a minimum of twelve (12) feet above the sidewalk or at a height similar to the cornice on an abutting property, but in no case shall the cornice exceed thirty-five (35) feet.~~

~~(c) *Front Entrance.* Non-residential buildings shall have a front entrance for pedestrians from the street-side of the building to the building interior. For buildings that are open to the public, this entrance shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish to emphasize their front entrances.~~

~~(d) *Building Facade.* Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from twelve (12) feet to sixteen (16) feet at grade, whichever applies to the proposed development. No more than twenty (20) feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street. All buildings, excluding single family detached homes, shall utilize at least three (3) of the following design features along all elevations of the building:~~

~~(a) Divisions or breaks in materials (materials shall be drawn from a common palette)~~
~~(b) Window bays~~
~~(c) Separate entrances and entry treatments, porticoes~~
~~(d) Variation in roof lines~~
~~(e) Awnings~~
~~(f) Dormers~~
~~(g) Gables~~
~~(h) Recessed entries~~
~~(i) Covered porch entries~~
~~(j) Cupolas~~

~~2. *Storefront Character.* Buildings shall provide the following architectural features on the building frontage exterior:~~

~~(a) Corner lots shall contain corner building entrances.~~

~~(b) Regularly spaced and similar shaped windows with window hoods or trim for each story within a building.~~

~~(c) Blank walls shall not occupy over fifty (50) percent of any building side and shall not exceed twenty (20) linear feet without being interrupted by a window or entry, or other fenestration element.~~

~~3. *Windows and Transparency.* The following provisions shall be met for all non-residential buildings:~~

~~(a) The ground floor of all street-facing, park-facing, and plaza-facing structures, and facades facing a residential use, shall have windows covering a minimum of forty (40) percent and a maximum eighty (80) percent of the ground floor of each storefront's linear frontage. Mirrored glass, obscured glass, and glass block cannot be used in meeting this requirement, although energy-saving window tinting with a minimum of forty (40) percent light transmittance shall be permitted. Display windows may be used to meet this requirement, but the window glass must be transparent and the display structure(s) shall be convertible to result in regular windows.~~

~~(b) Opaque materials behind displays that hide the interiors of buildings are prohibited unless the window display volume is filled with changeable display merchandise.~~

~~(c) Display windows shall be lit at night.~~

~~(d) The lower edge of a ground floor window shall be no more than two and one-half (2.5) feet above finished floor level. The upper edge shall be no more than six and one-half (6.5) feet above finished floor level. Reflective glass is prohibited.~~

~~4. *Stepbacks.* Stepbacks shall be provided in a building to provide for air and light at the street level on the side of a building along a street as follows:~~

~~(a) At the cornice between twelve (12) and thirty-five (35) feet, a step-back of at least ten (10) feet.~~

~~(b) At a level between the 4th and 10th floors, an additional step-back of at least ten (10) feet, or multiple step-backs which total a minimum of at least ten (10) feet.~~

~~5. *Exterior Lighting on Buildings.* Exterior lighting shall be directed at the building itself without illuminating other areas of the site.~~

~~6. *Massing.* Buildings taller than forty-five (45) feet in height shall display at least one (1) of the following designs for the top of the building: step backs at the top floor, a prominent projecting cornice, or a roof with a form such as a curve, slope, or peak. The Planning Manager may approve alternative designs for the top of the building.~~

~~7. *Parking Garage.* Structured parking decks and surface parking shall be located on portions of the site not abutting residential zoned property. Perimeter landscaping for parking garages shall be the same as for surface parking lots. However, no perimeter landscaping shall be required for any portion of the parking garage frontage that incorporates other ground floor uses. Interior landscaping requirements for surface parking lots may be met in parking garages by providing hanging baskets, landscape planters and/or flower boxes around the exterior of the first three (3) levels of the parking garage structure, such that the amount of landscaping shall be approximately equal to that required for interior landscaping for a surface parking lot of equal capacity. Parking structures that permit access from US 17-92 or internal streets shall comply with the following requirements:~~

~~(a) Direct pedestrian access from parking garages to each adjacent street shall be provided.~~

~~(b) Except for vehicle entrances as described below, the ground floor shall be developed with enclosed commercial or civic floor space to a minimum building depth of thirty (30) feet along the entire length of the structure on each adjacent street, unless~~

~~separated from the street by another building, parking lot and/or landscaped open space with a minimum depth of thirty (30) feet.~~

~~(c) Vehicle entrances to parking structures shall be a maximum of forty-eight (48) feet in width and shall be separated from other vehicle access to and from the structure or other parking structures on the same side of the block by a minimum distance of four hundred (400) feet.~~

~~8. *Outdoor Seating for a Cafe or Restaurant.* Where outdoor seating is provided adjacent to a street, the following requirements shall be met:~~

~~(a) A public sidewalk shall be provided along the street;~~

~~(b) Tables shall not encroach into the sidewalk; and~~

~~(c) There shall be an open and accessible area, not blocked by tables, connecting the sidewalk to the front door.~~

~~9. *Building Color.* The dominant color of the exterior of proposed buildings shall be an earthtone color. The following colors are prohibited: aquamarine, bright or hunters orange, chartreuse, cherry or "fire engine" red, chrome yellow, all day-glo colors, purple, turquoise, fluorescent colors. Permitted earthtone colors shall include, but are not limited to the following: almond, bluegrass, brick, burgundy, cedar beige, chamois, cobblestone, cordovan, cream, driftwood gray, Monterey pine, peacock green, puce, rose quartz, topaz. Other colors within the above earthtone color scheme may also approved by the Planning Manager.~~

~~Sec. 30.1510. Street design.~~

~~Street design shall provide cross access for small scale redevelopment (up to five (5) acres) and large scale redevelopment (five (5) acres and greater).~~

~~1. *Cross Access Easements.* A system of joint use driveways and cross access easements shall be established wherever feasible along US 17-92, and the building site shall incorporate the following:~~

~~(a) A continuous service drive or cross access extending the entire length of each parcel served to provide for driveway separation consistent with access management classification system and standards.~~

~~(b) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;~~

~~(c) A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.~~

~~2. *Internal Street Design (large scale development).* Large scale development having internal streets intended to encourage pedestrian use shall be designed to the following standards:~~

~~(a) Existing or new streets, whether public or private, shall divide the site into blocks. Block lengths shall be between two hundred (200) and five hundred (500) feet. For blocks longer than five hundred (500) feet, pedestrian midblock crossings are required.~~

~~(b) New internal streets shall be designed as outlined in the following chart:~~

~~TABLE INSET:~~

~~Required Elements of Internal Street Design~~	
~~Number of Travel Lanes~~	~~2, two-way~~

~~Width of Travel Lanes~~	~~12'~~
~~Parking Lane~~	~~Both sides, every block~~
~~Parking Lane Width~~	~~7'~~
~~Sidewalks~~	~~Both sides, every block~~
~~Sidewalk Width~~	~~11'~~
~~Sidewalk Uses~~	~~Furniture*, walking, cafes~~
~~Planting Strip Width~~	~~None (wide sidewalk adjacent to parking lane)~~
~~Urban Landscape~~	~~At a minimum, a 36" diameter pot by 24" high shall be provided for every 20 feet of building frontage. The potted plant shall be twice as high as the height of the pot. Low growing, flowering annuals shall also be planted at the top of the pot.~~
~~Landscaping~~	~~Street trees in wells~~
~~Traffic Calming~~	~~Bulb-outs, pavement texture, raised crosswalks~~
~~* Furniture includes those features associated with a street that are intended to enhance the street's physical character and use by pedestrians, including benches, bus shelters, trash receptacles, planting containers, pedestrian lighting, and kiosks.~~	

~~EXHIBIT A~~
~~TARGET ZONE MAPS~~

PART 75. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

Sec. 30. 1601. Purpose.

The purpose of this Section is to implement the concepts of Crime Prevention through Environmental Design (CPTED) by incorporating the principles of natural surveillance, natural access control, and territorial reinforcement into new development, infill, and redevelopment.

Sec. 30. 1602. Applicability

The design standards established in this Section shall be applicable to all new development in the Mixed Development District (MXD), Part 43. Within the Planned Development (PD) district, compliance with these standards may serve as evidence that the proposed development offers a greater benefit to the County than a similar project in conventional zoning, and therefore may be considered by the Board of County Commissioners in approving a PD. Regarding development sites in other zoning districts, Seminole County shall provide CPTED-related comments as requested by applicants on any project under review by the Development Review Committee (DRC).

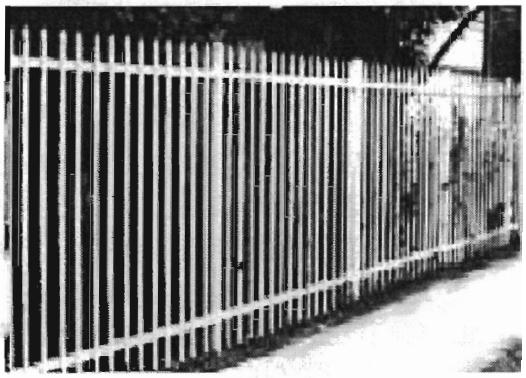
Sec. 30. 1603. General Building Standards

(a) Pedestrian amenities shall be provided next to areas used by the public including but not limited to shade trees, public open space, water features, sitting areas and mass transit stops.

(b) At least 50 percent of the ground level of the principal façade(s) shall be constructed of transparent materials. Such materials shall be evenly distributed across the front of the building.

(c) Drive-through windows and queuing lanes shall be placed in the side or rear yard of the parcel on which they are located. Drive-through windows and queuing lanes shall be located no closer than 50 feet to properties developed in or zoned for residential use. Speaker systems shall not be aimed toward such properties, and noise levels created by the speaker systems shall not exceed 25 db as measured at the property line. Queuing lanes shall incorporate natural surveillance techniques. Adjacent landscaping shall not exceed 2 feet in height.

(d) Chain link fences may not front or be visible from any public right-of-way except during construction. Such construction fencing shall be removed prior to issuance of a certificate of occupancy. Where permanent fencing is provided, it shall be decorative fencing for the purposes of implementing CPTED principles. The following are examples of approved CPTED fencing:



(e) Unpainted or unfinished block fences or walls shall be prohibited. All sides of buildings, walls, or block fences visible from a public right-of-way or any adjacent parcel must be architecturally finished (i.e. brick, stucco, or textured concrete masonry units) and maintained.

(f) Doors, windows, public art, and other architectural features shall be used to break large wall planes into smaller components. No more than 30 percent of any continuous front façade shall remain unembellished where such façade is oriented toward public rights-of-way and visible at ground level.

(g) Outdoor light fixtures must light all public use areas adjacent to the building (e.g. entryway, courtyards, parking lots, etc.) to an illumination level of 0.5 to 1.0 foot candle. Light spillage onto any adjacent property shall not exceed 0.2 foot-candle, as measured at the property line. Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers on such streets.

(h) Exterior garbage receptacles, dumpsters, open storage areas and/or mechanical equipment shall be screened from view from public rights-of-way and residential properties with opaque material that is similar to or compatible with the materials used on the nearest façade of the principal structure. All receptacles shall be illuminated up to 1 foot-candle with an energy efficient light source and vandal-resistant housing. These features of a development site shall be located at least 25 feet from any property zoned or otherwise approved for residential use. As a part of new construction or major renovations on the site, any existing features of this type shall be incorporated into the main structure(s).

(i) Rooftop equipment, excluding vents and stairwell access, shall be screened from view at ground level by use of parapet walls or architecturally compatible screens.

(j) Continuous sidewalks shall be provided along the entire length of street frontage, and shall be aligned with and connected to that of adjacent and contiguous properties.

(k) For properties with multiple tenants and/or multiple structures on-site, pedestrian circulation shall be provided between tenants and/or structures through the use of a sidewalk or other suitable pedestrian connection, not less than 6 feet wide and where applicable, shall align with and connect to that of adjacent and contiguous properties. Sidewalk paving or other pedestrian connections, where applicable, must continue uninterrupted across the mouth of all curb cuts.

(l) Retention ponds shall be maintained, landscaped and/or must contain special site features, such as fountains or reflecting pools.

(m) The entrance to all service bays for automotive repair and service business must be oriented away from view of any arterial or collector roadway(s) and residentially zoned properties. All automotive repair and service shall take place within the fully enclosed area of the building in which such use is located.

(n) All buildings shall have pedestrian access oriented toward the public sidewalk adjacent to the street.

(o) Illuminated tubing which outlines a building, fence or other similar structure or part thereof shall be prohibited.

(p) The numerical address of each building shall be clearly displayed in characters at least 6 inches in height, made of reflective material, and easily observable from the public right-of-way. All addresses shall be illuminated during hours of darkness.

Sec. 30. 1604. Parking Standards

(a) Vehicle access shall have minimal impact on pedestrian circulation. Sidewalk paving shall continue uninterrupted across the mouth of all curb cuts. Decorative pavers, other textured material, or similar permanent delineations shall be used across the mouth of all curb cuts to provide a pedestrian conveyance.

(b) Where a parking structure is located within 25 feet of the street right-of-way, the façade adjacent to the street shall provide commercial, retail, and/or office space at ground level.

(c) Parking structures shall provide landscaping adjacent to those areas which are visible from the street right-of-way and shall provide and maintain planter boxes in those areas adjacent to residential development. Additionally, such structures over 45 feet in height shall increase the required street setback by 1 foot for each 1 foot of height.

(d) A minimum of 80 percent of all surface parking for commercial properties shall be located in the side or rear yard of the property. All surface parking for other non-single-family residential properties shall be located in the rear or side yard of the property. CPTED techniques shall be incorporated in the design and security of all parking areas (i.e., visibility, access and security).

Sec. 30. 1605. Lighting

New construction and redevelopment shall include lighting for open or surface parking, covered (garage/parking structure) parking, on street parking, the associated sidewalks and grounds, garbage receptacles, and all pedestrian/open/public areas. Lighting design shall follow the "Recommended Illumination" table from the Illumination Engineering Society, IES Lighting Handbook, 2000 or most recent edition.

Required Minimum Illumination		
	Horizontal (pavement or ground level)	*Vertical (5' above ground)*
Public Space	1-5 fc	0.5-0.8 fc
Parking Facilities		
open parking	3 fc	0.3 fc
covered parking	6 fc	6 fc
sidewalks & grounds	6 fc	0.6 fc
Fast Food Restaurants		
parking lot, sidewalks	3 fc	3 fc
drive-up windows	6 fc	3 fc
Convenience Stores		
parking lots	6 fc	1.2 fc
sidewalks, refuse areas	3 fc	1.2 fc
storefront exit	5 fc	1.2 fc
fc = footcandle Source: IES Lighting Handbook 2000		

Sec. 30. 1606. Landscaping, Buffers, And Screening

(a) Perimeter buffering, including buffering adjacent to streets, shall comply with Sec. 30.1286(a), 30.1286(b), 30.1286(c), and/or 30.1290 as applicable. However, regardless of other requirements, there shall at minimum be a CPTED-compliant fence, as described in Section 30.1603(d), adjacent to residential development, zoning, or future land use.

(b) Buffers shall be required along the perimeter of all off-street parking areas, and shall meet the following criteria:

- Minimum width shall be 8 feet.
- Landscaping shall consist of 2 canopy trees per 100 feet, having a minimum of 2 inches diameter at breast height; and 4 shrubs per 100 feet, a minimum 3 feet in height.

- In addition to other landscaping, there shall be a continuous hedge around all paved areas to impede pedestrian access to unauthorized parts of the site.
- Trees shall be trimmed to maintain visibility below 6 feet. Hedges shall be trimmed to maintain a maximum height of 2 feet.
- All plants shall be thorny or dense varieties as approved by the Planning & Development Director, for the purpose of maintaining security and access control.

(c) All portions of each site that are not devoted to building or paving shall be landscaped. No more than 30 percent of the landscaped area may be grassed. The balance shall be landscaped in shrub and ground covers.

(d) All landscaping must be maintained in good order and all applicants for new construction or major renovation shall provide a schedule of maintenance for the installed landscaping.

Sec. 30. 1607. CPTED Sign Standards

The following sign standards shall apply to new signs and are intended to establish a coordinated graphic program that provides for occupant identification and directional communication, while allowing the creation of unique and informative signs that give a distinct and aesthetically pleasing flavor. These guidelines are not intended to prohibit unusual signs that may enhance the character of the building, or reflect the nature of the business. All signs shall comply with Section 30.1247.

(a) Outdoor advertising signs are prohibited. Only signs that advertise the business conducted, services rendered, occupant names/symbols, or primary goods sold on the site upon which the sign is erected will be permitted. Signs existing prior to the effective date of this LDC shall be subject to the provisions of Section 30.1246.

(b) No sign on a parcel adjacent to or within 300 feet of a residence shall be illuminated from 11:00 p.m. to 7:00 a.m., except where the premises that the sign advertises is open for business. At no time shall the light from a sign be directed towards a residence.

(c) Ground signs for single occupancy parcels shall be limited to a maximum of 50 square feet in dimension per sign face. Such ground signs are limited to a maximum height of 10 feet.

(d) Ground signs for multiple occupancy parcels which are entitled to one sign under Sec. 30.1243 shall be limited to a maximum of 100 square feet in

dimension per sign face. Such ground signs are limited to a maximum height of 15 feet.

(e) If a multiple occupancy parcel is entitled to more than one ground sign under Sec. 30.1243, then all allowable ground signs may be combined into a single ground sign not to exceed 150 square feet per sign face. Such ground signs are limited to a maximum height of 15 feet.

(f) Pylon signs for multiple occupancy parcels which are entitled to one sign under Sec. 30.1243 shall be limited to a maximum of 100 square feet in dimension per sign face. Such pylon signs are limited to a maximum height of 17 feet.

(g) The surface area of all shapes, letters, numbers, symbols or illustrations shall not exceed 25 percent of the awning or canopy sign surface. Only awnings and canopies constructed of opaque material may be illuminated.

(h) Wall signs shall not exceed more than 1 square foot per one 1 linear foot of building frontage facing a public street. No wall sign shall extend more than 12 inches out from the wall to which it is attached nor shall it extend more than 18 inches into the public right-of-way.

(i) Multi-family residential dwelling identification signs shall not exceed 15 feet in height.

(j) Non-commercial art murals shall be exempt from this Section.

Sec. 30. 1608. Transit Stop Provisions

Wherever possible, new development shall be designed to maximize the efficiency of mass transit. The developer shall coordinate with the transit provider to determine if the site warrants transit stop improvements such as easement dedication or transit shelters. These improvements may be considered for justification for the reduction of up to 10 percent of required parking.

Sec. 30. 1609. Curb Cuts/Access Management

Requests for additional curb cuts, for existing development, shall only be considered in instances of public safety issues. In cases where such a curb cut is approved, the applicant shall be solely responsible for any off-site or site specific improvements which are necessary to facilitate the design of the driveway or curb cut, including but not limited to signalization, turn lanes, and acceleration or deceleration lanes. These transportation improvements are in no instance creditable against transportation impact fees.

Section 3. Amendments to Chapter 35, Subdivision Regulations. Chapter 35 of the Land Development Code of Seminole County is amended as follows:

Sec. 35.43. Required submittals for preliminary plan.
Required submittals for the preliminary plan shall consist of a plat, preliminary engineering drawings, and other auxiliary submittals as herein stated.

(c) *Other submittals.*

(6) *Pedestrian, bicycle and vehicular linkage information.* This information shall be provided in graphic and textual form and will describe the following:

(E) Any portion of these required submittals may be waived by the Planning Division upon finding that one (1) or more of the following conditions exist; provided, however, that a waiver of submittal requirements will not act to waive the review of impacts of the proposed subdivision on pedestrian, bicycle and vehicular linkages and such linkage requirements shall be evaluated:

(v) The proposed subdivision is part of a larger ~~PUD~~ PD in which pedestrian, bicycle and vehicular plans were approved as part of the preliminary or final development plan.

Section 4. Severability. Excepting Part 67, if any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such section, paragraph, sentence, clause, phrase or word may be severed from this ordinance and the balance of this Ordinance shall not be affected thereby.

Section 5. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Land Development Code and that the word "Ordinance" may be changed to "section," "part" or other appropriate word and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that sections 4, 5, and 6 shall not be codified.

Section 6. Effective Date. This Ordinance shall become effective upon filing a copy of this ordinance with the Department of State by the Clerk of the Board of County Commissioners.

ENACTED this ___ day of ___, 2009.

BOARD OF COUNTY COMMISSIONERS

SEMINOLE COUNTY, FLORIDA

By:_____

BOB DALLARI, CHAIRMAN