ORDINANCE NO. 09-16

AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, AMENDING THE VILLAGE P-D CODE BY CREATING VILLAGE CIVIC ASSOCIATION; REVISING DEVELOPMENT AND DESIGN STANDARDS AND GUIDELINES; REVISING PERMITTED AND PROHIBITED USES; REVISING APPLICABLE LANDSCAPING REQUIREMENTS; REVISING PARKING, STREET AND BLOCK GUIDELINES AND STANDARDS; REVISING SIGNAGE REQUIREMENTS AND RESTRICTIONS; REVISING ALCOHOL DISTANCE SEPARATION REQUIREMENTS; ESTABLISHING PERMITTED AND PROHIBITED LOCATIONS FOR COMMUNICATION TOWERS; CREATING SECTION 38-1385.6 “ESTATE RURAL DISTRICT”; CREATING SECTION 38-1387.1 “TOWNHOUSES”; CREATING SECTION 38-1387.2 “APARTMENTS”; CREATING SECTION 38-1387.3 “CONDOMINIUM DISTRICT”; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Amendments. The Chapter 38, Article XIII, is amended to read as provided herein, with additions being underlined and deletions being struck through. All other provisions of the Ordinance remain as presently written and are hereby ratified and confirmed.

DIVISION 8. VILLAGE PLANNED DEVELOPMENT CODE

Sec. 38-1380. Intent and purpose.

The intent and purpose of this division are as follows:

(1) To implement the goals, objectives and policies of the village land use classification of the Orange County Comprehensive Plan, future land use element;
(2) To ensure development in accordance with the adopted specific area plan (SAP) for any particular village;

(3) To promote the development of neighborhoods, villages and community centers that reflect the characteristics of a traditional southern town; where streets are convenient and pedestrian friendly, and where parks, open space and civic facilities are a focus for public activity;

(4) To provide for development that has a variety of land uses and housing types in a compact integrated community pattern which creates opportunities for pedestrian, bike and transit use;

(5) To promote development that utilizes a neighborhood focus as a building block to provide a sense of place and community;

(6) To provide a system of fully connected streets and paths which provide interesting routes and encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting;

(7) To provide a system of public open space in the form of accessible squares, greens and parks whose frequent use is encouraged through placement and design;

(8) To enhance the character of the neighborhoods through the use of building massing, building placement, materials and architectural features which create interesting spaces and pedestrian scaled street frontages.

Sec. 38-1381. Applicability.

(a) Except for those exemptions listed below, this village development code shall apply to all development occurring on lands within an adopted village SAP. Each adopted village SAP is on file with the Orange County Planning Department Division, 201 S. Rosalind Avenue, Orlando, Florida 32801.

(1) Planned developments, within an adopted village SAP approved prior to June 6, 1995 and located
within an adopted village SAP, and vested developments, which have received a vested rights certificate for consistency with the Comprehensive Plan in accordance with chapter 30, article XI, of this Code, are not subject to this village development code. Subject to compliance with other provisions of this Code, any amendments to such previously approved planned developments will not require an amendment to the SAP and shall be considered consistent as long as the densities do not exceed those depicted on the future land use map as of June 6, 1995. All other proposed development shall be processed as a village planned development in accordance with this division. Until such time as a property has been rezoned in accordance with the adopted SAP and this village development code, and the property has met the adequate public facilities requirements of chapter 30, article XIV, division 2, all properties within the adopted SAP shall maintain the future land use designation existing prior to June 6, 1995. Development may proceed under the future land use and zoning designation existing prior to June 6, 1995; however, Orange County shall require that all such development which requires special exception, variance, or preliminary subdivision plan approval shall be evaluated on a case by case basis to determine the effects of the development on the approved SAP. Such developments may need to be clustered or designed in such a way as to not adversely impact clustered or designed in such a way so as not to preclude future development of the adopted village SAP.

(2) Any planned development land use plan or preliminary subdivision plan approved prior to June 2, 2009, that is consistent with and located within an adopted village SAP, shall have the option of complying with either the original approval or this division. The selection of which standard to comply with must be made by June 2, 2011; if no selection is made by that date, the applicant will be required to comply with their original approval. Once such selection is made, the development must meet all of the requirements of whichever standard is selected. Such selection may require a substantial change to the planned development land use plan or preliminary subdivision plan. Until such time as a property has been rezoned in
accordance with the adopted SAP and this village development code, and the property has met the adequate public facilities (APF) requirements of chapter 30, article XIV, division 2, all properties within the adopted SAP shall maintain the future land use designation existing prior to June 2, 2009. Development may proceed under the future land use and zoning designation existing prior to June 2, 2011; however, Orange County shall require that all such development which requires special exception, variance, or preliminary subdivision plan approval shall be evaluated on a case by case basis to determine the effects of the development on the approved SAP. Such developments may need to be clustered or designed in such a way as to not adversely impact the adopted village SAP.

All other proposed development shall be processed as a village planned development in accordance with this division.

(b) This village development code shall complement all applicable laws, ordinances, rules and regulations, including the guidelines and standards for planned developments. In case of conflict with this village development code and Article II, Chapter 18 (the Fire Prevention Code), the Fire Prevention Code shall govern and control. However, to the extent this village development code may conflict with or may not be consistent with other applicable laws, ordinances, rules or regulations, including the guidelines and standards for planned developments, this village development code shall govern and control (and waivers from chapter 38, articles VII and VIII shall not be required for those provisions in conflict with the village P-D code). For the purposes of this village development code, the words “shall” or “must” are mandatory; the word “should” is directive but not necessarily mandatory; the word “may” is permissive. The word “includes” shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances and circumstances of like kind or character.

Sec. 38-1382. General development guidelines and standards.

(a) Consistency with the village specific area plan (SAP). The adopted SAP for any particular village establishes the land uses for all property within the village. The SAP shall also establish the public facilities lands required by each neighborhood
and the village center. Development within any specific neighborhood may be initiated only when the adequate public facilities requirements in accordance with chapter 30, article XIV, division 2, have been met. Any proposed amendments to the land uses as established by the SAP are subject to the following conditions:

1. Any amendment to the village planned development land use plan shall be subject to approval by the board of county commissioners in the village planned development land use plan in accordance with this division and Future Land Use Element Policy 6.1.6 VI.

2. The proposed amendment shall be consistent with all applicable requirements of the village land use classification of the comprehensive policy plan, future land use element.

3. Except as provided for in chapter 30, article XIV, division 3, of this Code (transfer of development rights), the proposed amendment shall not change the proposed density for any particular neighborhood.

4. The proposed amendment shall not preclude the provision of any adequate public facilities, as identified within the approved SAP.

5. Public school sites must be consistent with the size and locations designated on the approved village SAP. School site locations and configurations, other than those indicated on the village SAP, may be considered provided they are consistent with the provisions of policy 6.1.4. of the Orange County Comprehensive Policy Plan, future land use element.

(b) **Developable land area** shall be defined as the total gross land area less natural surface waterbodies and designated conservation areas (wetland areas). Net developable land area is defined as developable land area less land for adequate public facilities (as defined in section 30-710), public open space, upland greenbelts, and stormwater facilities. The required density of each district within the village shall be a minimum average based on the net developable land area.
Village greenbelt. In accordance with the adopted SAP for any particular village, a village greenbelt area has been provided consistent with requirements of the village land use classification of the Comprehensive Policy Plan, future land use element. Transfer of development rights may be applied to property designated as the village greenbelt in accordance with chapter 30, article XIV, division 3, of this Code. Development within the greenbelt area shall be limited to a density of one (1) residential dwelling unit per ten (10) acres and may include road crossings, parks, golf courses, stormwater management areas and passive recreational uses such as bike/pedestrian and equestrian trails. In order to accomplish the purpose of the greenbelt, development may be clustered at an overall gross density of one (1) unit per ten (10) acres on lots no larger than one-fourth (1/4) acre, subject to the requirements of chapter 37, article XVII, of this Code regarding individual on-site sewage disposal. Such clustering shall only be permitted on upland areas within the greenbelt subject to dedication of development rights for the balance of the property to the county and rezoning to planned development. Development rights shall be dedicated to Orange County at the time of platting. Dedication of the development rights will limit the use of the property to agriculture as permitted in the county A-I zoning district. A twenty-five (25) foot setback at the village perimeter is required for any P-D located along the perimeter of a village except where the boundary of the P-D is adjacent to a village greenbelt in which case no setback shall be required.

Village Civic Association. Each village shall establish a civic association for the purpose of promoting civic pride and community events within the village. The Village Civic Association shall be authorized to charge reasonable fees for participation in community events and to raise funds from community activities. Each residential community association or other property owners’ association that is established in the village shall be a member of the Village Civic Association. Each residential community association or other property owners’ association shall designate a delegate to the Village Civic Association. The Village Civic Association is not intended to have any regulatory authority or architectural review authority over land uses within the village.
development shall participate in a mandatory village master property owners association. Documents establishing participation in a village master property owners association must be recorded with the county clerk at the time of recording the plat of any village planned development. The village property owners association shall serve as an advisory board to the local planning agency regarding the use of funds from any special taxing district or as collected in the provision of adequate public facilities for the particular village. At least once each year, the village master property owners association shall submit a report to the local planning agency on the status of the village SAP, and may recommend any changes to the SAP or this village development code. The village master property owners' association shall not have authority over nor maintain public lands.

Utilities. A water, wastewater and reclaimed water plan shall be provided with each particular village SAP. In accordance with the SAP, all village planned developments shall be required to have service from the central water, wastewater and reclaimed water facilities operated by the county or other utility providers as approved by the county and in accordance with chapter 30, article XIV, division 2, adequate public facilities, of this Code. On site utilities, package plants, and septic tanks may be used on an interim basis subject to the provisions of chapter 37, article XVII, of this Code. If on site utilities are used, the developer shall install the necessary sewer lines (dry lines) and ultimately connect the development to the planned central sewer system within five (5) years. Extension of the water and wastewater facilities will be performed in accordance with current county ordinances and policies regarding utility extension. The site, route, and size of the proposed utility extensions shall be consistent with the village SAP, water, wastewater, and reclaimed water plans. Central water systems, central sewer systems, reclaimed water systems, utility lines, and easements for any such utilities shall be provided in accordance with the adopted SAP and all applicable laws, ordinances, regulations, resolutions and rules. In addition, all new utilities, regardless of whether such utilities are located on site or within an adjacent right of way, shall be installed underground as required by chapter 34, subdivision regulations, of this Code. A plan to connect all development parcels to Orange County's central water, wastewater and reclaimed water shall be provided with each particular village SAP. The County may require all participating property owner within a village to sign a private agreement
addressing their proportionate share of funds for the costs of all off-site and on-site master utilities, sized to the full village needs. The agreement may be required prior to or concurrent with the approval of an SAP or as part of a planned development zoning.

(fe) **Compatibility with the surrounding area.** Each SAP development shall be designed to consider compatibility with the surrounding area and consistency with the densities and intensities of the adopted SAP. In addition, the preliminary subdivision plan or development plan for any village planned development which is adjacent to abuts an existing subdivision that is not zoned Village P-D or is outside an SAP, or is located across a water body from an existing subdivision may include measures to ensure compatibility including, but not limited to one (1) or more of the following:

1. Comparable living area and/or lot widths and/or lot area with the existing subdivision; or
2. Open space, retention facilities, conservation areas, buffering, or an expanded village greenbelt to serve as a separation from the existing and proposed development; or
3. Comparable minimum house size

Other compatibility measures as deemed appropriate by the board of county commissioners.

(gf) **Reclaimed water.** All village planned developments shall install reclaimed water lines in such a manner as to provide service to each property of the development. The distribution mains shall be extended across the total property frontage to facilitate future extensions to other developments. The distribution system shall be installed at the time of development along with the water and wastewater systems. The system shall be designed; and sealed by an engineer, registered in the state in accordance with regulations of the county and the state department of environmental protection. Costs for the installation of such reclaimed water system shall be borne by the owner and/or developer. Application for a development shall include, where practical, a plan to take back reclaimed water in the same quantity as wastewater is produced. The reclaimed water distribution system for all village planned developments shall connect or cause to be connected with the village SAP reclaimed water distribution system. All irrigation
connections to the reclaimed water system within a village planned development shall be made in accordance with polices and regulations of the county. If reclaimed water is not available at the time of development, the reclaimed water distribution system shall be installed as a "dry-line" system. At such time that reclaimed water is made available, all existing irrigation connected to the existing potable water system shall be terminated and re-connected to the reclaimed distribution system.

(bg) Streets. Standards for the streets within any particular village shall be consistent with the intent as set forth in the transportation section of an adopted SAP. Variations to these standards may be considered, on a case by case basis, by the development review committee (DRC) as part of the land use plan or preliminary subdivision plan/development plan approval, appendix 1, attached hereto by reference only and on file with the county planning department.

(1) Street type and pattern. The types and patterns of all streets in the village shall be in conformity with the transportation plan section of the SAP and as illustrated in appendix 1, which is on file with the county planning department. The location of streets on the transportation plan is approximate. Primary access locations shall be identified on the land use plan. Precise locations of internal streets shall be determined in conjunction with the approvals of the final preliminary subdivision plans/development plans for each village planned development within the adopted SAP.

(2) All streets, alleys, and pedestrian pathways shall connect to other streets within the village and to existing or planned streets outside the village in accordance with the approved village SAP. Cul-de-sacs, T-turnarounds, or dead end streets are not permitted unless otherwise approved by the county or where their use is in connection with preserving wetlands, specimen trees, or ecologically significant vegetative communities. To encourage the development of connected and integrated communities within each neighborhood and village center, the twenty-five (25) foot setback on the perimeter of the P-D is not required for those P-Ds that are internal to a neighborhood or village center. The twenty-five (25) foot setback is required for only that portion of the perimeter of the P-D that is located on a perimeter of a neighborhood or village center.
(3) In accordance with the adopted SAP, each preliminary subdivision plan or development plan within the SAP shall provide for a circulation pattern of fully connected and integrated streets, bicycle and pedestrian facilities to reinforce the sense of community as required by the village classification policies. However, gated streets may be permitted only on the periphery of the village, or within developments which are substantially isolated by conservation areas and/or natural water bodies, or where the location of such does not interfere with the movement of traffic from other developments to the neighborhood center, village center, schools or access and arterial roads serving the village. Such gated streets may restrict vehicular movement only, and in no way shall restrict pedestrian or bicycle access through the gated development. In addition, developments with gated streets must demonstrate consistency with the planning principles established by the village land use classification and the adopted SAP. Developments with gated streets shall be subject to the minimum standard conditions for gated communities as established by Resolution No. 96-M-22.

(4) Alleys are required for any block containing any lots more than three (3) residential lots with a width of less than fifty (50) feet or less, exclusive of corner lots. Two-way alleys, which require fire department or solid waste disposal access, shall be designed as a private easement sixteen (16) feet in width (see appendix 1, on file with the county planning department) and shall have a minimum twenty (20) feet of clear and paved width and shall have. One-way alleys, which require fire department or solid waste disposal access, shall be seventeen (17) feet in clear and paved width. All alleys designed as required fire department access roadways, shall be posted ‘no parking’, and shall have a minimum thirty-five (35) foot right turning radius easement on corner lots formed by alleys, or such other turning radius and mountable curb systems which may facilitate smaller turning radii, but which must be approved by the Fire Rescue Department. For greater pedestrian crossing safety, and subject to Fire Rescue Department, Solid Waste Division approval, the turning radius of the curbs formed by alleys may be reduced to fifteen (15) feet, if a right turning radius easement is maintained which sufficiently accommodates fire and solid waste disposal trucks. The right turning radius easement may be created, for instance, by installing mountable curbs, and/or by strategically
arranging on-street parking and no parking zones. Where possible, and when not in conflict with stop sign, stop bars, or driver visibility, the length of marked pedestrian street or alley crossings should be shortened by locating them just before the point of tangency with the intersection curb. Driveway aprons shall have a minimum five-foot turning radius.

(5) Street standards. All streets shall meet the following minimum standards:

a. All streets (excluding alleys) shall have raised curbs (curbs at medians may be mountable);

b. Minimum lane width shall be ten (10) feet (with a one (1) foot curb). Narrow lanes are encouraged; however, wider lanes may be appropriate in higher density residential areas where increased parking on the street is expected;

c. Where trees are planned, medians shall be a minimum of twelve (12) feet in width;

d. Dedicated parallel parking spaces shall be a minimum of seven (7) feet in width;

e. Landscape strips between the curb and sidewalk shall be a minimum of six (6) feet in width. However, for a description of the required planter strip within the neighborhood and village commercial centers, see sections 38-1388 and 38-1389.

f. Sidewalks shall be a minimum of four (4) feet in width, except on APF roads, where sidewalks shall be a minimum of five (5) feet in width. In Village Centers and Neighborhood Centers, sidewalks along the front of commercial buildings shall be a minimum of ten (10) feet in width to encourage safe pedestrian activity. (See sections 38-1388 and 38-1389 for a description of required sidewalk widths and utility easements within Neighborhood Center and Village Center districts.)

(6) Mews. Mews designs are generally where residential units have only rear access (typically alleys) and which front a green space (park or square) and face another row of
similarly developed units. A sidewalk, path, or bike lane (but not roads within the same block) may bisect this green space area. Such developments may be approved on a case by case basis, subject to emergency access review and approval. Projects incorporating mews shall also address parking, street addressing, green space area maintenance, front yard set backs, and other issues unique to this type of development.

(ih) Public open space and public tracts. In addition to the adequate public facilities (APF) parks and civic use areas shown on the village SAP, a minimum of five (5) seven and one-half (7.5) percent of the gross developable land area of any development project shall be permanently allocated to public open space tracts in the form of neighborhood parks, squares, mews, greens, or linear parks designed to augment the village pedestrian/bikeways system and designed to create a focal point for the neighborhood. These neighborhood parks and squares shall be distributed throughout all land use districts within the village. The distribution of neighborhood parks and squares should be generally proportionate to the number of dwelling units within each area of the development. Such public open space shall be defined as recreation open space in accordance with section 38-1234 of this chapter and shall be publicly accessible, usable, and designed as an amenity. Aesthetically designed “curvilinear shaped” stormwater ponds may count toward no more than fifty (50) percent of the seven and one-half (7.5) percent open space requirement. These areas should be centrally located and designed to create a focal point for the development.

(jj) Stormwater facilities. Stormwater facilities shall be designed as an open space amenity in accordance with the design principles of this village development code. The design of stormwater facilities shall be in accordance with section 38-1383 of this division and all other applicable codes, ordinances, resolutions, rules and regulations. Such Stormwater facilities when designed as an amenity with clustered or regularly-spaced shade trees, planted at no more than forty (40) feet on-center, as well as a combination of two (2) or more additional aesthetic features (e.g., park benches, trails, gazebos, trellises, fountains, decorative cement forms at the water edge to create reflecting pools, etc.), and in accordance with the open space requirements of section 38-1234(5), may be applied toward up to fifty (50) one-hundred (100) percent of the open space requirements of section 38-1234(3)
subsection (h) above. The aesthetic features mentioned above, except for turf, shall be installed outside of the storm water facility required maintenance area.

(kj) *Natural water bodies.* The design of any village planned development should consider natural water bodies as a public amenity. The scenic values of natural water bodies may be enhanced through appropriate design elements such as pedestrian access, waterfront parks and public street frontage. Public access to such waterbodies and use of motorized watercraft may be restricted as part of a planned development, preliminary subdivision plan, or development plan approval.

(l) *Block Pattern.* In addition to the submittal requirement of section 13-1384(c), a land use plan shall include a graphically depicted conceptual block layout for a typical single block showing the location, size, and layout of residential, non-residential, and mixed use developments. Subsequent preliminary subdivision and development plans shall be generally consistent with the conceptual block layout.

(m) *Screening.* Ground-level mechanical equipment, outdoor storage areas and service areas, except those associated with single-family detached units, shall be screened by a one-hundred (100) percent opaque buffer. Dumpsters or other refuse areas shall be screened by one-hundred (100) percent opaque buffering, including a six (6) foot masonry wall with gate, and landscaping with shrubs or vines around the entire walled area. The wall shall be designed with similar architectural features as the principle structure and the gate shall be opaque.

(n.) *Communication Towers.* All communication towers shall comply with the requirements of section 38-1427 of the Orange County Code except that chain link fencing and opaque wall systems are prohibited. Decorative or ornamental metal fencing allowing transparency, with the exposed picket points for security, may be used around the base. Barbed wire, if any, should be on the interior side of the fence. Landscaping requirement may not be waived where adjacent to lands that may be developed or visible from a public right-of-way. In order to further the intent of Section 38-1427(n)(5), camouflage facilities for communication towers shall, when practicable, include architectural elements in building structures, such as church steeples, clock towers, bell
towers, chimneys, rooftop cupolas, as well as flagpoles. Communication towers may be a permitted use in the areas designated as village centers by the specific area plan (SAP) provided the planned development (P-D) land use plan (LUP) has identified communication towers as a permitted use. Communication towers may be allowed as a special exception in areas designated as adequate public facilities parks and schools and neighborhood centers by the SAP provided the P-D/LUP has identified communication towers as a special exception. Communication towers shall be prohibited in the Estate District, Estate Home District, Estate Rural District, Garden Home Single Family District, Garden Home Mixed Use District, Village Home District, and Townhome/ Apartment Condominium Districts. Communication towers shall also be prohibited in the greenbelt (perimeter upland buffers), wetlands (conservation areas), wetland upland buffers, and rural enclaves.

Sec. 38-1383. Aquifer recharge.

The data and analysis provided in support of the village land use classification amendment adopted by Orange County in June 1995 found that the area designated by the village land use classification on the future land use map of Orange County contains high recharge areas. Subsequent studies have shown that the existing stormwater management requirements for high recharge areas in the county provide an appropriate measure of protection for both water quality and water quantity. In addition, on December 19, 1996, the board of county commissioners adopted a high-water recharge protection tax assessment program, implementing the provisions of the Henry Swanson-Bruce McEwan Bluebelt Act of 1996, for protection of this vital natural resource (Ordinance No. 96-38). This ordinance provides tax incentives for maintaining high recharge properties in a natural state. In addition to these requirements, the following measures are provided:

(1) Water quality. In accordance with future land use element policy 6.1.7, and subsection 38-1382(cb) of this division, all village planned developments shall be required to hookup to central sewer service. In addition, the village classification limits high risk land uses, such as heavy industrial and those uses which store chemicals requiring technical containment, except those uses otherwise allowed in the
neighborhood center or village center.

(2) **Water quantity.** In accordance with subsection 38-1382(gf) of this division, all village planned developments shall be required to connect to a reclaimed water system which will increase water recharge. In addition, the adopted village SAP shall identify the soils types for all land within the village boundary as identified by the Natural Resources Conservation Service (formerly the U.S.D.A. Soil Conservation Service). In accordance with chapter 34, article VII, division 2, subdivision regulations, if the site contains hydrologic soil group type "A" retention of the total runoff generated by a twenty-five-year frequency, twenty-four-hour duration from the development site will be required. Where there is no positive outfall, retention of the total runoff generated by a one-hundred-year frequency, twenty-four-hour duration storm event from the development site will be required. A detailed soils report prepared by a geotechnical engineer shall be submitted to the county engineer for review prior to the development of final drainage plans for the site. The report shall contain recommendations as to the method of providing recharge on the site.

**Sec. 38-1384. General residential development standards.**

(a) **Density.** Density is calculated by dividing the total number of units by the developable land area. Net density is calculated by dividing the total number of units by the net developable land area.

The net density required by the land use designation on the approved SAP may be increased or decreased without amending the SAP provided that an equivalent number of units (transfer of development rights) have been purchased from uplands or wetlands (sending areas) in the designated greenbelt and wetland areas within the village in accordance with the provisions of chapter 30, article XIV, division 3, transfer of development rights (TDR's), and provided that the overall net density within the village shall be consistent with future land use element policy 6.1.3. All TDR's, including sending and receiving areas, shall be identified on the land use plan. If authorized in the approved SAP, all wetlands and upland greenbelts may be designated as TDR sending areas and all development parcels may be designed as sending and receiving areas. Development rights for sending areas located outside the
boundary of a P-D must be transmitted through a development agreement prior to or concurrent with approval of a P-D/LUP or subdivision receiving the development rights. Internal transfer of uses may be approved pursuant to section 38-1207 so long as the overall net density of the planned development is consistent with the SAP. If permitted by the approved SAP, the actual density for any parcel may increase or decrease without using TDR’s so long as the density is within the range adopted in the SAP and so long as the required minimum density for the Village is maintained consistent with the compatibility requirement of this code and the comprehensive plan. The density within a parcel shall be established with the initial P-D land use plan. Subsequent modification to the established density shall be subject to the P-D change determination process.

(b) **Blocks.**

(1) Residential blocks shall be the area defined as one (1) block length by two (2) lot depths. A residential block is defined as a block length by one (1) lot depth when said block backs up to the perimeter of a property or another use.

(2) **Block depth.** A prototypical block of two hundred-forty (240) feet in depth where alleys are required and two hundred-twenty (220) feet without alleys shall be utilized for all attached and detached single family residential development within the village limits. Block depth requirements may only be reduced where the dimensions cannot be accommodated due to property ownership, natural features, or the need to accommodate other site planning provisions of this village development code. Any such alternatives to this standard shall be identified and approved through the preliminary subdivision plan or development plan review process.

(3) **Block face.** A block face shall be defined as the linear street frontage on one side of a block length, where the lot fronts are oriented to that same street.

(e) (4) **Block length.** Block length for single family attached or detached developments shall be required as follows:

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<table>
<thead>
<tr>
<th>Average Lot Width</th>
<th>Average Block Length*</th>
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<td>less than 60 ft.</td>
<td>300 ft.</td>
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<td>60 ft. to 85 ft.</td>
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<td>86 ft. to 100 ft.</td>
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*Block lengths may be increased or decreased to preserve existing ecologically significant vegetative communities, where civic spaces, parks, squares, or landscaped roundabouts are provided as a focal point at the end of a block, where lots face a perpendicular street, or where topography and street angles are used to interrupt a continuous streetscape. In such cases, the determination of block length shall be identified and approved through the preliminary subdivision or development plan review process. Average block length shall be measured from a street crossing, or public open space, or an alley intersection.

(c) Landscaping of streets and alleys.

1. Street trees shall be planted along both sides of all public streets at an average maximum of forty (40) feet on center and shall be located in planter strips between the curb and sidewalks, except as provided in the road cross-sections of an adopted SAP or approved planned development as established in appendix 1 (on file with the county planning department) of this village development code. Planter strips shall be irrigated by the abutting property owner. Reclaimed water shall be utilized when available. Street trees shall be canopy trees chosen from the recommended stock list as established in section 15-283. All street trees shall be Florida Grade #1, and shall have a clear trunk of six (6) feet, a minimum spread of seven (7) feet and a minimum caliper of three (3) inches at the time of planting.

2. A continuous hedge and canopy trees planted at an average of forty (40) feet on center shall be provided between alleys and open spaces or park tracts. Hedges and plantings along alleys shall not exceed six (6) feet in height or four (4) feet in height in conjunction with a fence or wall.

(d) Front porch. For the purposes of this village development code, a front porch is defined as an un-air-conditioned, roofed, raised above grade structure which is attached
to the front of the building. The front porch must be a minimum of seven (7) feet in depth and cover a minimum one third (1/3) of the front building facade. Porches may wrap around the sides of structures as well. The minimum dimension of a front porch shall not be less than seven (7) feet deep or less than eight (8) feet wide. Porches less than ten (10) feet wide shall include railings.

Front porches shall be required on fifty (50) percent of detached single-family lots of less than seventy-five (75) feet in width. Attached single-family residences less than or equal to twenty (20) feet in width shall, at a minimum, provide covered stoops with columns which support a gabled or hipped roof structure. Alternative designs may be proposed but must be reviewed for consistency with architectural style.

(F) Fences. Fencing may be permitted in the front yard within three (3) feet of the sidewalk to define the separation of public and private spaces. Such fences shall be no higher than three (3) feet six (6) inches in height. Materials shall be limited to decorative wrought iron metal, or wood or PVC pickets style. Other fences shall only be allowed consistent with section 38-1408 of this chapter, except that chain link fencing is prohibited unless vinyl coated black and used in association with a tennis or other sports court or field. Fences or walls abutting parallel to alleys shall not exceed six (6) feet in height and shall be at least no more than fifty (50) percent opaque above four (4) feet in height.

(Fg) Village neighborhood character. The following requirements are intended to enhance the neighborhood character and create a pedestrian oriented environment within each village planned development. Modifications to these requirements may be permitted where alternative development practices will further the intent of providing diverse neighborhoods. Any such alternatives to these standards shall be identified and approved through the preliminary subdivision or development plan review process.

(1) Each block face must contain at least two (2) distinct lot sizes excluding the end units. Where alleys are provided or where the block face includes five (5) or fewer lots, each block face may contain one (1) lot size, excluding the ends units. The distinct lots sizes shall be differentiated by the lot widths at the front building line and shall demonstrate a minimum width difference of five (5) percent.
(2) The same front facade for single family detached residential units may not be repeated more than five (5) times within one (1) block face length for both sides of any street and shall be separated by at least two (2) lots with different facades. To the greatest extent possible, houses with the same front facade should not be located across the street from each other. One (1) and two (2) story units should be intermixed in each block face. Front loaded units should randomly alter the location of the driveway on the left and right sides of the façade.

(3) Architectural styles and floor plans should vary throughout the development and special attention should be given to the appearance and scale of housing as it relates to the street. House facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. Except for lot widths one-hundred (100) feet or greater, the facade of the main body of the house shall not exceed forty (40) feet except for wings or Ls which are setback from the front facade. In no case should more than fifty (50) percent of the front facade of a house consist of an unobstructed unarticulated block wall or garage door. All lots with alleys and lots sixty (60) feet in width or less shall include primary entrances that are visible and accessible from the street and shall have a pedestrian path or walkway from the primary entrance to the sidewalk. In addition, the following mechanisms should serve as a guide to ensuring a pedestrian scale neighborhood: and should be incorporated into the design guidelines required in subsection (h) below.

a. Utilization of arcades, bays and balconies;

b. Front porches, as defined in subsection (b) above, on at least fifty (50) percent of all single family residential units;

c. Facades that are located at the front setback line;

d. First floor elevations with a minimum of three (3) steps at least eighteen (18) inches above the finished grade of the sidewalk;
e. Primary entrances that are visible and accessible from the street;

f. Hip, gable or gambrel roofs (no flat roofs);

d. Decorative porch railing on the side and front of required porches;

e. Variations in color and avoiding the same principal color on houses next to each other;

f. Articulation of side street facades for corner lots;

g. Hip, gable or gambrel roofs (no flat roofs visible from the right of way), unless another roof type is consistent with the architectural style;

hg. Design of vehicular access and garages which take into account the pedestrian scaled street frontage with preference given to garages located at the rear of the main house;

jh. Other similar architectural features such as balconies, covered entries, trim details, shutters, and bay windows which enhance the street front appearance and promote an appropriate massing and scale;

ij. Use of a variety of architectural styles (i.e. Victorian, Colonial, Florida Venacular, Tudor, Mission, Craftsman, etc.) and not only the use of minor details associated with these styles;

k. Use of extended eaves;

l. Use of multiple roof and porch planes;

m. Variation in floor plan, entryway location and building placement on each block;

n. Use of detached garages with porte-
cachere; on sides of the unit; and
p. Use of Dormers with real window frames.

(g) Garages and garage doors. Garages shall be constructed in accordance with the following standards:

(1) Rear Alley Access. Garage access must be provided by a rear alley where lots are fifty (50) feet or less in width. Garages with direct access from an alley shall be set back with a minimum of nine (9) feet from the edge of pavement or shall provide an additional off-street parking space. When an additional off-street parking space is added, the garage shall be setback three (3) feet from the edge of easement.

(2) Front-loaded Garages Setbacks. Front-loaded garage doors shall be recessed a minimum of ten (10) feet behind the nearest adjacent plane of the primary structure. However, when a porch in front of the forward-most plane of the structure, which meets the minimum standards of section 38-1384(d) is provided, the garage door setback behind the nearest adjacent plane of the primary structure may be decreased to seven (7) feet. In no case shall a front-loaded garage door be setback less than twenty (20) feet from the front property line.

(3) Front-loaded Garage Doors. The prominent appearance of garages shall be diminished and instead appear to be an extension of the home’s living space. As such, front-loaded garage doors shall be located and detailed in accordance with the following:

a. All garage doors shall be recessed from the garage’s front plane a minimum of eight (8) inches.

b. For double-car garages, two (2) single garage doors are preferable to a double-wide door. Double-wide garage entries shall not exceed sixteen (16) feet in width. Double-wide garage entries are not permitted on front-loaded lots of less than sixty-five (65) feet in width.
c. Where single garage doors are provided for multi-car garages, entries no wider than twelve (12) feet shall be provided for each vehicle. Each entry shall be separated by a column or other visually substantial supporting vertical feature which is a minimum of twelve (12) inches wide. For three (3) car garages without tandem parking, the entries shall either have three (3) single-wide doors or one (1) double-wide door plus one (1) single-wide door.

d. For garages accommodating three (3) vehicles or more, one or more deeper bays allowing tandem parking, with one vehicle behind the other, is preferred to vehicle bays side by side facing the street.

e. Garage doors shall either incorporate windows along the upper one-quarter (1/4) of the door or substantial architectural patterning shall be incorporated throughout the door plane.

f. For lots greater than sixty-five (65) feet, garages may be placed in front of the primary structure, but must be oriented toward either side yard with windows facing the street and shall meet the set backs for the primary structure. Garages shall be designed with detail treatment and articulation the same as the primary structure, with particular attention to similar roof lines, roofing material, and finish. Similar window (real or faux) and door trim, and comparable façade treatment including siding, stucco or other material finish shall be provided. For lots over one hundred-twenty (120) feet in width, the requirements of this subsection may be waived as part of the preliminary subdivision plan approval.

g. Side-street facing garages shall be setback a minimum of ten (10) feet behind the primary structure, with five (5) feet rear and side setbacks.

h) Design Guidelines. Planned development land use P-D development plans and preliminary subdivision/development plans shall include documentation providing illustrative design guidelines representing these and other development standards that demonstrate how the development will achieve the general residential design standards contained herein. P-D/LUP design
guidelines should be general, with more detailed and very specific guidelines submitted with the preliminary subdivision plan or development plan, appropriate architectural articulation, proper building-to-street relationship, and access that emphasizes pedestrians over vehicles. The detailed guidelines, required at the time of PSP or DP submittal, shall include architectural elevations (drawn to scale) of all sides of all proposed townhouses, apartments, and detached single family structures. One (1) complete set of architectural elevations (e.g., four (4) facades) shall be submitted only for each unique structure or 'model.' Developments should demonstrate good architectural design over minimum adherence to these guidelines.

These architectural elevations shall depict, and label, proposed architectural forms and trim including window molding and muntins, exposed rafter tails, columns, porches, railings, 'water table' veneer, and shutters. All finished surface materials shall be labeled, and conceptual grade changes associated with entry sidewalks, steps, and porches, shall be delineated. Conceptual drawings and sketches which illustrate wall offsets, voids, projected molding and trim, awnings, porch depth, and overhanging eaves are encouraged.

(ih) Access and off-street parking.

(1) Parking for residential uses shall be provided in accordance with article XI of this chapter; however, minimum parking, including required remote parking, for residential uses must be reviewed and approved by the Fire Rescue Department prior to development plan / preliminary subdivision plan approval.

(2) All lots less than fifty (50) feet or less in width excluding end units, and all lots fronting on a village or neighborhood square or APF road, shall have access to the garage or parking from an alley easement, or must locate the garage five (5) feet from the rear lot line. Alley easement access is encouraged for lots greater than fifty (50) feet.

(i) Off-street parking. Parking for residential uses shall be provided in accordance with article XI of this chapter. For single family uses in estate and village home districts, all off-street parking shall be to the side or the rear of the building. Where no
alley access exists and vehicle access is from the fronting street; garages or carports shall be located a minimum of ten (10) feet behind the primary building entry unless it is a side entry garage with windows facing the street.

(j) **Accessory Uses.** Home offices, granny flats, apartments over detached garages, neighborhood clubhouses and supporting detached facilities (i.e. bath house) are permitted uses in all districts. Granny flats or garage apartments shall have a minimum living area of five-hundred (500) square feet and a maximum living area of seven hundred-fifty (750) square feet. Accessory dwelling units, as defined herein, shall not be factored in density calculations, but shall be required to pay applicable county impact fees. Neighborhood clubhouses shall be limited to a maximum building height of thirty-five (35) feet, and supporting and detached facilities shall not exceed the height of the clubhouse. Such facilities shall be architecturally similar to the clubhouse.

(k) **Civic and Institutional Uses.** These uses shall be identified on the approved P-D land use plan and shall be designed in accordance with the design guidelines established with the P-D and development standards of section 38-1390. Such uses should be located at the termination of street vistas where practicable.

Sec. 38-1385. Estate district.

(a) **Development standards.** The following development standards shall apply to all development within the estate district.

(1) **Density.** Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code, or as otherwise provided in section 38-1384(a), each development within an area designated as estate district on the village SAP shall have an average net density of two (2) dwelling units per acre. Accessory dwelling units shall be included in density calculations.

(2) **Permitted uses.** Single-family detached residential homes, accessory uses as defined in section 38-1384(j) garage apartments (min. living area of five hundred (500) sq. ft.) and all other accessory uses, as permitted in the use table for the R-1AA zoning district, section 38-77 of this chapter, shall may be
permitted in the estate district. Retail commercial and professional office uses may be permitted as a special exception on the first floor of a residential structure when located fronting a neighborhood center or village center. Such nonresidential uses shall be designed to appear as a residential building and shall be limited to one thousand (1,000) square feet of gross leasable area, and shall be primarily oriented to serve the residents of the immediate surrounding area. As a guide, certain structures and uses required to serve educational, civic, utilities and non-commercial recreational needs are listed as permitted as or special exceptions as per the requirements for the use table for the R-1AA zoning district, section 38-77 of this chapter, and identified by the letters “P” or “S” as applicable. Such uses must be identified on the P-D/LUP. Churches as special exceptions should be considered as civic uses and shall be located so that they become a focal point for the neighborhood. All other uses are prohibited.

(b) Development guidelines. The following guidelines shall apply to all development within the estate district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

(1) Maximum lot area: None.

(2) Minimum average lot size: Ten thousand (10,000) square feet. (Where transfer of development rights are utilized, the minimum lot size may vary from this standard and shall be determined at the time of preliminary subdivision plan approval.)

(3) Minimum floor living area: One thousand two hundred (1,200) square feet. Living area is defined as the area that is heated and cooled.

(4) Minimum lot width: Eighty-five (85) feet.

(5) Minimum lot depth: One hundred (110)
feet. (One hundred-twenty (120) feet with alley—see Appendix 1).

(6) Maximum building height: Three (3) stories and a maximum of forty-five (45) feet.

(7) Maximum garage height: Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(8) Maximum lot coverage: Sixty-five (65) percent. (The area of a front porch is not included in the calculation of lot coverage.)

(9) Minimum building set back requirements:

a. Front: Twenty (20) feet; ten (10) feet for front porch or bay; front-facing garages must be set back a minimum of an additional ten (10) feet further than the primary structure, excluding the front porch or bay. Garages placed in front of the primary structure must be oriented toward the side yard.

b. Side: Five (5) feet. Side Street: Ten (10) feet.

c. Rear. Twenty-five (25) feet for primary structure; five (5) feet for a garage, or fifteen (15) feet from the easement centerline for a garage accessed from an alley.

d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.

e. Garages: See section 38-1384(g).

(10) Driveways: Driveways must be set back a minimum of five (5) feet from the side property line within the front ten (10) feet from the road right-of-way; otherwise, driveways must be set back a minimum of two (2) feet from the side property line.

Sec. 38-1385.5 Estate home district.

(a) Development standards. The following development standards shall apply to all development within the
estate home district.

(1) **Density.** Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code or as otherwise provided in section 38-1384(a), each development within an area designated as estate home district on the village SAP shall have an average net density of three (3) dwelling units per acre. Accessory dwelling units shall be included in density calculations.

(2) **Permitted uses.** Same as the estate district as established in section 38-1385(a)(2) above.

(b) **Development guidelines.** The following guidelines shall apply to all development within the estate home district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

(1) Maximum lot area: None.

(2) Minimum average lot size: Seven thousand two-hundred (7,200) square feet. (Where transfer of development rights are utilized, the minimum lot size may vary from this standard and shall be determined at the time of preliminary subdivision plan approval.)

(3) Minimum floor living area: One thousand two-hundred (1,200) square feet. Living area is defined as the area that is heated and cooled.

(4) Minimum lot width: Fifty (50) feet.

(5) Minimum lot depth: One hundred-ten (110) feet. (One hundred-twenty (120) feet with alley—see appendix I, on file with the county planning department.)

(6) Maximum building height: Three (3) stories
and forty (40) a maximum of forty-five (45) feet.

(7) Maximum garage height: Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(87) Maximum lot coverage: Sixty-five (65) percent. (The area of a front porch is not included in the calculation of lot coverage.)

(98) Minimum building setback requirements:

a. Front: Twenty (20) feet; ten (10) feet for front porch or bay; front facing garages must be set back a minimum of an additional ten (10) feet further than the primary structure, excluding the front porch or bay. Garages placed in front of the primary structure must be oriented toward the side yard.

b. Side: Five (5) feet. Side Street: Ten (10) feet.

c. Rear: Twenty-five (25) feet for primary structure, five (5) feet for a garage, or fifteen (15) feet from the easement centerline for a garage accessed from an alley.

d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code;

e. Garages: See section 38-1384(g).

(109) Driveways: Driveways must be set back a minimum of five (5) feet from the side property line within the front ten (10) feet from the road right-of-way; otherwise, driveways must be set back a minimum of two (2) feet from the side property line.

Sec. 38-1385.6 Estate rural district.

(a) Development standards. The following development standards shall apply to all development within the estate rural district.

(1) Density. Except for transfer of development
rights as provided for in chapter 30, article XIV, division 2, of this Code, or as otherwise provided in section 38-1384(a), each development within an area designated as estate rural district on the village SAP shall have an average net density of less than one (1) dwelling unit per acre.

(2) Permitted uses. Single family detached residential homes, accessory uses as defined in section 38-1384(j), and all other accessory uses, as permitted in the use table for the R-CE zoning district, section 38-77 of this chapter, may be permitted in the rural estate district. As a guide, certain structures and uses required to serve educational, civic, utilities and non-commercial recreational needs are listed as permitted or special exceptions as per the requirements for the use table for the R-CE zoning district, section 38-77 of this chapter, and identified by the letters “P” or “S,” as applicable. Such uses must be identified on the P-D/LUP. Churches should be considered as civic uses and shall be located so that they become a focal point for the neighborhood. All other uses are prohibited.

(b) Development guidelines. The following guidelines shall apply to all development within the estate rural district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modification to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

(1) Maximum lot area: None

(2) Minimum average lot size: Forty-three thousand, five-hundred and sixty (43,560) square feet (1 acre).

(3) Minimum living area: One thousand five-hundred (1,500) square feet. Living area is defined as the area that is heated and cooled.

(4) Minimum lot width: One hundred-thirty (130) feet.
(5) Minimum lot depth: One hundred-ten (110) feet. (One hundred-twenty (120) feet with alley.)

(6) Maximum building height: Three (3) stories and a maximum of forty-five (45).

(7) Maximum garage height: Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(8) Maximum lot coverage: Sixty-five (65) percent. (The area of front porch is not included in the calculation of lot coverage.)

(9) Minimum building set back requirements:
   a. Front: Thirty-five (35) feet; twenty-five (25) feet for front porch.
   b. Side: Ten (10) feet. Side Street: Ten (10) feet.
   c. Rear: Fifty (50) feet for primary structure.
   d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, articles XII, of this Code.
   e. Garages: See section 38-1384(g).

(10) Driveways: Drives must be set back a minimum of ten (10) feet from the side property line within the front ten (10) feet from the road right-of-way; otherwise, driveways must be set back a minimum of five (5) feet from the side property line.

Sec. 38-1385.7. Garden home single-family district.

(a) Development standards. The following development standards shall apply to all development within the garden single-family home district.

(1) Density. Except for transfer of development
rights as provided for in chapter 30, article XIV, division 2, of this Code or internal transfers provided in section 38-1384(a), each development within an area designated as garden home single family district on the village SAP shall have an average net density of four (4) dwelling units per acre. Accessory dwelling units shall be included in density calculations.

(2) Permitted uses. Same as the estate district as established in section 38-1385(a)(2) above.

(3) Special exceptions. Fee simple attached townhouses.

(b) Development guidelines. The following guidelines shall apply to all development within the garden home district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

(1) Maximum lot area: None.

(2) Minimum average lot size: Six thousand (6,000) square feet. (Where transfer of development rights are utilized, the minimum lot size may vary from this standard and shall be determined at the time of preliminary subdivision plan approval.)

(3) Minimum floor living area: One thousand two-hundred (1,200) square feet. Living area is defined as the area that is heated and cooled.

(4) Minimum lot width: Forty (40) feet for single family detached dwelling units. Twenty (20) feet for attached dwelling units.

(5) Minimum lot depth: One hundred-ten (110) feet. (One hundred-twenty (120) feet with alley—see Appendix I.)
(6) Maximum building height: Three (3) stories and a maximum of forty-five (45) feet.

(7) Maximum garage height: Twenty-two (22); or thirty (30) feet with living area over garage.

(8) Maximum lot coverage: Sixty-five (65) percent. (The area of a front porch is not included in the calculation of lot coverage.)

(9) Minimum building setback requirements:

a. Front: Fifteen (15) feet; ten (10) feet for front porch or bay; front facing garages must be set back a minimum of an additional ten (10) feet further than the primary structure, excluding the front porch or bay. Garages placed in front of the primary structure must be oriented toward the side yard.

b. Side: Five (5) feet; Side Street: Ten (10) feet zero (0) feet and seven (7) feet for zero lot line.

c. Rear. Twenty (20) feet for primary structure; five (5) feet for a garage, or fifteen (15) feet from the easement centerline for a garage accessed from an alley.

d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.

e. Garages: See section 38-1384(g).

(10) Driveways: Shared driveways are encouraged; however, when driveways are not shared, they must be setback a minimum of two (2) feet from the side property line. Driveways must be set back a minimum of two (2) feet from the side property line. Shared driveways should be encouraged.

Sec. 38-1385.8 Garden home mixed use district.

(a) Development standards. The following development standards shall apply to all development within the garden home mixed used district.
(1) **Density.** Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code or as otherwise provided in section 38-1384(a), each development within an area designed as a garden home mixed use district on the village SAP shall have an average net density of four (4) dwelling units per acre.

(2) **Permitted uses.** Same as the estate district as established in section 38-1385.5(a)(2) above, except that townhomes and condominiums, and other unit types shall be allowed in those villages where specified in the approved SAP.

(b) **Single family development guidelines.** The following guidelines shall apply to all single-family developments within the garden home mixed use district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

(1) **Maximum lot area:** None.

(2) **Minimum average lot size:** Six-thousand (6,000) square feet. (Where transfer of development rights are utilized, the minimum lot size may vary from this standard and shall be determined at the time of preliminary subdivision plan approval.)

(3) **Minimum living area:** One thousand two-hundred (1,200) square feet. Living area is defined as the area that is heated and cooled.

(4) **Minimum lot width:** Forty (40) feet for single-family detached dwelling units.

(5) **Minimum lot depth:** One hundred ten (110) feet. (One hundred-twenty (120) feet with alley.)

(6) **Maximum building height:** Three (3) stores and a maximum of forty-five (45) feet.
(7) **Maximum garage height:** Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(8) **Maximum lot coverage:** Sixty-five (65) percent. (The area of a front porch is not included in the calculation of lot coverage.)

(9) **Minimum building setback requirements:**
   a. Front: Fifteen (15) feet; ten (10) feet for front porch.
   b. Side: Five (5) feet. Side Street: Ten (10) feet.
   c. Rear: Twenty (20) feet for primary structure.
   d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.
   e. Garages: See section 38-1384(g).

(10) **Driveways:** Shared driveways are encouraged; however, when driveways are not shared, they must be setback a minimum of two (2) feet from the side property line.

(c) **Townhouse development guidelines.** Guidelines for townhomes developed in the garden home mixed use district shall be those specified for townhomes in section 38-1387.1.

(d) **Condominiums development guidelines.** Guidelines for condominiums developed in the garden home mixed use district shall be those specified for condominiums in section 38-1387.3, except that the maximum building height shall be limited to three (3) stores and forty-five (45) feet.

Sec. 38-1386. Village home district.

(a) **Development standards.** The following development standards shall apply to all development within the
village home district.

(1) **Density.** Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code or as otherwise provided in section 38-1384(a), each development within an area designated as village home district on the village SAP shall have an average net density of six (6) dwelling units per acre. Accessory dwelling units shall be included in density calculations.

(2) **Permitted uses.** Same as the estate home district as established in subsection 38-1385(a)(2) or the garden home mixed use district established in subsection 38-1385.8.

(3) **Special exceptions.** Fee simple attached townhouses. Ground-floor nonresidential uses. Retail commercial and professional office uses may be permitted on the first floor of a multi-story residential structure when located fronting a neighborhood center or village center. Such nonresidential uses shall be integrated into the residential building and shall be limited to one-thousand (1,000) square feet of gross leasable area, and shall be primarily oriented to serve the residents of the immediate area. These nonresidential use areas shall be identified on the P-D land use plan. The PSP shall include covenants, conditions and restrictions identifying these as primary residential uses with accessory commercial and professional office.

(b) **Development guidelines.** The following guidelines shall apply to all development single family detached residences within the village home district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

(1) Maximum lot area: None.

(2) Minimum average lot size: Four thousand eight two-hundred (4,800) square feet. (Where transfer of development rights or townhouses are utilized, the minimum lot
(3) Minimum floor living area: One-thousand (1,000) square feet. Living area is defined as the area that is heated and cooled.

(4) Minimum lot width: Forty Thirty-five (40 35) feet for single family detached dwelling units. Sixteen (16) feet for attached dwelling units.

(5) Attached units shall be subject to the standards in section 38-1387.1.

(6) Minimum lot depth: One hundred-ten (110) feet. (One hundred-twenty (120) feet with alley—see appendix I, on file with the county planning department.)

(7) Maximum building height: Three (3) stories and forty-five (45) feet.

(8) Maximum garage height: Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(9) Maximum lot coverage: Sixty-five (65) percent. (The area of a front porch is not included in the calculation of lot coverage.)

(10) Minimum building setback requirements:

a. Front: Fifteen (15) feet; ten (10) feet for front porch or bay; front facing garages must be set back a minimum of an additional ten (10) feet further than the primary structure, excluding the front porch or bay. Garages placed in front of the primary structure must be oriented toward the side yard.

b. Side: Five (5) feet; zero (0) feet and seven (7) feet for zero lot line. Side Street: Ten (10) feet.

c. Rear: Twenty (20) feet for primary structure; five (5) feet for a garage, or fifteen (15) feet from the easement centerline for a garage accessed from an alley.
d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.

e. Garages: See section 38-1384(g).

(119) Shared driveways are encouraged; however when driveways are not shared, they must be setback a minimum of two (2) feet from the side property line. Driveways must be set back a minimum of two (2) feet from the side property line. Shared driveways should be encouraged.

(c) Townhome development guidelines. Guidelines for townhomes developed in the village home district shall be those specified for townhouses in section 38-1387.1.

(d) Condominium development guidelines. Guidelines for condominiums developed in the village home district shall be those specified for condominiums in section 38-1387.3, except that the maximum building height shall be limited to four (4) stories and fifty-five (55) feet.

Sec. 38-1387. Townhouse /apartment / condominium district.

(a) Development standards. The following development standards shall apply to all development within the townhouse/apartment districts, regardless of the form of ownership.

(1) Density. Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code or as otherwise provided in section 38-1384(a), each development within an area designated as townhouse/apartment district on the village SAP shall have an average net density of eight (8) to ten (10) per the approved SAP and for apartment districts the average net density should be twelve (12) dwelling units per acre except as otherwise provided in an approved SAP. Accessory dwelling units shall be included in density calculations.

(2) Permitted uses. Fee simple, attached townhouses and all other accessory uses as permitted in the use table for the R-3 zoning district, section 38-77 of this chapter, shall be permitted in the district. Retail commercial and professional
office uses as defined in subsection 38.1385(a)(2) may be permitted on the first floor when located fronting a neighborhood center or village center. Certain structures and uses required to serve educational, religious, utilities and noncommercial recreational needs are permitted as special exceptions as per the requirements for the use table for the R-3 zoning district, section 38-77 of this chapter and identified by the letter "S." Retail commercial and professional office uses may be permitted on the first floor of a townhouse or apartment structure when located fronting a neighborhood center or village center. Such nonresidential uses shall be integrated into the residential building and shall be limited to one-thousand (1,000) square feet of gross leasable area, and shall be primarily oriented to serve the residents of the immediate area. Covenants and restrictions shall identify the areas of nonresidential uses. Certain structures and uses required to serve educational, religious, utilities and noncommercial recreational needs may be permitted as special exceptions as per the requirements for the use table for the R-2 zoning district, section 38-77 of this chapter and identified by the letters "P" or "S," as applicable. Such uses must be identified on the P-DILUP.

(3) Apartments may be permitted as a special exception in the townhouse/apartment district. Apartments shall comply with the performance standards of the R-3 zoning district and may be permitted provided: Residential product types shall be those authorized in the approved SAP.

a. The site plan is compatible with the village street pattern.

b. Design of the project is consistent with the scale and character of development in the village.

c. Parking lots shall be placed at the rear of the building.

(4) Condominiums in apartment districts shall comply with apartment district development standards.

(b) Prohibited Uses. Short term rental (rental of less than one hundred-eighty (180) days). Development guidelines. The following guidelines shall apply to all development within the townhouse/apartment district. Modifications to these guidelines
may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified on the village P-D land use plan or development plan for approval by the board of county commissioners at a public hearing.

Sec. 38-1387.1 Townhouses

(a) Townhouse Performance Standards. The following guidelines shall apply to the townhouses constructed within the townhouse district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan or preliminary subdivision plan for approval by the board of county commissioners at a public hearing.

(1) Minimum lot width: Sixteen (16) feet.

(2) Minimum living area: One-thousand (1,000) square feet per dwelling unit. Living area is defined as the area that is heated and cooled.

(3) Minimum lot depth: One-hundred (100) feet, except for garage under units.

(4) Maximum building height: Four (4) stories and a maximum of fifty-five (55) feet.

(5) Maximum garage height: Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(6) Maximum lot coverage: Seventy-five (75) percent for townhouse units. (The area of a front porch is not included in the calculation of lot coverage.)

(7) Open Space: A minimum of thirty (30) percent of each townhouse development shall be developed as
common open space.

(8) Recreation Areas: Recreation areas shall be provided in accordance with section 38-1253.

(9) Minimum building setback requirement:

a. Front: Fifteen (15) feet; ten (10) feet for front porch.

b. Side: Zero (0) feet required for at least one (1) property line; seven (7) feet for end units. Side Street Setback: Ten (10) feet.

c. Rear: Fourteen (14) feet for the primary structure. Garage setbacks shall be in accordance with section 38-1384(g).

d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII.

(10) Minimum Building Separation: Twenty (20) feet. Minimum building separation of forty-five (45) feet when utilized as common open spaces, parks or recreation areas, or park tracts as to achieve a block break which may be counted toward the seven and one-half (7.5) percent required open space in accordance with section 38-1382(i).

(11) Building Length: Townhouse buildings shall be attached (built with no side setback or as a single building) with not less than four (4) attached units. Lots at the end of a block may be permitted with a minimum of two (2) attached units.

(12) Minimum and Maximum Block Length. The minimum block length shall range from a minimum of two hundred-ninety (290) feet to a maximum of three hundred-ten (310) feet. The average block length shall be three-hundred (300) feet.

(13) All townhouse units shall be accessed with a rear alley and garages for townhouses shall be accessed from a rear alleyway only.
(14) Maximum number of units per building:
Eight (8).

(15) Porches shall be provided consistent with section 38-1384(d).

(b) Design and architectural detail:

(1) Townhouses shall include a first floor front elevation which is visually elevated above finished sidewalk grade. The front porch or stoop shall be a minimum of two (2) steps above the adjacent sidewalk grade. The residence and front door shall be oriented toward and visible from the street which shall possess a direct pedestrian connection to the external sidewalk system.

(2) The subdivision plan for townhouse projects shall include building elevations and design guidelines. The design guidelines shall include requirements for complete, scaled building elevations which clearly indicate rough dimensions, roof slopes, and exterior surface materials of all residences, garages, mail kiosks, common-area outdoor pavilions and the like. The design guidelines shall include detailing and articulation of facades, roof styles, jogged roof peaks, and projecting eaves. The guidelines shall address architectural elements such as ornamental gables, chimneys, dormers, balconies (functional or decorative), wall plane projections, windows (proportions, transoms, shutters, mullions, surrounds) garage door and trim treatment, decorative pediments, fencing and screening details.

(3) The side facades of gables and townhouse end units which are located adjacent to, or which are visible from, side streets shall not be left unarticulated. Such facades shall incorporate the same proportion of window surfaces, window molding and trim (e.g. sills, lintels, keystones, muntins, shutters) peaked eaves, decorative gables, exposed rafters, and variation in materials, as provided on the adjacent front facade. Multi-story end-unit side facades, which face an adjacent street, shall highlight the floor line between each successive floor with horizontal trim/bands, color variations, or other approved means.

Sec. 38-1387.2 Apartments
(a) **Apartment Performance Standards.** The following guidelines shall apply to the apartment product within the district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan or development plan for approval by the board of county commissioners at a public hearing.

1. **Minimum lot width:** Eighty-five (85) feet.
2. **Minimum living area:** Five-hundred (500) square feet per dwelling unit.

3. **Dispersal of Apartment Buildings.** Apartment buildings should be interspersed among other land uses, such as commercial, open space, park or recreation area, office, school, religious institutions, townhouses, or any non-apartment residential use allowed in the district. The maximum number of apartment dwelling units in any one location, without such an intervening land use, shall be three-hundred (300) units. This restriction is intended to govern building placement only; it is not intended to discourage common ownership and management of project involving more than three-hundred (300) units. The intervening land uses shall comply with the requirements of section 38-1387.2(11)a. and (11)b. Uses such as parking and maintenance facilities, and condominiums having an appearance similar to the apartments, shall not be utilized to meet the separation requirement. This separation requirement does not apply to the Village Center, Neighborhood Center, parcels designated only as apartment use in an adopted SAP, or other locations where apartments are constructed above first floor non-residential uses.

In order to help ensure that the apartment development is a pedestrian-oriented, high-quality living environment, four (4) or more of the following concepts shall be incorporated in the design standards for such purposes:

a. **Variations in front setbacks.**
b. Larger open spaces, courtyards, or plazas separating buildings.

c. Variations in façade treatments and roofline heights.

d. Reduced heights for end units.

e. Step down heights when adjacent to lower density residential uses.

f. Creating clusters of buildings with distinct architectural variations to give the appearance of different developments.

g. Because on-street parking is encouraged, a plan that utilizes parking lots as part of the site circulation system is prohibited. Buildings shall be aligned to create and reinforce the streetscape, but shall incorporate variations in front setbacks; variances in façade treatments and roofline heights; and architectural treatments to provide visual variety to the streetscape. In addition, a significant percentage of the required common open space shall be in the form of “civic” spaces such as parks and plazas that are visible from the streets and consequently serve as breaks to what would otherwise be a monotonous development pattern.

(4) Maximum building height: Five (5) stories and a maximum sixty-five (65) feet. Additional height restrictions in accordance with section 38-1258 may be required related to the character of the surrounding area.

(5) Maximum impervious coverage: Eighty (80) percent for apartment developments. (The area of a front porch is not included in the calculation of lot coverage.)

(6) Open Space: A minimum of twenty-five (25) percent of the apartment development shall be developed as common open space per section 38-1234.

(7) Recreation areas: Recreation areas shall be provided in accordance with sections 38-1253 and 38-1258, and individual recreation tracts shall not be less than one-quarter (1/4)
acre in size. Parks and open spaces may be distributed throughout the apartment district rather than within each block.

(8) Minimum building setback requirements. Additional setbacks may be required to ensure compatibility with the surrounding area.

a. Front: Ten (10) feet including front porch.

b. Side: Fifteen (15) feet; ten (10) feet for front porch or bay. Side Street setback: Fifteen (15) feet; ten (10) feet for front porch.

c. Rear: Twenty (20) feet for the primary structure; Garage setbacks per section 38-1384(i).

d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.

e. Minimum Building Separation: Twenty (20) feet. Minimum building separation of forty-five (45) feet when utilized as common open space, recreation area, or park tract as to achieve a block break which may be counted toward the seven and one-half (7.5) percent required open space in accordance with section 38-1382(i).

(9) To screen the view of parking lots, and to better frame the surrounding street corridors, off-street surface parking lots for apartments shall be prohibited from between residential structures and the street rights-of-way, and shall instead be placed within the interior of blocks. Apartment projects shall be designed such that the residential structures are pulled forward toward the street, with associated parking areas located behind the apartment structures, within the interior of the block. Access to the interior parking areas shall be achieved with pass-throughs between adjacent structures.

When it can be demonstrated that site conditions will preclude strict block-interior parking configurations, portions of surface parking areas may be located along the side of structures, adjacent to street right-of-ways. In no case, however, may parking be
placed closer to the street right-of-way than the adjacent residential structure.

When a surface parking lot is placed adjacent to a building (e.g., adjacent to the street), a decorative high knee wall, a minimum forty-two (42) inches high, shall be installed along the full length of the parking lot. Said knee wall shall incorporate a planter space between the wall and the back edge of the street sidewalk. The planter space shall serve as an irrigated shrub planter strip along the front foundation of the knee wall. Said planter strip shall be no less than thirty (30) inches wide (+/- sixty (60) inches at inward-jogged sections of the knee wall). The knee wall shall incorporate a continuous, cantilevered cap block, and shall not extend more than twenty-five (25) feet in a single, uninterrupted span, without incorporating a minimum thirty (30) inches offset or “jog.”

Knee walls constructed of unpainted smooth face Concrete Masonry Unit (“CMU”) are prohibited. Knee wall surfaces shall instead feature brick, stone, split face, scored, ribbed, offset, or other surface treatment, including stucco. Veneer surfaces shall feature brick or stone patterns. Ornate cap features are encouraged such as decorative metal railings placed along the top of the cap block. Painted stucco walls are acceptable, so long as a distinct cap is used.

On-street parking (parallel or angled) is permitted and may be counted toward the parking requirements when located within the projected property lines on the street facing the building they are meant to serve. A waiver for reduced parking will be reviewed on a case by case basis.

(10) Landscaping shall be provided in accordance with village center landscape requirements.

(11) Apartment Blocks.

   a. Streets shall form blocks that are a maximum width of two hundred-sixty (260) feet and a maximum length of four-hundred (400) feet. The maximum length of any block may be increased to five hundred-sixty (560) feet where buildings at the end of the block are perpendicular to the length of the block. Average Block Length: Three hundred-forty (340) feet. The maximum length of any street frontage with apartment uses
shall be eight hundred-eighty (880) feet.

b. The maximum number of consecutive blocks of apartments, without an intervening area (as set forth in Section 38-1387.2(a)(3)) of open space or other village land use, is two (2) lengthwise and three (3) width-wise, or two (2) full and two (2) half blocks width-wise. The block size of the alternative use shall be a comparable size to the adjacent surrounding blocks. For parcels designated only as apartment on an adopted SAP, this requirement can be waived as part of the land use plan approval. However, in order to avoid “campus-style” multi-family complexes, a majority of the following concepts shall be incorporated in the design guidelines for such properties:

(i) Variations in front setbacks.

(ii) Larger open spaces, courtyards or plazas separating buildings.

(iii) Variations in façade treatments and roofline heights to create different architectural styles.

(iv) Reduced heights for end units.

(v) Step down heights when adjacent to lower density residential uses.

(vi) Adjacent buildings shall have distinct architectural variations to give the appearance of difference developments.

(12) Building Massing: Front facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. Continuous flat building walls shall not exceed forty (40) feet in length. Both horizontal and vertical projections and recesses of building walls are encouraged to break up the mass of the building.

(b) Design and architectural detail:
(1) The following design guidelines are recommended on all buildings, including maintenance buildings, mail kiosks and other structures. Buildings shall have appropriate pedestrian-scaled trim and detailing, exterior wall materials, building entry prominence, massing, façade articulation, fenestration, bays, roof styles (no flat roofs), and roof materials. Architectural elements including awnings, gables, dormers, chimneys, balconies, balustrades and wall plane projections shall be utilized. The plan and design shall promote pedestrian convenience and circulation by providing prominent and formalized pedestrian access from the primary building entrances to the project’s external sidewalk systems including formal connections between and among apartment buildings and any adjacent commercial uses. Apartment developments shall incorporate design elements such as porches, balconies, and visible entryways from the street to foster pedestrian scale development, but the inclusion of these architectural features is not intended to imply that separate street-front entrances for individual apartment units are required.

(2) Building size, length, height and separation shall be compatible with the other buildings in the area.

Sec. 38-1387.3 Condominium district.

(a) Development Standards. The following development standards shall apply to all development within the condominium districts designated or approved in accordance with the SAP.

(1) Density. Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code or as otherwise provided for in section 38-1384(a), each development, within an area designated as condominium district on the village SAP, shall have an average net density of twenty (20) dwelling units per acre unless otherwise specified in the approved SAP.

(2) Permitted uses. Single family, townhouse and condominium residential uses are permitted.

(3) Prohibited uses. Short term rental (rental of less than one hundred-eighty (180) days) and apartments.
(b) Development guidelines.

(1) Single family – the single family development standards of section 38-1386 shall apply for single family homes in the condominium district.

(2) Townhouse – the townhouse performance and design standards of section 38-1387.1 shall apply for townhouses in the condominium district.

(3) Condominium-Performance standards. The following guidelines shall apply to the condominium product within the condominium district. Modification to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan or development plan for approval by the board of county commissioners at a public hearing.

   a. Minimum lot width: Eighty-five (85) feet.

   b. Minimum living area: Five-hundred (500) square feet per dwelling unit.

   c. Pedestrian layout: In order to help ensure that the condominium development is a pedestrian-oriented, high-quality living environment, the following concepts shall be incorporated in the design for such properties.

      (i) The site shall be organized around a street pattern, with most of the parking contained within parking lots located in the interior of blocks.

      (ii) Because on-street parking is encouraged, a plan that utilizes parking lots as part of the site circulation system is prohibited. Buildings shall be aligned to create and reinforce the streetscape, but shall incorporate variations in front setbacks; variations in façade treatments and roofline heights; and architectural treatments to provide visual variety to the
streetscape. In addition, a significant percentage of the required common open space shall be in the form of “civic” spaces such as parks and plazas that are visible from the streets and consequently serve as breaks to what would otherwise be a monotonous development pattern.

(iii) Creating clusters of buildings with distinct architectural variations to give the appearance of different developments shall be encouraged.

(iv) When adjacent to lower density residential uses, buildings shall be designed to moderate the differences in scale and massing. Use of reduced height for end units, addition of small scale architectural detail, and other such architectural treatments are examples of ways to moderate the differences in scale and massing.

d. Maximum building height: Five (5) stories and a maximum of sixty-five (65) feet.

e. Maximum impervious coverage: Eighty (80) percent of the condominium development. (The area of a front porch is not included in the calculation of lot coverage.)

f. Open space: A minimum of twenty-five (25) percent of the condominium development shall be developed as common open space per section 38-1234.

g. Recreation areas: Recreation areas shall be provided in accordance with sections 38-1253 and 38-1258. Parks and open space may be distributed throughout the condominium district rather than within each block. However, individual recreation tracts shall not be less than one-quarter (1/4) acre in size.

h. Minimum building setback requirements: Additional setbacks may be required to ensure compatibility with the surrounding area.

   (i) Front: Ten (10) feet, including front porch.

   (ii) Side: Fifteen (15); ten (10) feet for front porch or bay. Side street setback: Fifteen (15) feet;
ten (10) feet for front porch.

(iii) Rear: Twenty (20) feet for the primary structure; garage setbacks per section 38-1384(i).

(iv) Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.

(v) Minimum building separation: Twenty (20) feet. Minimum building separation of forty-five (45) feet when utilized as common open space, landscaped courtyard, or recreation area.

   i. To screen the view of parking lots, and to better frame the surrounding street corridors, off-street surface parking lots for condominiums shall be prohibited between residential structures and the street rights-of-way, and shall instead be placed within the interior of blocks. Condominium projects shall be designed such that the residential structures are pulled forward toward the street, with the associated parking areas located behind the condominium structures within the interior of the block.

   When it can be demonstrated that site conditions will preclude strict block-interior parking configurations, only portions of surface parking areas may be located along the side of structures, adjacent to street rights-of-way. In no case, however, may parking be placed closer to the street right-of-way than the adjacent residential structure.

   When a surface parking lot is placed adjacent to a building (e.g. adjacent to the street), a decorative forty-two (42) inch high knee wall shall be installed along the full length of the parking lot. Said knee wall shall incorporate a planter strip between the wall and the back edge of the street sidewalk. The planter strip shall serve as an irrigated shrub planter strip along the front foundation of the knee wall. Said planter strip shall be no less than thirty (30) inches wide (+/- sixty (60) inches at inward-jogged sections of the knee wall). The knee wall shall incorporate a continuous, cantilevered cap block, and shall not extend more than twenty-five (25) feet in a single, uninterrupted span, without incorporating a minimum thirty (30) inches offset or “jog.”
Knee walls constructed of unpainted smooth face CMU are prohibited. Knee wall surfaces shall instead feature brick, stone, split face, scored, ribbed, offset, or other surface treatment. Veneer surfaces shall feature brick or stone patterns. Ornate cap features are encouraged such as decorative metal railings placed along the top of the cap block. Painted stucco walls are acceptable, so long as a distinct cap is used.

On-street parking (parallel or angled) is strongly encouraged and shall be counted toward the parking requirements when located within the same property line alignment as the building they are meant to serve. A waiver for reduced parking will be reviewed on a case by case basis.

i. Landscaping shall be provided in accordance with the village center landscape requirements.

k. Condominium Blocks.

(i) Streets shall form blocks that are a maximum width of two hundred-sixty (260) feet and a maximum length of four-hundred (400) feet. The maximum length of any block may be increased to five hundred-sixty (560) feet where buildings at the end of the block are perpendicular to the length of the block. Average block length: Three hundred-forty (340) feet. The maximum length of any street frontage with condominium uses shall be eight hundred and eighty (880) feet.

(ii) The maximum number of consecutive blocks of condominiums without an interim block of open space or other village land use is two (2) length-wise and two and one-half (2 \( \frac{1}{2} \)) width-wise. The block size of the alternate use shall be a comparable size to the adjacent surrounding blocks. For parcels designated only as condominium on an adopted SAP, this requirement shall not apply.

l. Building Massing: Front facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. Continuous flat building walls shall not exceed forty (40) feet in length. Both horizontal and vertical projections and recesses of building walls are encouraged to break up the mass of the building.
(c) Design and architectural detail:

(1) The following design guidelines shall apply to all buildings, including maintenance buildings, mail kiosks and other structures. Buildings shall have appropriate pedestrian-scaled trim and detailing, exterior wall materials, building entry prominence, massing, façade articulation, fenestration, bays, roof styles (no flat roofs), and roof materials. Architectural elements, including awnings, gables, dormers, chimneys, balconies, balustrades and wall plane projections, shall be utilized. The plan and design shall promote pedestrian convenience and circulation by providing prominent and formalized pedestrian access from the primary building entrances to the project's external sidewalk systems including formal connections between and among apartment buildings and any adjacent commercial uses. Condominium developments shall incorporate design elements such as porches, balconies, and visible entryways from the street to foster pedestrian scale development, but the inclusion of these architectural features is not intended to imply that separate street-front entrances for individual condominium units are required.

(2) Building size, length, height and separation shall be compatible with the other buildings in the area.

(1) Maximum lot width: Thirty two (32) feet.

(2) Minimum lot width: Sixteen (16) feet.

(3) Minimum floor area: Five hundred (500) square feet per dwelling unit.

(4) Minimum lot depth: Eighty-six (86) feet.

(5) Maximum building height: Three (3) stories and forty (40) feet.

(6) Maximum lot coverage: Sixty-five (65) percent for townhouses, eighty-five (85) percent for apartments. (The area of a front porch is not included in the calculation of lot coverage.)

(7) Minimum building setback requirements:
a. Front: Fifteen (15) feet; ten (10) feet for front porch or bay.

b. Side: Zero (0) feet required for at least one (1) property line; seven (7) feet for end units.

c. Rear: Twenty (20) feet for the primary structure; fifteen (15) feet from the easement centerline for a garage accessed from an alley.

d. Lakefront: Fifty (50) feet from the normal high water elevation contour in accordance with chapter 30, article XII, of this Code.

(8) Townhouse buildings shall be accessed from a rear alley in accordance with appendix 1, on file with the county planning department.

(9) Townhouse buildings shall be attached (built with no side setback or as a single building) with not less than five (5) attached units. Lots at the end of a block may be permitted with at least two (2) attached units.

(10) Townhouses and apartments shall have a first floor front elevation a minimum of eighteen (18) inches above finished sidewalk grade.

(11) A minimum of twenty-five (25) percent of the buildings in the townhouse/apartment district shall have front porches as defined in section 38-1383 of this division.

(12) A minimum of thirty (30) percent of the townhouse district lot area shall be developed as private open space.

(13) In order to support pedestrian scale development, apartments should incorporate certain design elements such as porches, bays, balconies and entryways which are visible from the street.

Sec. 38-1388. Neighborhood center district.

(a) Generally. Neighborhood center districts shall be
located generally at the center of the neighborhood adjacent to the neighborhood park or green and the neighborhood school and uses should be primarily oriented to serve the residents of the immediate neighborhood. The maximum size of any neighborhood center district shall not exceed two (2) be four (4)-acres. The maximum total gross floor area of commercial uses shall be twenty-thousand (20,000) square feet unless otherwise specified in an approved SAP. No single establishment shall exceed ten-thousand (10,000) square feet (GFA).

(1) Within the established village SAP, a single ten-thousand (10,000) square foot commercial building can be constructed in a neighborhood center.

(2) If a ten-thousand (10,000) square foot commercial building has been constructed in a neighborhood center in a village SAP, no additional commercial use shall exceed the five-thousand (5,000) square feet limit unless approved on the P-D Land Use Plan.

(3) Drive-throughs are prohibited.

(4) Convenience stores. The land use plan may allow a maximum of four (4) gas pump stations to serve a maximum of eight (8) vehicles at any one time. Gas pumps shall require substantial change approval to the land use plan (LUP) by the board of county commissioners. The development shall comply with the following standards:

a. All gas pumps shall be located behind or to the side of the principal structure and not closer to the right-of-way than the principal structure itself.

b. If the gas pumps are located within direct view from the roadway, a decorative forty-two (42) inch high knee wall shall be installed along the full length of the street sidewalk edge exclusive of driveways and pedestrian access which is visually exposed to gas pumps. Said decorative knee wall shall incorporate a space between the wall and the back edge of the street sidewalk. The gap shall serve as an irrigated shrub or vine planter strip along the back edge of the street sidewalk. The planter strip shall be no less than thirty (30) inches wide and approximately sixty (60) inches wide at inward-jogged sections of
the knee wall. The knee wall shall incorporate a continuous, cantilevered cap block, and shall not extend more than twenty-five (25) feet in a single uninterrupted span without incorporating the minimum thirty (30) inch offset or “jog” inward, toward the property interior as mentioned above. Such interior jogs shall incorporate shrub massing, vines, and understory trees. Gas station knee walls constructed solely of smooth face CMU and stucco are prohibited. Notwithstanding the finish materials utilized on the adjacent principal structure, the subject knee wall shall not present a blank stucco surface to the adjacent sidewalk and street rights-of-way. Instead, gas station knee wall surfaces shall feature a brick or stone veneer or split face, scored, ribbed, or other ornamental block surface. Painted stucco walls are acceptable, so long as a distinct cap is used.

5. Neighborhood Center Corner General Store. A neighborhood center general store, up to two-thousand (2,000) feet under air, may be built as an amenity. The general store shall carry in its inventory basic groceries, personal hygiene products, over the counter pharmaceutical, and other convenience items.

a. One or more apartments, other dwellings, or office spaces may be constructed vertically over the general store and rented at normal market rates without delay. Such mixed uses are encouraged.

b. The general store should normally be built at a corner of two (2) streets to anchor the Neighborhood Center. A bicycle rack shall be provided with spaces for no fewer than four (4) bicycles.

c. The following transferable incentives shall apply:

(i) The open space requirement shall be reduced by two (2) times the square footage of space allotted to the general store if a front porch or patio is constructed and furnished as a neighborhood gathering place. Alternatively, additional residential density or additional square footage for office or commercial uses shall be awarded.

(ii) There shall be no parking
requirement associated with the general store beyond on-street parking. If the general store is located in a multi-use building, parking requirements shall apply for the other uses.

(iii) These incentives shall apply only to a general store located near the geographic center of the neighborhood, not adjacent to an arterial road.

(b) Development standards. The following development standards shall apply to all development within the neighborhood center district. Permitted uses:

a.(1) Personal service shops including those for hairstyling, tailoring, shoe repair, and dry cleaning;

b.(2) Specialized retail including bakery, confectionery, convenience grocery, dry cleaning (no cleaning on premises), shoe repair, and shops selling gifts, novelties, flowers, books, periodicals, jewelry, apparel, tobacco, toys and crafts, stationery and similar uses;

e.(3) Business or professional offices including real estate, insurance, travel agencies, medical, dental, banks and other financial institutions (without drive in windows);

d.(4) Community related uses including civic and institutional, studios for art, dance, music and photography, churches, day care centers, libraries and post offices;

e.(5) Restaurants (without drive throughs);

f.(6) Bed and breakfast establishments;

g.(7) Single family detached and attached residential homes as permitted in the village home and townhouse/apartment districts. Residential uses are also permitted vertically above nonresidential uses. Residential uses, except for entrances, shall not be permitted on the ground floor of buildings used for commercial or office use.

(c) Prohibited uses. The following uses are prohibited:

(1) Lounges;
(2) Bars;

(3) Video arcades;

(4) Pawn shops;

(5) Escort services and tattoo parlors;

(6) Fortune tellers, tarot card readers, palm readers, psychics and similar uses;

(7) "Check Cashing" or "Pay Day Loan" businesses;

(8) Body art, or body piercing businesses;

(9) Labor pools and labor halls; and

(10) Hotels / motels/ and timeshares.

(d) Residential development guidelines.

(1) Residential uses, except for entrances, shall not be permitted on the ground floor.

(2) Residential uses located above nonresidential uses shall not exceed five (5) dwelling units per net developable acre unless increased by use of the TDR’s.

(3) The façade of residential structures shall utilize architectural details, materials, patterns and forms which are consistent, and in scale with, a residential setting. The facades of attached residential structures shall feature extensive use of windows with vertical proportions, balconies (faux or otherwise), arched forms, planter boxes, material variations, color change, and any combination which communicates a residential community. Facades shall incorporate substantial projections and voids, including jogging, rooflines and projecting or recessing individual facades.

(4) Individual balconies which project from the
façade and over the adjacent sidewalk may project up to four (4) feet over the adjacent sidewalk. Faux (e.g., shallow with projecting railing or balustrade only) balconies are also permitted. Second floor balconies must, however, provide a minimum twelve (12) feet clear zone from the finished grade below. In no case may second floor balconies project into the vehicular travel way. Balconies on higher floors may project four (4) feet into the adjacent travel provided they are no lower than seventeen (17) feet above the travel way.

(5) Where residential uses are constructed above commercial use, first floor finished ceiling heights shall be a minimum of ten (10) feet.

Development guidelines. The following guidelines shall apply to all development within the neighborhood center district. General design guidelines shall be submitted as part of the P-D land use plan for all development within the neighborhood center. Specific design guidelines and architectural details shall be submitted with the preliminary subdivision plan/development plan for development within the neighborhood center. The design guidelines shall include site-specific requirements for all building facades including maintenance, ancillary structures, and out-parcel structures. The guidelines shall outline architectural requirement for pedestrian-scaled trim and detailing, exterior wall materials, building entry prominence, articulation of facades, fenestration, bays, roof styles (no flat roofs), roof materials, and massing. Architectural elements, including colonnades, pergolas, columns, awnings, gables, dormers, porches, balconies, balustrades, and wall plane projections, shall be addressed. Prominent, formalized, and shaded pedestrian connections between adjacent commercial uses shall be emphasized as well as pedestrian scaled and uninterrupted visual interest along the street face.

Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning and urban design principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.
(1) Maximum lot width: Fifty (50) feet.

(2) Minimum lot depth: One hundred-twenty (120) feet.

(3) Minimum lot width: Twenty-five (25) feet.

(4) Maximum building height: Three (3) stories and forty-five (45) feet.

(5) Maximum garage height: Twenty-two (22) feet; or thirty (30) feet with living area over garage.

(6) Maximum floor area ratio: .570 FAR (non-residential only).

(7) Minimum building setback requirements:

   a. Front: Ten (10) feet; awnings and other overhangs may extend up to five (5) feet into this setback.

   b. Side: Zero (0) feet.

   c. Rear: Fifteen (15) Ten (10) feet from the primary structure; five (5) feet from centerline of alley easement.

   d. Side Street: Six (6) feet.

   e. Neighborhood Center Perimeter exterior side setback: Fifteen (15) feet.

(8) Facades shall be built directly on the front building setback line for at least fifty (50) percent of the linear footage of each building.

(8) Buildings in neighborhood commercial areas shall have a side yard setback of zero (0) feet along at least one (1) property line.

(9) Neighborhood center residential shall meet the site development standards for the townhouse/apartment district—residential, subsection 38.1387(b) of this village
development code. In addition to the design standards established in the required P-D design guidelines, all developments within the neighborhood commercial district shall comply with the design, landscape, and lighting standards established in the commercial design standards ordinance, as it may be amended from time to time.

(10) When a rear or side of a building is adjacent to a residential district, that side of the building shall include roof, landscape and façade treatments consistent with a primary façade.

(119) On-street angled parking within three hundred (300) feet of the proposed use shall be permitted as per the village street cross-section, on file in the development engineering division in appendix 1, on file in the county planning department. Off-street parking may be provided no off-street parking required. at a maximum off-street parking shall be rate of three (3) spaces/one thousand (1,000) square feet of building area.

(124) Bicycle racks shall be provided at a rate of one (1) per two thousand five hundred (2,500) square feet of nonresidential uses, as follows:

a. For developments that require up to twenty (20) vehicular parking spaces, four (4) bicycle parking spaces are required.

b. For developments that require twenty (20) or more vehicular parking spaces, four (4) bicycle parking spaces are required for the first twenty (20) required vehicle parking spaces, plus one (1) additional bicycle parking space for each ten (10) vehicular parking spaces above twenty (20); provided that no more than ten (10) bicycle parking spaces are required for any one (1) establishment.

c. Racks should be located within fifty (50) feet of the primary entrances.

d. Bike racks shall be an inverted “u”/Hoop Rack or similar device.

(132) Commercial building and site design guidelines:
a. An unenclosed canopy, awning, or second story porch / balcony shall be required over all first floor building openings (windows and doors). Such coverings shall be a minimum of five (5) running across at least three fourths (3/4) of the building front and at least seven (7) feet in width.

b. No more than three (3) lots may be consolidated for purposes of constructing a single commercial building.

c. Owner (or property owners association) maintained sidewalk areas at the front of neighborhood commercial areas shall be placed in an utility easement and not made part of the public right-of-way. Such sidewalks shall be a minimum of ten (10) feet in width to facilitate pedestrian traffic, street furniture, and narrow store-front planters or planter pots. Such sidewalks shall extend from the right-of-way line (property line), to adjacent building face. A continuous, six (6) foot, unobstructed clear zone, for pedestrian movement, shall be maintained within the sidewalk corridor. In addition, a continuous, five (5) foot wide planter strip (or intermittent tree planter cutout) zone shall be constructed within and along the exterior edge of the right-of-way. This public portion of neighborhood center sidewalk systems shall be placed immediately contiguous to the ten (10) foot wide, owner-maintained sidewalk described above. A continuous concrete expansion joint shall be constructed five (5) feet from the back of the curb in order to distinguish the public and private portions of the sidewalk systems.

d. Where residential is constructed above commercial use, an unenclosed balcony shall be provided with a minimum of nine (9) feet of clearance above grade.

e. Primary entries shall face a public street or walkway and shall be accessed from a public sidewalk.

f. At least fifty (50) percent of the first floor of the building facade shall be windows exterior elevation primary facades (facades which face the street rights-of-way, or which feature any customer entrance) shall incorporate transparent glass. Spandrel, faux, or glass block shall not satisfy this requirement. The transparent glass system shall not be
consolidated to any one side of the façade, instead, the glass surfaces shall be distributed across the width of said façade.

eg. Sides or rears of buildings, which may not be a primary or secondary façade, shall incorporate roof ridge, roof eave, and façade variations similar to those provided on the primary facade shall not consist of an undifferentiated wall when facing a public street or residential area.

(143) **Signage** shall be as permitted in the neighborhood center district consistent with sign standards of subsection 38-1389(db)(5).

(154) **Landscaping.**

a. **Residential:** Landscaping along the streets shall be as required for residential areas as per subsection 38-1384(e) of the village development code.

b.a. **Parking—lot:** Street trees shall be provided pursuant to section 38-1384(c).

b. **Landscaping** shall be provided as required in chapter 9 and chapter 24, except that where buildings are immediately abutting the sidewalk, the seven (7) foot wide landscape tree and shrub strip shall not be required. In addition, the eight (8) foot wide planter strip along the foundation of building primary facades shall not be required. Instead, plantings shall be encouraged within narrower (twelve (12)-inch to twenty-four (24)-inch wide) sidewalk cutouts, or raised planters or pots, located along the foundation of building primary facades. Alternative methods and clustering of landscape that meet the intent of this division may be approved by the county.

(16) **Distance separation for alcoholic beverages in neighborhood centers.** Notwithstanding the provisions of section 38-1415(a), in order to promote a mixed use in neighborhood centers, the distance separation requirements for establishments selling alcoholic beverages for on-site consumption only, as specified in section 38-1415(s), shall be reduced for those establishments possessing a 1COP or 2COP state liquor license, and pursuant to section 562.45, Florida Statutes, are licensed as restaurants, and derive at least fifty-one (51) percent of their gross
revenues from the sale of food and nonalcoholic beverages pursuant to chapter 509 of the Florida Statutes. Such establishments may sell only beer and/or wine and only for consumption in the restaurant after the hour of 4:00 P.M. on days school is in session. The method of measurement shall be as provided in section 38-1415(b). A church proposing to locate in or around the neighborhood center may voluntarily waive the distance separation requirement for establishments selling alcoholic beverages for on-site consumption (that otherwise meet the requirements of this subsection) by executing a waiver. Such waiver must be acceptable to the county in form and substance and shall be kept on file in the Zoning Division. All other provisions under section 38-1415 shall apply. The county may place other restrictions related to signage, outdoor seating, and outdoor amplification as part of the PD approval process to ensure compatibility with schools.

(17) Subsequent Establishment of Church or School. Whenever a vendor or alcoholic beverage has procured a license permitting the same of alcoholic beverages has procured a license permitting the sale of alcoholic beverages and, thereafter, a church or school shall be established within one-hundred (100) feet of the vendor of alcoholic beverages located within a neighborhood center, the establishment of such church or school shall not cause the previously licensed site to discontinue use as a vendor of alcoholic beverages.

Sec. 38-1389. Village center district.

(a) Generally. The village center district shall be located generally at the center of the village adjacent to a collector road which serves that particular village. Commercial development within the village center should be primarily oriented to serve the residents of the immediate neighborhood. The total maximum size of all development within the village center district shall be sixty (60) acres and the maximum total floor area for office and commercial (first floor) nonresidential uses shall be four hundred thousand (400,000) square feet, unless otherwise expressly allowed in the approved SAP. The maximum floor area ratio shall be four-tenths (0.4). Development in the village center shall conform to the block standards and conceptual master street and block plan approved with the P-D land use plan approval.
(b) **Master Street and Block Plan.** The conceptual master street and block plan shall be consistent with the SAP. At a minimum the master street and block plan shall identify the general location of public circulator street(s), major local street(s), and defined internal circulator/corridors (defined as other than maneuvering lanes, but less than public streets). Special attention shall be paid to cross access between adjacent parcels. Said plan shall be approved with the adoption of the SAP or as part of the first P-D land use plan approval for property in the village center. In any case, no preliminary subdivision plan or development plan within the village center shall be approved prior to the approval of a conceptual master street and block plan.

It is intended that the master street and block plan shall show conceptual building massing and layout that create an urban corridor or center. Such conceptual building massing plan is to be considered a guideline for, rather than binding on, future development. Structures shall be brought forward to a build-to-line adjacent to the rights-of-way, along public streets and defined internal circulators/corridors. Although entries may be from several directions, primary building entries and facades shall face these internal streets and circulator ways. Pedestrian plazas and courtyards may be used as breaks in the building.

(cb) **Development standards.** The following development standards shall apply to all development within the village center district.

(1) **Village center land use mix:**

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Land Area Required</th>
<th>Maximum Land Area Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential*</td>
<td>25%</td>
<td>40%</td>
</tr>
<tr>
<td>Commercial</td>
<td>20%</td>
<td>60%</td>
</tr>
<tr>
<td>Commercial, Retail and services</td>
<td>240%</td>
<td>60%</td>
</tr>
<tr>
<td>Office</td>
<td>10%</td>
<td>25%</td>
</tr>
<tr>
<td>Overall nonresidential</td>
<td>30%</td>
<td>60%</td>
</tr>
<tr>
<td>Public and civic**</td>
<td>10%</td>
<td>no maximum</td>
</tr>
</tbody>
</table>
Public parks and green space

<table>
<thead>
<tr>
<th></th>
<th>7.5%</th>
<th>no maximum</th>
</tr>
</thead>
</table>

*Residential dwellings are permitted above ground floor commercial and office uses. Gross floor area of residential uses above the first floor shall count toward minimum land area requirements, but shall be exempt from maximum land area permitted.

** Uses include churches, libraries, government buildings, schools, transit stations, etc.

(2) Permitted uses

a. Permitted residential uses in the village center district are as follows:

1. Single family detached;
2. Single family attached;
13. Townhouses;

24. Apartments;

5. Community residential homes (greater than fourteen (14) clients);

3. Condominiums;

46. Living quarters in conjunction with a Residential dwelling units above commercial or office uses;

57. Home office uses as defined in this chapter.

b. The following uses shall be permitted uses in the village center district shall be limited to the following and subject to all of the conditions for permitted uses within the C-1 zoning district as listed in section 38-79 of this chapter:

TABLE INSET:
<table>
<thead>
<tr>
<th>SIC Group</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Community residential homes (greater than fourteen (14) clients)</td>
</tr>
<tr>
<td>0742</td>
<td>Veterinary hospitals and kennels within a completely enclosed soundproofed building (no outdoor runs)</td>
</tr>
<tr>
<td>43</td>
<td>Post offices</td>
</tr>
<tr>
<td>4724</td>
<td>Travel agencies</td>
</tr>
<tr>
<td>4729</td>
<td>Ticket agencies</td>
</tr>
<tr>
<td>4812</td>
<td>Cellular telephone sales and services</td>
</tr>
<tr>
<td>5231</td>
<td>Paint &amp; wallpaper stores</td>
</tr>
<tr>
<td>5251</td>
<td>Hardware stores when contained completely within an enclosed structure with no outdoor storage and outdoor storage display. (Seasonal items generally related to a business may be located outside.)</td>
</tr>
<tr>
<td>5311</td>
<td>Department store shopping centers as defined in section 38-1 of this chapter</td>
</tr>
<tr>
<td>5411</td>
<td>Grocery stores and convenience foods with fuel pumps (a maximum of four (4) islands – eight (8) pumps) located at side or rear</td>
</tr>
<tr>
<td>5441</td>
<td>Candy, nut and confectionery stores</td>
</tr>
<tr>
<td>5461</td>
<td>Retail bakery shops</td>
</tr>
<tr>
<td>5499</td>
<td>Specialty food stores</td>
</tr>
<tr>
<td>5541</td>
<td>Automobile services station</td>
</tr>
<tr>
<td>5621</td>
<td>Women's clothing stores</td>
</tr>
<tr>
<td>5661</td>
<td>Clothing stores</td>
</tr>
<tr>
<td>5712</td>
<td>Furniture stores</td>
</tr>
<tr>
<td>5713</td>
<td>Floor covering stores</td>
</tr>
<tr>
<td>5722</td>
<td>Household appliance stores</td>
</tr>
<tr>
<td>5731</td>
<td>Radio, TV, electronics stores</td>
</tr>
<tr>
<td>5735</td>
<td>Record and tape stores</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>5812</td>
<td>Eating places, including full-service restaurants with ancillary alcohol sales</td>
</tr>
<tr>
<td>5912</td>
<td>Drugstores</td>
</tr>
<tr>
<td>5932</td>
<td>Antique furniture stores</td>
</tr>
<tr>
<td>5941</td>
<td>Sporting goods and bicycle shops</td>
</tr>
<tr>
<td>5942</td>
<td>Book stores</td>
</tr>
<tr>
<td>5943</td>
<td>Office supplies and stationary stores</td>
</tr>
<tr>
<td>5944</td>
<td>Jewelry stores</td>
</tr>
<tr>
<td>5945</td>
<td>Hobby, toy &amp; game shops</td>
</tr>
<tr>
<td>5946</td>
<td>Camera and photography supply stores</td>
</tr>
<tr>
<td>5947</td>
<td>Gift shops</td>
</tr>
<tr>
<td>5948</td>
<td>Luggage &amp; leather goods stores</td>
</tr>
<tr>
<td>5992</td>
<td>Florists</td>
</tr>
<tr>
<td>5993</td>
<td>Tobacco shops</td>
</tr>
<tr>
<td>5994</td>
<td>Newsstands, magazine stands</td>
</tr>
<tr>
<td>5995</td>
<td>Optical goods, eyeglass stores</td>
</tr>
<tr>
<td>5999</td>
<td>Miscellaneous retail, except auctions</td>
</tr>
<tr>
<td>60</td>
<td>Banks</td>
</tr>
<tr>
<td>61</td>
<td>Credit bureaus, mortgage loan companies, finance offices</td>
</tr>
<tr>
<td>62</td>
<td>Security and commodity brokers</td>
</tr>
<tr>
<td>63</td>
<td>Insurance carriers</td>
</tr>
<tr>
<td>64</td>
<td>Brokers, underwriters, insurance agencies</td>
</tr>
<tr>
<td>6531</td>
<td>Real estate offices, agents apartment finders, rental service, appraisers and managers</td>
</tr>
<tr>
<td>6541</td>
<td>Abstract and title services</td>
</tr>
<tr>
<td>672</td>
<td>Holding and investment offices and companies</td>
</tr>
<tr>
<td>673</td>
<td>Estate, trusts planning and management</td>
</tr>
<tr>
<td>7011</td>
<td>Bed and breakfast inns subject to section 38-1425(2) of this chapter</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>7212</td>
<td>Pick-up station for receiving and delivery of articles to be cleaned, dyed and laundered, but no actual work to be done on the premises—Laundry and dry-cleaning, retail</td>
</tr>
<tr>
<td>7219</td>
<td>Tailoring</td>
</tr>
<tr>
<td>7221</td>
<td>Photographic artists, portrait, sculptors and musician studios</td>
</tr>
<tr>
<td>7231</td>
<td>Beauty shops</td>
</tr>
<tr>
<td>7241</td>
<td>Barber shops, hair stylists</td>
</tr>
<tr>
<td>7251</td>
<td>Shoe repair and shoe shine</td>
</tr>
<tr>
<td>7261</td>
<td>Funeral services except crematories and embalming</td>
</tr>
<tr>
<td>7299</td>
<td>Miscellaneous personal services including costume rental, dating services, tanning salons and valet parking</td>
</tr>
<tr>
<td>7311</td>
<td>Advertising agencies</td>
</tr>
<tr>
<td>7334</td>
<td>Photocopying, quick print and duplicating services</td>
</tr>
<tr>
<td>7338</td>
<td>Secretarial services</td>
</tr>
<tr>
<td>7359</td>
<td>Appliance, TV, VCR and furniture rental</td>
</tr>
<tr>
<td>7361</td>
<td>Employment agencies</td>
</tr>
<tr>
<td>7374</td>
<td>Data processing</td>
</tr>
<tr>
<td>7378</td>
<td>Computer maintenance and repair</td>
</tr>
<tr>
<td>7379</td>
<td>Computer related services</td>
</tr>
<tr>
<td>7381</td>
<td>Lie detector services, detective agencies, investigators</td>
</tr>
<tr>
<td>7382</td>
<td>Security operations, burglar and fire alarm monitoring</td>
</tr>
<tr>
<td>7384</td>
<td>Film processing and developing</td>
</tr>
<tr>
<td>7389</td>
<td>Business services</td>
</tr>
<tr>
<td>7622</td>
<td>Radio, TV, VCR and stereo repair</td>
</tr>
<tr>
<td>7623</td>
<td>Appliance repair</td>
</tr>
<tr>
<td>7631</td>
<td>Watch, clock and jewelry repair</td>
</tr>
<tr>
<td>7699</td>
<td>Locksmiths and repair services</td>
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<tr>
<td>781</td>
<td>Video tape editing</td>
</tr>
<tr>
<td>7841</td>
<td>Video tape rental</td>
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<tr>
<td>7911</td>
<td>Dance schools and studios</td>
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<tr>
<td>7922</td>
<td>Radio and television studios</td>
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<td>Code</td>
<td>Description</td>
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<tr>
<td>7991</td>
<td>Physical fitness facilities</td>
</tr>
<tr>
<td>7997</td>
<td>Indoor sports and recreation membership clubs</td>
</tr>
<tr>
<td>8011</td>
<td>Medical doctors offices and clinics</td>
</tr>
<tr>
<td>8021</td>
<td>Dental offices and clinics</td>
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<tr>
<td>8031</td>
<td>Osteopathic physicians</td>
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<tr>
<td>8111</td>
<td>Legal services</td>
</tr>
<tr>
<td>8231</td>
<td>Libraries</td>
</tr>
<tr>
<td>8322</td>
<td>Counselors and family services</td>
</tr>
<tr>
<td>8331</td>
<td>Job training and related services</td>
</tr>
<tr>
<td>8412</td>
<td>Museum and art galleries</td>
</tr>
<tr>
<td>8641</td>
<td>Civic, social and fraternal associations</td>
</tr>
<tr>
<td>8661</td>
<td>Churches with attendant educational building and recreational facilities</td>
</tr>
<tr>
<td>871</td>
<td>Engineering offices, surveyors</td>
</tr>
<tr>
<td>8712</td>
<td>Architectural services</td>
</tr>
<tr>
<td>8721</td>
<td>Accountant offices, tax consultants and bookkeeping</td>
</tr>
<tr>
<td>873</td>
<td>Research and development, testing services</td>
</tr>
<tr>
<td>8742</td>
<td>Management consulting services</td>
</tr>
<tr>
<td>8743</td>
<td>Public relations services</td>
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<tr>
<td>8748</td>
<td>Business consulting</td>
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<tr>
<td>911</td>
<td>Government offices</td>
</tr>
<tr>
<td>921</td>
<td>Courts</td>
</tr>
<tr>
<td>9221</td>
<td>Sheriff, public safety offices</td>
</tr>
<tr>
<td>9224</td>
<td>Fire stations</td>
</tr>
<tr>
<td>93</td>
<td>Public finance and taxation offices</td>
</tr>
<tr>
<td>94</td>
<td>Public health, education, social and human resource offices</td>
</tr>
<tr>
<td>95</td>
<td>Environmental, housing, urban planning and land management offices</td>
</tr>
<tr>
<td>96</td>
<td>Economic development commissions, transportation programs, public utilities and agricultural programs</td>
</tr>
</tbody>
</table>

c. The following uses and any other uses which are not expressly permitted shall be prohibited within
the village center district:

1. Pawn shops;
2. Bottle clubs;
3. Veterinary services for livestock;
4. Hotels and motels; (more than twenty-five (25) rooms);
5. Time share units and transient rentals (rentals less than one hundred-eighty (180) days);
6. Escort services; and tattoo parlors;
7. Fortune tellers, tarot card readers, palm readers, psychics and similar uses;
8. “Check Cashing” or “Pay Day Loans” business;
9. Body art, or body piercing business;
10. Labor pools and labor halls;
11. “Big Box” Developments.

d. The following uses shall be allowed as a special exception within the village center district condition of approval or as a substantial change to the land use plan as approved by the board of county commissioners:

TABLE INSET:

<table>
<thead>
<tr>
<th>SIC Group</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>83222/8351</td>
<td>Adult/child day care centers</td>
</tr>
<tr>
<td>N/A</td>
<td>Communication towers subject to section 38-1427 of this chapter</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
</tr>
<tr>
<td>N/A</td>
<td>Street vending</td>
</tr>
<tr>
<td>5813</td>
<td>Sale of alcohol for on-premise consumption, except as ancillary to a full-service restaurant.</td>
</tr>
<tr>
<td>N/A</td>
<td>Drive-throughs in conjunction with a permitted use</td>
</tr>
<tr>
<td>N/A</td>
<td>Any business which maintains a fleet of commercial vehicles including, but not limited to carpet and rug cleaning, exterminating and pest control, janitorial services, maid services, septic tank cleaning, etc.</td>
</tr>
<tr>
<td>49</td>
<td>Utility substations and telephone switching stations</td>
</tr>
<tr>
<td>5531</td>
<td>Auto parts, tire dealers</td>
</tr>
<tr>
<td>5541</td>
<td>Automobile Service Stations (with fuel pumps: a maximum of four (4) islands, eight (8) fuel stations) located at the side or rear*</td>
</tr>
<tr>
<td>5813</td>
<td>Drinking establishments, cocktail lounges, pubs and bars</td>
</tr>
<tr>
<td>5921</td>
<td>Liquor stores subject to section 38-1414 of this chapter</td>
</tr>
<tr>
<td>7011</td>
<td>Country inns, subject to section 38-1425 of this chapter</td>
</tr>
<tr>
<td>7215</td>
<td>Coin-operated laundries</td>
</tr>
<tr>
<td>7542</td>
<td>Free-standing car washes that are enclosed on two (2) sides</td>
</tr>
<tr>
<td>7832</td>
<td>Movie theaters (exceeding eight (8) screens)</td>
</tr>
<tr>
<td>7933</td>
<td>Bowling centers</td>
</tr>
<tr>
<td>7941</td>
<td>Stadiums in conjunction with schools</td>
</tr>
<tr>
<td>7992</td>
<td>Golf courses</td>
</tr>
<tr>
<td>7993</td>
<td>Arcades, slot machines, video games, and enclosed amusement centers limited in size to five thousand (5,000) square feet</td>
</tr>
<tr>
<td>7999</td>
<td>Indoor amusement and recreation: fortune tellers, billiard parlors, bingo parlors, skating rinks, recreation clubs</td>
</tr>
<tr>
<td>7999</td>
<td>Outdoor clubs, amusement and recreation: golf driving ranges, golf cart rentals, golf and country clubs, riding clubs and stables, tennis clubs, ski instruction, outdoor skating rinks, amusement rides, rodeos and go-cart raceway</td>
</tr>
<tr>
<td>805</td>
<td>Nursing homes and skilled nursing facilities as defined in section 38-1 of this chapter</td>
</tr>
<tr>
<td>8062</td>
<td>Ambulatory nursing facilities</td>
</tr>
<tr>
<td>8093</td>
<td>Birthing facilities, alcohol and drug treatment, aids treatment, outpatient clinics, birth control centers</td>
</tr>
<tr>
<td>82</td>
<td>Colleges, kindergarten, elementary, middle and high schools, (private or public)</td>
</tr>
<tr>
<td>8299</td>
<td>Auto driving instruction</td>
</tr>
</tbody>
</table>
Residential care such as crisis centers, juvenile correction homes, training schools for delinquents, drug rehab centers

Zoos and botanical gardens

*Service bays shall not face the rights-of-way.

e. The following criteria shall be used in determining whether to approve or deny a substantial change:

1. The change shall be consistent with the Comprehensive Policy Plan and/or Specific Area Plan.

2. The change shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.

3. The change shall not act as a detrimental intrusion into the surrounding area.

4. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district.

(3) Ground level retail. Buildings fronting on any APF right-of-way, or the village main street of an approved SAP center circulator street or the village center major local street (see appendix 1, on file with the county planning department) must be designed to accommodate ground level retail and shall have a minimum first floor finished ceiling height of ten (10) feet. The ground level floor area may be used for office, or civic uses. Ground level retail is not required in residential only areas, which shall be designated on the P-D land use plan.

(4) Maximum retail floor area. The maximum allowable gross floor area per retail establishment (excluding grocery stores) is five seven thousand-five hundred (5,000 7,500) square feet. Retail establishments with a gross floor area between five seven thousand-five hundred (5,000 7,500) square feet and ten fifteen thousand (10,000 15,000) square feet may be approved at a public hearing by the board of county commissioners by way of the
a development plan review process pursuant to section 38-1389(e). Grocery stores will be excluded from this restriction provided that no grocery store shall may not exceed fifty-four thousand (50,000 54,000) square feet.

(5) Residential development. Residential development must achieve a minimum net density of five (5.0) dwelling units per net developable residential acre, unless otherwise provided in an approved SAP. Residential development may be permitted up to twenty-four (24.0) dwelling units per net developable acre with transfer of development rights or as otherwise as provided for in section 38-1384(a).

(6) Transit stops. Transit stops should be centrally located in the village center commercial area so that, generally, no building is more than one thousand two three hundred-twenty (1,200–1,320) feet from a proposed transit stop. The county may require shelter facilities and/or pull off bays as part of a development plan for the village center.

(7) Outside dining and seating areas are encouraged for full-service or other restaurants which possess twenty (20) linear feet or more of street frontage. Such outdoor dining and seating areas are subject to the following requirements:

a. No table, chair, bench, umbrella, planter, or fencing may invade the sidewalk through-corridor, on-site traffic circulation, or landscaping or drainage areas.

b. The limits of any proposed outdoor seating areas, including the number and location of tables and chairs, must be delineated on the development plan.

c. Outdoor seating areas shall be factored in calculating the project’s gross floor area in relation to required parking, stormwater, impact fees, and similar development regulations.

d. Planters, with appropriately-sized plant materials, are encouraged for the purpose of delineating and buffering seating/dining areas from the adjacent sidewalk corridor, or any adjacent on-street parking. Such planted edges shall feature raised masonry or potted planters and, if appropriate, black
decorative fencing.

(8) Distance separation for alcoholic beverages in village centers. Notwithstanding the provisions of section 38-1415(a), in order to promote a mixed use village center, the distance separation requirements for establishments selling alcoholic beverages for on-site consumption, as specified in section 38-1415(a), shall be reduced for those establishments possessing a 1COP, 2COP or 4COPSRX state liquor license within the village center from one-thousand (1,000) feet to one-hundred (100) feet from an established church or school (regardless of such church or school being located inside or outside of the village or neighborhood centers). Notwithstanding the foregoing regarding schools, pursuant to section 562.45, Florida Statutes, except for establishments that are licensed as restaurants and that derive at least fifty-one (51) percent of their gross revenues from the sale of food and nonalcoholic beverages pursuant to chapter 509 of the Florida Statutes, no establishments serving alcoholic beverages for on-site consumption may be located within five-hundred (500) feet of an elementary school, middle school, or high school, however, with respect to such restaurants located within three hundred (300) feet of a school, alcoholic beverages may not be served before 4:00 P.M. on days that school is in session. The method of measurement shall be as provided in section 38-1415(b). A church proposing to locate in or around the village center may voluntarily waive the distance separation requirement for establishments selling alcoholic beverages for on-site consumption (that otherwise meet the requirements of this subsection) by executing a waiver. Such waiver must be acceptable to the county in form and substance and shall be kept on file in the Zoning Division. All other provisions under section 38-1415 shall apply. The county may place other restrictions related to signage, outdoor seating, and outdoor amplification as part of the PD approval process to ensure compatibility with schools.

(9) Subsequent Establishment of Church or School. Whenever a vendor of alcoholic beverage has procured a license permitting the sale of alcoholic beverages and, thereafter, a church or school shall be established within one hundred (100) feet of the vendor of alcoholic beverages located within a village center, the establishment of such church or school shall not cause the previously licensed site to discontinue use as a vendor of alcoholic beverages.
(10) Streets. All streets and blocks in the village center shall conform to the provisions of this section.

a. Street standards. Standards for streets shall be as set forth in the village street cross-sections found in the approved SAP or as approved on a P-D/LUP appendix 1, on file with the county planning department.

b. Owner (or property owners association) maintained sidewalks areas, at the front of Neighborhood Commercial areas, shall be placed in a utility easement and not made part of the public right of way. Such sidewalks shall be a minimum of ten (10) feet in width to facilitate pedestrian traffic, street furniture, and narrow store-front planters or planter pots. Such sidewalks shall extend from the right-of-way line (property line), to adjacent building face. A continuous, six (6) foot, unobstructed clear zone, for pedestrian movement, shall be maintained within the sidewalk corridor. In addition, a continuous five (5) foot wide planter strip (or intermittent tree planter cutout) zone shall be constructed within and along the exterior edge of the right-of-way. This public portion of the Neighborhood Center sidewalk systems shall be placed immediately contiguous to the ten (10) foot wide, owner-maintained sidewalk described above. A continuous concrete expansion joint shall be constructed five (5) feet from the back of the curb to distinguish the public and private portions of the sidewalk systems.

c6. Street type and pattern. The types and patterns of all streets in the village shall be in conformity with the master transportation plan found in the village SAP. The location of streets on the master transportation plan is approximate. Precise locations of streets, consistent with the conceptual master block plan, shall be determined in conjunction with approval of a final development plan. Street patterns shall be based primarily upon a good system of interconnecting streets.

de. Block length. The length of a block shall be no less than two-hundred (200) feet, and no more than six-hundred (600) feet. Exceptions to this requirement may be considered to protect wetlands, specimen trees or significant
vegetative communities.

d.  **Direct access.** Direct access to the village center shall be from a village center major local or village center circulator street as defined by the adopted SAP. Direct access from an collector or arterial road serving the village is prohibited.

f.  **Waivers:** Exceptions to the adopted SAP street cross sections may be granted as part of the LUP or PSP/development plan approval.

(de)  **Development guidelines and approval process.** The following guidelines shall apply to all development within the village center district. Modifications to these guidelines may be permitted where alternative development practices will reinforce the planning principles established by the goals, objectives and policies of the village land use classification, the adopted SAP and this village development code. Any such modifications to these guidelines shall be identified separately in bold on the village P-D land use plan, preliminary subdivision plan or development plan for approval by the board of county commissioners at a public hearing. After the development review committee (DRC) has reviewed a development plan for the village center, the development plan and required design guidelines shall be scheduled for a public hearing before the board of county commissioners.

(1)  **Land use compatibility.** Land use changes within the village center must occur at mid block as opposed to the center of streets. Buildings on both sides of the street should be designed with similar height, bulk and yard standards. Heights of adjacent structures may vary, but ordinarily by not more than one (1) story.

(2)  **All single-family residential uses (except for apartments)** must have access and off-street parking from the rear or via garages from an alley. Garage setbacks shall be fifteen (15) feet from the centerline of the alley easement.

(3)  **Site development guidelines.**

   a.  Minimum lot width:
b. Minimum lot depth for all uses shall be one hundred-twenty (120) feet.

c. Maximum lot coverage and open space:

<table>
<thead>
<tr>
<th>Use</th>
<th>Percent Max Lot Coverage (%)*</th>
<th>Percent Min. Open Space (%)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townhouse</td>
<td>65 85</td>
<td>25</td>
</tr>
<tr>
<td>Single-family</td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>detached</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zero Lot Line</td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>Multi-family</td>
<td>85 80</td>
<td>25</td>
</tr>
<tr>
<td>Retail</td>
<td>85 80</td>
<td>20</td>
</tr>
<tr>
<td>Office</td>
<td>85 80</td>
<td>20</td>
</tr>
<tr>
<td>Civic</td>
<td>None 80</td>
<td>20</td>
</tr>
</tbody>
</table>

*The area of a porch, bay window, or arcade fronting a public street is not included in the calculation of lot coverage. Max Lot Coverage for Multi-family, Retail, Office and Civic shall refer to maximum impervious surface coverage.

d. Maximum F.A.R. for uses in the village center is four- tenths two (2.04).

e. Minimum area per residential dwelling unit: Shall be as per the requirements of the R-3 zoning district, sections 38-481, 38-456 the townhouse and apartment
district, sections 38-1387.1 and 38-1387.2 of this chapter.

f. Maximum building heights are as follows:

TABLE INSET:

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Stories</th>
<th>Height in Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential single family</td>
<td>3-</td>
<td>40-</td>
</tr>
<tr>
<td>Townhouse</td>
<td>4</td>
<td>55</td>
</tr>
<tr>
<td>Residential multi-family</td>
<td>3-5</td>
<td>40-75</td>
</tr>
<tr>
<td>Parking Structures</td>
<td>5</td>
<td>60</td>
</tr>
<tr>
<td>Retail</td>
<td>3</td>
<td>45-50</td>
</tr>
<tr>
<td>Office</td>
<td>3</td>
<td>45-50</td>
</tr>
<tr>
<td>Civic</td>
<td>3</td>
<td>45-50</td>
</tr>
<tr>
<td>Mixed use (Residential over Commercial)</td>
<td>5</td>
<td>75</td>
</tr>
</tbody>
</table>

1. Multi-family development shall comply with the compatibility standards established in section 38-1258. However, to promote a mix of land uses and facilitate new urbanism development patterns, waivers from these standards should be considered at the time of the land use plan approval.

2. A turret, spire or tower, or other similar architectural feature may exceed the maximum height of the principal building provided that any surrounding structure is no more than by up to fifteen (15) feet higher than the maximum permitted height and has a floor plate which is ten (10) percent or less of the ground floor area of the building of which it is a part.

g. The build-to line for all primary buildings, structures, walks and fences shall be ten (10) feet on all public street frontages, except residential streets which shall have setbacks as per the village home section individual residential districts of this Code. A minimum of seventy (70) percent of the build-to line of any block or parcel must be occupied by buildings and/or street-walls. Landscaped street-walls should not make up more than fifty (50) percent of the required frontage.
1. Up to twenty-five (25) percent of any street frontage of a building may vary from the build to line, but shall not be less than five (5) feet or more than twenty-five (25) feet in variation.

2. The area between the right-of-way line and the build to line shall be landscaped in accordance with the appropriate provisions of the village code.

3. There shall be no build to line for temporary buildings or structures.

4. Street-facing facades for ground floors of all buildings shall be planned for a minimum of fifty (50) percent transparency except in those areas of the village center designated for only residential uses in the P-D land use plan.

   h. Front setback: Ten (10) feet; awnings and other overhangs may extend up to five (5) feet into this setback.

   i. Side setback: Zero (0) feet.

   j. Side street setback: Six (6) feet.

   k. Village Center perimeter exterior side setback: Fifteen (15) feet.

   hl. Primary buildings or parking structures may not be constructed closer than twenty (20) feet from an adjacent building or structure except where a fire wall meeting Orange County Code requirements is provided.

   i. Driveways for residential development shall have a minimum setback of five (5) feet from side property line at the street front and shall not be less than two (2) feet to allow for a landscaped edge.

   mj. Minimum setback requirements shall apply in all cases, except that fireplaces, eves, bays, balconies, and fireproof stairways may extend up to a maximum of five (5) feet into the required setbacks.
nk. Patios may not be constructed within the required setback zone. This limitation, however, does not apply to sidewalk cafes.

ql. Site access. Site access and curb cuts shall be limited as follows:

TABLE INSET:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Permitted Curb Cuts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townhouse</td>
<td>Access required from sixteen-foot rear alley easement</td>
</tr>
<tr>
<td>Single-family</td>
<td>One (1) curb cut per lot</td>
</tr>
<tr>
<td>Zero-lot-line</td>
<td>One (1) curb cut per lot</td>
</tr>
<tr>
<td>Multi-family</td>
<td>Two (2) curb cuts per lot</td>
</tr>
<tr>
<td>Retail</td>
<td>Two (2) curb cuts per lot</td>
</tr>
<tr>
<td>Office</td>
<td>Two (2) curb cuts per lot</td>
</tr>
<tr>
<td>Civic</td>
<td>Two (2) curb cuts per lot</td>
</tr>
</tbody>
</table>

(4) Parking.

a. Off-street and on-street facilities shall be provided for multifamily use, hotel use, retail use, office use, and civic use in accordance with this subsection.

b. The village code encourages public safety and crime prevention through environmental design. All at grade parking lots fronting village roadways shall be set back not less than ten (10) feet from the right-of-way line from such roadways, and buffered from the street utilizing landscaping in accordance with the landscape requirements of the village code, and may include approved public art or approved street vendor stands.

c. Parking structures, if required, shall be designed to accommodate ground level retail. This ground level floor may also be used for office, civic, or approved
conditional uses. Steel parking garages and steel guard cables on garage facades are prohibited. Structures shall be enhanced with facade treatment to integrate with the surrounding buildings when they front public streets.

d. Maximum frontage for parking lots along a village center circulator or a village center major local street (see appendix 1, on file with the county planning department) shall be sixty-five (65) feet. Maximum frontage for parking lots along any other street shall be two-hundred (200) feet.

e. Off-street parking spaces for the applicable use classification shall meet the requirements of article XI, section 3-1476, of this chapter.

f. On-street parking within three hundred (300) feet of the proposed use may be counted to meet the parking requirements for retail, home, office and other conditional uses.

e. On-street parallel parking may be counted toward the parking requirements when said parking is on the same block as the building it serves. Assignment and allocation of on-street parking shall be shown on at the time of approval of the final development plan, and shall be allocated at the time of development plan approval.

f. Shared parking. Uses may join in establishing shared parking areas if it can be demonstrated that the parking for two (2) or more specific uses occurs at alternating time periods. Required parking shall be determined based on parking demand for the peak parking period, as determined by parking analysis study approved by the county zoning division planning department manager.

g. Parking lots and parking garages shall not:

1. Abut street intersections or civic use areas;

2. Be adjacent to public squares;
3. Occupy lots which are at the terminus of a street vista.

   i. Parking lots shall be located at the rear or the side of buildings. Streetwalls in the form of a masonry or wood wall, or wrought iron fence shall be constructed at the setback line. The streetwall shall be no less than three (3) feet and no greater than six (6) feet in height and shall be between twenty-five (25) percent and fifty (50) percent opaque and shall be gated.

   h. **Parking.** Off-street parking shall be located to the rear or side of buildings. Off-street parking shall comply with the parking standards established in chapter 38-1476. Waivers for reduced parking will be reviewed on a case by case basis for mixed-use density. Landscaping for the screening and interior of off-street parking shall comply with chapter 24, including canopy trees planted forty (40) feet on-center average, no closer than twenty (20) feet and no farther than sixty (60) feet on center, and one (1) understory tree for every twenty (20) feet. In addition, a minimum forty (40) inch masonry street wall/knee wall with decorative finish, such as stucco or brick, including a decorative cap shall be installed between the parking lot and the right-of-way. The wall shall not extend over twenty-five (25) feet without an offset/projection, pilaster, or column feature to provide aesthetic variety. On-street parallel parking is encouraged and may be counted toward the parking requirements when it is within the projected property lines as the building it serves.

   i. **Grocery Store parking.** Grocery store development shall encourage walking, feature a compact layout, and be integrated into the Village’s block design and configuration.

   (i) Parking shall be located at the rear or side of the grocery store front façade, if the front façade faces a public right-of-way. In order to reduce parking lot depth and allow the dispersal of parking on at least two (2) sides of the grocery store, placement of the grocery store entrance is encouraged at a corner of the building.

   (ii) If the side or rear of the grocery store faces the right-of-way, parking may be permitted in the front; however, side or rear facades, which face an adjacent right-of-way,
shall not project blank, flat, or featureless walls. Instead, such
walls shall, at a minimum, imply a building front by incorporating
projected architectural features, including decorative trim,
pilasters, recessed window glazing (transparent and spandrel) and
surrounds, awnings, varied roof and eaves lines, and paint color
variations.

(iii) Outlying portions of grocery
store parking lots shall also be screened from view by locating
ancillary buildings directly along the right-of-way. Such secondary
inline retail, or free-standing buildings shall feature an architectural
style or architectural features found on the adjacent grocery store.
Parking for these buildings shall again be prohibited between the
right-of-way, and the structure. Instead, parking for these buildings
shall also be located at the rear or side. Fire lanes, without
designated parking areas, may be allowed between the structure
and the adjacent right-of-way.

(iv) Parking shall be located in
Modules involving delineated groups of parking spaces which are
separated by landscaping, landscaped pedestrian ways, and/or
architectural features.

Parking is required at the rear or side of the grocery store front
façade if the front façade faces a public right of way. If the side or
rear of the store faces the right of way, parking may be permitted
in the front. Alternately, if buildings of compatible style and
architecture of the primary façade of the grocery store are placed
along the right of way with parking in the rear, then parking may
be placed in front of the grocery store. Front parking should be in
modules (groups of parking spaces or areas, separated by
landscaping, pedestrian ways, or other architectural features).

j. Parking lot drives. In order to
ensure shorter block patterns with a comfortable, convenient, and
walkable scale, the village center's more expansive surface parking
lots shall incorporate clearly-defined pass-throughs which serve to
extend the surrounding street pattern while keeping traffic speeds
slow and providing shoppers with a safe, shaded, convenient
environment.

Drives can be defined by means of:
Parking modules
Repeated street tree patterns
Knee walls repeated within lot
Bollards
Pedestrian paver patterns
Narrow dimensions
Shade
Pedestrian oriented signage
Parallel Parking Spaces

(5) Signage. All signs in the village center shall conform to the provisions of this section. The following types of signs and no others shall be permitted:

a. Signs advertising a business, office or other permitted use. Such signs shall be on-premises signs and shall be erected on the site where such use is located.

b. For all permitted office, commercial, institutional, civic, church, and consumer service uses in the village center, a sign or signs may be erected in accordance with one (1) of the following:

1. One (1) freestanding sign up to ten (10) square feet, plus one (1) of the following:

   (i) One (1) wall sign mounted flush on wall up to eight (8) square feet; or

   (ii) One (1) wall sign (when part of the architectural design of the building) consisting of individual letters or symbols not to exceed fifteen (15) percent of wall area; or

   (iii) One (1) window sign consisting of individual letters or symbols not to exceed thirty (30) percent of the total glass area of the building front; or

2. One (1) projecting sign projecting not more than five (5) feet from the wall up to ten (10) square feet in size, plus one (1) of the following:

   (i) One (1) wall sign

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mounted flush on wall up to eight (8) square feet; or

(ii) One (1) wall sign (when part of the architectural design of the building) consisting of individual letters or symbols not to exceed fifteen (15) percent of wall area; or

(iii) One (1) window sign consisting of individual letters or symbols not to exceed thirty (30) percent of the total glass area of the building front.

1. Ground signs. For ground signs with a total of one-half (1/2) square foot of copy area, signage may be allowed for each one (1) linear foot of right-of-way frontage (which by definition excludes limited access highways, unopened or vacated right-of-way). Ground signage is subject to the following restrictions:

   (i) One ground sign per access drive, not to exceed sixty (60) square feet per sign. A maximum of two (2) ground signs shall be permitted per principle parcel or project.

   (ii) No ground sign shall be permitted for any out-parcels.

   (iii) The maximum height of any ground sign shall be eight (8) feet.

   (iv) Ground signs shall be setback a minimum of ten (10) feet from the right-of-way or any property line.

   (v) The minimum separation for ground signs shall be one hundred (100) feet.

2. Wall or Fascia Signs. For signs erected on buildings a total of one (1) square foot of copy area may be allowed for each one (1) linear foot of building frontage per establishment and subject to the following restrictions.

   (i) Maximum Copy Area.

      (1) For establishments
with up to five-thousand (5,000) square feet of building area, the maximum copy area shall be twenty (20) square feet.

(2) For establishments with five thousand-one (5,001) to fifteen thousand (15,000) square feet of building area, the maximum copy area shall be thirty (30) square feet.

(3) For establishments with fifteen thousand-one (15,001) to twenty-five thousand (25,000) square feet of building area, the maximum copy area shall be forty (40) square feet.

(4) For establishments with twenty-five thousand one (25,001) to forty-thousand (40,000) square feet of building area, the maximum copy area shall be sixty (60) square feet.

(5) For establishments with forty thousand-one (40,001) to sixty (60,000) square feet of building area, the maximum copy area shall be one-hundred (100) square feet.

(ii) Signs erected on buildings shall not extend above the roof line or parapet of the wall of the building on which it is erected.

(iii) Wall or fascia signs erected on buildings shall not extend more than twenty-four (24) inches from the wall on which it is erected.

(iv) A hanging sign may only be permitted under a canopy, covered walk, or awning and shall not extend beyond the limits of the canopy, awning or covered walk. The copy area of any sign hanging under a canopy or awning shall not exceed four (4) square feet. The copy area shall count against the total copy area calculation allowed for the establishment. The minimum clearance of the bottom of the sign face of any hanging sign shall be nine (9) feet from the finished grade level, except that if the face of the sign extends over a vehicular travelway, the minimum clearance shall be thirteen and one-half (13 ½) feet.

(v) An awning sign may be
permitted on the lower one-quarter (1/4) of an awning or canopy. The copy area of any awning sign shall not exceed four (4) square feet and shall not take up more than twenty (20) percent of the awning area. The awning shall not be lighted or back lighted in any way. The copy area shall count against the total copy area calculation allowed for the establishment. The minimum clearance of the bottom of the awning shall be nine (9) feet from the finished grade level, except that if the awning extends over a vehicular travelway, the minimum clearance shall be thirteen and one-half (13 1/2) feet.

(vi) Signs erected on buildings may be erected on any building face for any out parcel. Signs erected on a grocery store and other retail over fifteen-thousand (15,000) square feet shall only be erected on the front of the establishment.

(vii) When canopies are used in conjunction with gasoline island and pumps, an additional one-half (1/2) square foot of copy area per one (1) linear foot of canopy frontage shall be permitted. This copy area shall only be allowed on the canopy. This copy area is in addition to the copy area allowed under subsection (a) above, but shall not exceed a total of six (6) square feet and shall not be lighted or back lit in any way.

3. Directional signage shall be permitted in accordance with section 31.5-67 of the sign code.

4. Temporary signage shall be permitted in accordance with sections 31.5-77 through 31.5-95 of the sign code.

5. Incidental signs shall be permitted in accordance to section 31.5-77 of the sign code.

6. Window signs shall be limited to twenty (20) percent of the window area of any establishment.

e. If a building fronts upon more than one (1) street, one (1) additional sign in conformity with either subsection (i), (ii) or (iii) above may be permitted on each street frontage.

d. Directional signs. Directional signs of three
(3) square feet or less are permitted for traffic control purposes, provided such signs do not contain advertising copy.

e. Temporary signs. Exterior temporary signs, including all moveable signs such as those advertising a commercial sale, when located on the site where such use is conducted, may be permitted for a period not to exceed thirty (30) days in any one (1) calendar year for any one (1) premises or commercial use unless otherwise permitted by this Code.

1. The size of such sign may not exceed twelve (12) square feet per side.

2. Application and permit approval for temporary sign permit shall be as required by the appropriate section of this Code.

c. Signs identifying a subdivision or multi-family development.

1. Signs stating only the name of an approved residential, office, commercial, or mixed use subdivision or multi-family development may be erected within the approved subdivision or multi-family development.

2. Such a sign shall be only a ground sign or wall sign as part of an entrance feature. The maximum height shall be eight (8) feet.

3. A maximum of two (2) ground signs shall be permitted. Any such sign, which is the primary sign, shall be located only at the main entrance or on the median of the main entrance. Additional such signs, which are secondary signs, shall be located only at a secondary entrance or on the median of a secondary entrance.

4. Ground signs shall be set back a minimum of ten (10) feet from the right-of-way or any property line. The minimum separation from any other sign shall be one-hundred (100) feet.

5. The maximum allowable copy area of the primary identification sign for a subdivision or multi-family
development shall be twenty (20) square feet, and the maximum allowable copy area of any secondary sign shall be ten (10) square feet. Copy area shall only identify the name of the subdivision or development, including logo, but shall not include any tenant signage or other incidental signage.

df. Prohibited signs. In addition to the signs or message board prohibited by section 31.5-14 of the sign code, the following signs are prohibited within or adjacent to the village commercial center:

1. Off-premises signs (billboards).

2. Flashing, rotating or revolving signs, with the exception of barber poles.

3. Roof signs.

4. Any sign suspended between poles and illuminated by a series of lights.

5. Any sign erected on a tree or utility pole, or painted or drawn on a rock or other natural feature.

6. Any banner sign or sign of any other type across a public street or on any private property, except for such signs which are approved by the board of county commissioners to be of general benefit to the county or for public convenience, necessity or welfare.

7. Any sign suspended between poles which is either a pennant which blows in the wind or a spinner which spins in the wind.

8. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving lights or light except those giving public service information such as time, date, temperature, weather, or similar information.

9. All signs above eight (8) feet in height.

10. Any other signs prohibited by this
Code. Backlit awnings or canopies.

11. Marquee signs.

12. Roof signs.

13. Projecting signs.

14. Pole or Pylon signs.

15. Electronic changeable copy signs.

16. Electronic signs including Light-Emitting Diodes (LED), television screens, plasma screens, digital screens, flat screens, video boards, holographic displays, projected images / messages, or similar type signs.

17. Signage that is internally lit (neighborhood center only); and

18. Any other signs prohibited by this Code.

g. Special exception signs. Illuminated window signs may be permitted by special exception subject to the relationship of the size of the sign and the window opening and the character of the sign and building.

h. The computation of the area of a sign shall include incidental decorative trim and the framework in addition to the portion devoted to the message and lettering.

i. For projecting or freestanding double faced signs, only one (1) display face shall be measured in computing the total sign area where the sign faces are parallel or where the interior angle formed by the faces is forty-five (45) degrees or less. Signs with sides forming an interior angle of more than forty-five (45) degrees shall not exceed the maximum area permitted for such signs for all sides combined.

j. The area measure of each ground sign shall include all separate components, which shall not exceed three (3)
in number. The area measure of each freestanding sign shall include all separate components, which shall not exceed three (3) in number. Freestanding signs shall not exceed a height of seven (7) feet from the ground level to the top of the sign and shall not exceed a height of nine (9) feet to the top of the sign support.

Wall signs which are part of the architectural design of a building shall be restricted to an area not more than fifteen (15) percent of the wall area, including windows and doors, of the wall upon which such sign is affixed or attached, and such signs shall not protrude above the structural wall of which it is a part. Where such sign consists of individual lettering or symbols attached to building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.

(6) Street trees and parking lot landscaping requirements. Landscaping should compliment the pedestrian scale and character of the neighborhood, screen vehicle use areas, provide shade for large expanses of pavement, provide visual interest, and enhance the common open space within the neighborhood center. Accordingly, all development within the village center shall meet the following landscape requirements:

a. Street trees shall be planted along all streets at a maximum average spacing of forty (40) feet on center. Trees shall have a clear trunk of six (6) feet, and a minimum caliper of three (3) inches at the time of planting. Palms may be used as street trees only in the village center at a maximum spacing of twenty-five (25) feet on center provided the mature crown of a single palm or cluster of palms will be a minimum of twenty (20) feet in diameter. Single palms with less than a twenty-foot crown may be used at a spacing less than fifteen (15) feet on center. Palms shall have a minimum clear trunk of ten (10) feet and a minimum caliper of five (5) inches at the time of planting. Street trees shall not be required when a colonnade is constructed. Trees shall be used as a design element to provide visual identity to the village and reinforce street hierarchy. Landscaping shall be provided as required in chapter 9 and chapter 24, except that where buildings are located immediately abutting the sidewalk, the seven (7) foot wide landscape tree and shrub strip shall not be required. In addition, the eight (8) foot wide planter strip along the foundation building primary facades shall not be required. Instead, plantings
shall be encouraged within narrower (twelve (12)-inch to twenty-four (24)-inch wide) sidewalk cutouts, or raised planters or pots, located along the foundation of building primary facades. Alternative methods and clustering of landscape that meet the intent of this division may be approved by the county.

b. Street trees shall be arranged and maintained at intersections to provide reasonable visibility for warranted traffic control devices. Street trees shall not be planted closer than fifteen (15) feet to the corner.

c. **Off-street parking and vehicle use areas.** For all parking lots with more than six (6) spaces the landscaped area shall be comprised of a minimum of twenty (20) percent of the total parking lot area. Except as provided herein, off-street parking and vehicle use areas shall be landscaped in accordance with chapter 24. One (1) shade tree shall be required for each three hundred (300) square feet of the above required open space. Shade trees shall be a minimum of ten (10) feet tall and have six (6) feet of clear trunk and a minimum caliper of three (3) inches at time of planting. Palms may be used in place of trees at three (3) palms for each required tree. The maximum number of palms shall not exceed thirty (30) percent of the required trees/palms for an individual parking lot. Palms shall have a minimum clear trunk of ten (10) feet and a minimum caliper of five (5) inches at time of planting.

d. **Screening of off-street parking and vehicle use areas.** The edges of parking lots which abut a street shall have a streetwall with street trees planted in the lot at a maximum average of thirty (30) feet on center and three (3) feet from the frontage line. Edges which abut property under a different ownership shall have a streetwall or be planted with shrubs at least two (2) feet high at time of planting with a maximum spacing of two and one half (2 1/2) feet on center. Off-street parking and vehicle use areas visible from the right-of-way/roadway shall be screened per landscape code chapter 24 and as detailed in subsection d.1 below. In addition, a minimum forty (40) inch tall solid masonry wall or other approved type of solid construction with decorative finish, such as stucco or brick including a decorative cap, shall be installed between the parking lot and the right-of-way. The wall shall not extend over twenty-five (25) feet without an offset/projection, pilaster, or column feature to provide

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aesthetic variety.

1. A continuous hedge, a minimum of thirty (30) inches in height, shall be planted along the outside of the wall along the full linear length of the street wall/knee wall with one (1) canopy tree planted on average of forty (40) feet on-center and one (1) understory tree planted on average of twenty (20) feet on-center. Groundcover, other than sod, shall be utilized for at least fifty (50) percent of the remaining landscaped area.

2. The width of the landscaped area shall be consistent with chapter 24 for vehicle use areas and the street wall shall be placed no closer than five (5) feet from the property line.

3. Edges of vehicle use areas which abut an adjacent property shall be planted with shrubs at least three (3) feet high at time of planting with a maximum spacing of thirty (30) inches on-center with canopy trees and understory trees planted in accordance with sub-paragraph 1 above.

4. All walls shall include reasonable breaks for pedestrian connections to adjacent uses and external sidewalks. Linear wall length shall not exceed twenty-five (25) feet without a column, offset, or projections, or other architectural feature.

5. For parking areas with one-hundred (100) or more spaces, a eight (8) foot wide landscape strip, including a continuous hedge at a minimum thirty (30) inches in height and canopy trees at an average of forty (40) feet on-center, shall be required along the primary entrance drive lanes.

   (i) Primary entrance drive lanes are drive lanes or isles which are created at a primary access point or curb cut into a development or shopping center, as well as those drive lanes that abut and are parallel to a building front.

   (ii) Back-out parking is not permitted onto primary entrance drive lanes. Angle parallel parking is permitted along primary entrance drive lanes.

   (iii) One (1) isle access or isle
break to the primary entrance drive lane shall be allowed for each two (2) internal parking lot drive isles that are provided within the parking area.

(iv) Buffer yards. With the exception of zero (0) lot line commercial, office or mixed-use buildings and the landscape requirements of off-street parking areas, all property lines, regardless of use, shall be planted with canopy trees on average of forty (40) feet on-center and in accordance with the buffer requirements of section 24-5. For buildings constructed at the front building setback, the required street tree plantings will meet this requirement along the abutting front or side-street buffer.

(v) Except as stated herein, all development shall comply with the landscape requirements set forth in chapter 24 of this code. Alternative methods, buffering, and clustering of landscape may be approved by the zoning division manager or his designee, as long as the intent of the code is met.

(vi) Where buildings or customer service/seating areas are placed at the front setback line, the parking is provided in the rear of the building, street trees are provided along the primary façade, and the building area is less than six-thousand (6,000) square feet, the landscape adjacent to the perimeter of the building’s primary façade, as required by the commercial design standards ordinance, may be reduced from eight (8) feet for four (4) feet in width with only the requirement for shrubs and groundcover. Required street trees shall serve to meet the tree planting requirements. Up to fifty (50) percent of the required landscape area may be provided within the street tree planters.

(vii) For apartment or other multi-family structures, landscape adjacent to the primary façade of the building shall be provided at the base of the building at a minimum of eight (8) feet in width and shall include a combination of hedges, a minimum of thirty (30) inches in height, and groundcover and a maximum of twenty-five (25) percent sod.

Sec. 38-1390. Park and civic use development standards.
(a) **Park and civic use areas.** Land designated for park and civic use in the adopted village SAP shall include land for community buildings which shall be open to the public including: meeting halls; libraries; schools; child care centers; police and fire stations; post offices; clubhouses; religious buildings; playgrounds; museums; cultural societies; visual and performing arts buildings; public art; and governmental buildings.

(b) **Site development standards.** The site development guidelines and standards for civic use buildings shall be the same as those for uses in the village center. Design standards shall be submitted for all civic uses in the village, and shall be consistent with the intent of this code and the adopted SAP. Such uses must be processed as a P-D. This provision is not intended to apply to public schools.

Section 2. **Effective date.** This ordinance shall take effect pursuant to general law.

APPROVED THIS _____DAY OF **JUN 02 2009**, 2009.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: ____________
Richard T. Crotty
Orange County Mayor

ATTEST: Martha O. Haynie, Orange County Comptroller
as Clerk of the Board of County Commissioners

By: ____________
Deputy Clerk

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